

Warwickshire County Council

Staff Code of Conduct

Model Policy for Early Years Providers (January 2024)



Purpose of this model policy:

The EYFS (Early Years Foundation Stage) Framework 2024 states that:

Providers must take all necessary steps to keep children safe and well. The requirements in this section explain what early years providers must do to: safeguard children; ensure the suitability of adults who have contact with children, promote good health, manage behaviour, and maintain records, policies, and procedures.

This model policy has therefore been developed to support all Early Years providers working with children aged from birth to five years, with a focus on good practice in relation to staff code of conduct. This is a model Staff Code of Conduct policy and so each individual setting should reflect upon their own policies and procedures and adapt the model policy based upon these.

Links to settings individual policies may need to be made when appropriate, which may include:

- Child Protection / Safeguarding Policy
- Complaints Policy
- Equality and Diversity Policy
- Staffing and Employment Policy

Additional elements to consider are included within the policy and are highlighted in yellow. Settings should consider these points in relation to their own policies and procedures and include reference to these points when relevant.

Staff Code of Conduct Policy

Policy Statement

This setting holds the value of treating all staff with respect and expects the same from each member of staff. The setting expects all staff to treat the setting, each other and the children and their families with respect always. At all times, staff should be a positive role model to children and their families, ensuring they are meeting the core values we hold for our children. This Staff Code of Conduct outlines the way in which we as a setting expect all staff members to always conduct themselves.

This Staff Code of Conduct Policy is linked with other policies for the setting, including:

- Child Protection / Safeguarding Policy.
- Complaints Policy.
- Equality and Diversity Policy.
- Staffing and Employment Policy.

Expectations of Staff Behaviour

The EYFS Framework 2024, states:

All children deserve high quality early education and care. This requires a quality workforce. A well-trained, skilled team of practitioners/childminders can help every child achieve the best possible educational outcomes.

As a setting, we expect all staff to behave in a way which reflects the settings values and ethos. All staff across the setting are expected to:

- Always demonstrate the highest possible standards of personal and professional conduct and behaviour.
- Treat everyone associated with the setting with respect and fairness at all times.
- Demonstrate tolerance of and respect the rights of others.
- Uphold the fundamental British Values including democracy, the rule of law, individual liberty, mutual respect, and tolerance of those with different faiths and beliefs.
- Have regard to the settings ethos and values and ensure that they do not act in a way which may bring the setting, their colleagues or themselves into disrepute.
- Understand the settings policies and procedures and ensure they act in accordance with these at all times.

Relationships

Staff must always ensure they act in a professional manner. Whilst the building of strong relationships is fundamental in Early Years, staff must ensure that they maintain professional boundaries with children and their families and must always consider whether their actions are warranted, proportionate, safe, and applied equitably.

Staff should not establish or seek to establish social contact with children or their families for the purposes of securing a friendship or to pursue or strengthen a relationship. However, it is acknowledged that staff and volunteers may have genuine friendships and social contact with families from the setting, independent of the professional relationship, such as when a parent and practitioner are part of the same family or personal network. Those circumstances will usually be easily recognised, openly acknowledged, and should be explicitly declared in writing by staff to the Manager. Staff should always take care to maintain appropriate personal and professional boundaries in any such circumstances.

Additional elements to consider:

- Babysitting – consideration needs to be made regarding babysitting children who attend the setting.

Physical Contact with a Child

Within the roles and duties of staff members, there are occasions when it is needed for staff to have appropriate physical contact with the children in their care, but it is essential this is always done so in an appropriate manner which meets the individual circumstances and child's needs. When possible, staff should aim to seek a child's individual permission before making appropriate physical contact with a child.

There may be some occasions when staff or volunteers consider that a distressed child needing comfort and reassurance requires physical contact. Young children may need immediate physical comfort, for example after a fall, separation from a parent etc. Staff and volunteers should use their professional judgement to comfort or reassure a child in an age-appropriate way, whilst maintaining clear professional boundaries. It is not possible to outline individual circumstances in which physical contact is appropriate, therefore staff should always use their professional judgement. Whereby another member of staff deems physical contact with a child to be inappropriate, the settings whistleblowing policies should be followed immediately.

The EYFS Framework 2024, states that:

Providers / Childminders must keep a record of any occasion where physical intervention is used, and parents and / or carers must be informed on the same day, or as soon as reasonably practicable.

Therefore, if physical contact is used to support behaviour, this must be reported to management immediately and the manual handling policy followed.

Additional elements to consider:

- Links to intimate care.
- Links to manual handling policy.
- Links to behaviour management policy.

Communication

All staff must ensure that language used is appropriate and always professional. Informal language should be avoided as all staff are expected to always model the correct use of language to children and set a good example in their spoken language. The way in which we speak to children, each other, and the families in our setting, should be respectful and supportive. Written communication with families, needs to be checked by management, before being shared.

Gifts

Gifts from the families within our setting are not expected but appreciated. All staff need to be mindful that they do not accept any gifts which might be viewed as a bribe or lead the receiver to give preferential treatment to an individual child or family.

There may be times when as a setting, we give children and their families gifts, for example at special times of the year such as Christmas. This should be agreed and organised as a setting and not undertaken by individual members of staff.

Absence from Work

To meet the needs of the setting, staff are required to comply with the guidelines relating to notification of absence, as set out in their contract of employment.

The agreement of annual leave will be finalised by management and annual leave is determined by the guidelines set out in individuals' contract of employment.

Additional elements to consider:

- Arrangements for notification of absence.
- Arrangements for appointments.
- Link to individual contracts.

Timekeeping

All staff are expected to maintain appropriate and consistent timekeeping standards in line with their individual employment contract. Staff are required to arrive at the time and leave at the time, which is outlined in their contract of employment. If for any reason, staff members wish to arrive later or leave earlier than their normal times, this must be agreed with management.

The setting provides a signing in and out system for recording staff attendance which must be completed each day. When leaving the setting for periods of time during the workday, for example during a lunchbreak, staff must ensure that they return to the setting and are ready to fulfil their duty within the agreed time. When leaving the setting during the workday, staff must ensure that they sign in and out of the setting so that management are aware of who is on the premises.

Dress and Appearance

We recognise that dress and appearance are part of personal choice and self-expression. At all times, all staff should ensure that they are dressed appropriately for the tasks they undertake as part of their role. Staff should always dress in a manner which could not be viewed as offensive, inappropriate or provocative and always maintains professionalism. Items of clothing, such as footwear, should be suitable and not increase potential risk.

On occasions, it may be that as a staff team we choose to participate in events, such as charity days, which provide staff with the option to wear different clothes. During these events, staff need to ensure that clothes worn remain appropriate and professional.

Additional elements to consider:

- Tattoos and piercings consider health, safety, and appropriateness – images/words etc.
- Nails and hair colour/tied back (health and safety)

Social Media and Online Safety

Whilst we understand that staff are entitled to a private life away from the setting, and the use of social media and other online platforms can be beneficial for individuals, we recognise they can also have risks for staff. The boundaries between the offline and online world can be easily blurred: this can have potentially serious consequences for professionals. When using social media or public online platforms, staff must ensure that they act respectfully and appropriately so as not to bring the setting, their colleagues or themselves into disrepute.

Staff must not use their private social networking sites in connection with the setting, this includes:

- Contacting children or their families to discuss any aspect of the setting.
- Uploading photos, comments or information about the setting or individuals linked with the setting.

For further guidance regarding online safety considerations, staff should refer to [Safeguarding Children and Protecting Professionals in Early Years Settings](#).

Additional elements to consider:

- Linking with families, for example accepting friend requests from parents. As stated in Safeguarding Children and Protecting Professionals in Early Years Settings, states that Managers should:
“Understand that it is recommended that staff do not accept friend requests or communications from learners or their family members (past or present). If there is a pre-existing relationship, this should be discussed with the DSL (Designated Safeguarding Leads) and/or the Manager, who will need to consider how this is managed, provide staff with clear guidance and boundaries and record action taken.”
- Privacy settings on individual accounts.
- Links to Acceptable Use Policy.

Mobile Phones, Cameras, and Devices

All members of staff must keep personal mobile phones, cameras and electronic devices with imaging and sharing capabilities (including smart watches) in a secure place, in a staff area only. Personal mobile phones, cameras and electronic devices with imaging and sharing capabilities are not to be used in any spaces that are accessed by children at any time.

There may be occasions, for example an agreed outing, where staff are required to have access to their personal mobile phone to ensure the safety of children and staff. During these circumstances, staff must ensure that their personal mobile phone is only used for the direct reason for having it available, for example contacting the setting in time of an emergency.

Personal mobile phones, devices and cameras must never be used to take photographs of any nature of children from the setting or their families. When families from the setting are around the children from the setting, for example during stay and play sessions, all staff must ensure that families do not take photographs of children within the setting.

Additional elements to consider:

- Links to a mobile phone, camera, and media policy.

Smoking, Alcohol, e-cigarettes, and Other Substances

The EYFS Framework 2024 states that:

Providers/Childminders must not allow smoking in or on the premises when children are present or about to be present. Staff should not vape or use e-cigarettes when children are present, and providers should consider Public Health England advice on their use in public places and workplaces.

Smoking is not permitted by staff; this includes the use of e-cigarettes. Any member of staff wishing to smoke, including using an e-cigarette, must leave the premises. Staff must not smoke or use e-cigarettes when working with or supervising children offsite, for example on an outing.

The EYFS Framework 2024 states that:

Staff members/Childminders and childminding assistants must not be under the influence of alcohol or any other substance which may affect their ability to care for children. If a staff member is taking medication which may affect their ability to care for children, the staff member should seek medical advice.

Providers/Childminders and their assistants must ensure that staff members only work directly with children if medical advice confirms that the medication is unlikely to impair that staff member's ability to look after children properly. All medication on the premises must be securely stored, and out of reach of children, at all times.

All staff must ensure that they are always fit for duty. Staff should be aware of the lasting effects of alcohol and other substances and ensure that any consumption of these does not impair their ability in their duties. When medication is required by staff, this needs to be always stored securely, ensuring it is not accessible to any child.

Confidentiality

The storing and processing of personal information is governed by the General Data Protection Regulations 2017 (GDPR) and [Data Protection Act 2018](#). As part of procedures in place, when appropriate and required, staff may have access to personal information relating to other staff, children, and families. All staff must follow the data protection principles as outlined in [The Data Protection Act 2018](#), which outlines:

Everyone responsible for using personal data must follow strict rules called 'data protection principles. They must make sure the information is:

- *Used fairly, lawfully, and transparently.*
- *Used for specified, explicit purposes.*
- *Used in a way that is adequate, relevant, and limited to only what is necessary.*
- *Accurate and, where necessary, kept up to date.*
- *Kept for no longer than is necessary.*
- *Handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction, or damage.*

To ensure these principles are met, all staff must ensure:

- All records are always kept secure.
- Information relating to individuals should not be disclosed in any form to unauthorised people.
- If required and appropriate to share information relating to an individual, staff should consider how and where the sharing of this information takes place to ensure that confidentiality is maintained.
- Any breach of confidentiality must be reported immediately to the Manager, who must take appropriate action in accordance with statutory guidance.
- If staff are in any doubt regarding the sharing of information, they should refer to their Line Manager.

Additional elements to consider:

- Links to own policies and procedures.

Whistleblowing

Whistleblowing is when someone raises a concern about a member of staff of any wrongdoing within their setting. Whistleblowing is an important part of safeguarding and ensuring the safety of everyone within the setting.

When concerns are held by a member of staff, these should be recorded on a yellow form and handed to the Manager immediately. If the concern is regarding the Manager, it should be followed up with the **Owner/ Committee Chair/ Governors**. The relevant person will then consider if the concern meets the threshold of harm and contact LADO (Local Authority Designated Officer) within 1 working day if the threshold has been met.

LADO Criteria:

- Behaved in a way that has hurt or harmed a child.
- Possibly committed a criminal offence.
- Behaved towards a child or children that indicates that they may pose a further risk of harm to children.
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children.

Low Level Concerns

A low-level concern is any concern that a professional has acted in a way which does not meet the staff conduct expectations, and this includes inappropriate conduct outside of work. Low Level concerns would be concerns which do not meet LADO threshold of harm.

Recognising and responding to low level concerns is an important part of our safeguarding culture. It supports us to ensure that all adults consistently behave in a way which is appropriate and helps keep children safe.

Low-level concerns should be recorded in writing, held securely, and reviewed for patterns.

When a low-level concern is raised, the Manager will consider the information and the need for:

- Training either individual or as a team.
- The implementation of a support plan, which is reviewed regularly.
- Increased Supervision.
- Re confirm the staff behaviour policy (code of conduct) – clear expectations of appropriate behaviour.
- Empower reporting of low-level concerns.

Additional elements to consider:

- **Links to whistleblowing policy.**
- **Links to low-level concern policy.**
- **Location of yellow forms.**

WCC Staff Code of Conduct Policy Framework January 2024

Supervision and Wellbeing

As a setting, we value the importance of the wellbeing of all our staff team. Our staff make a valuable contribution to the lives of the children and families within our settings community. We also understand, that at times, working in a setting may provide us with challenges and demands and so it is important that we look after our own and each other's wellbeing. Wellbeing may mean different things to different people, and so we aim to continuously reflect upon how we support wellbeing and value the contribution of all staff's ideas and thoughts on this.

Supervision is also an important aspect of our setting supporting the wellbeing of all our staff team. The EYFS Framework 2024 states:

Providers/Childminders must put appropriate arrangements in place for the supervision of staff/assistants who have contact with children, families, and carers. Effective supervision provides support, coaching, and training for the staff/assistant and promotes the best interests of children. Supervision should foster a culture of mutual support, teamwork, and continuous improvement, which encourages the confidential discussion of sensitive issues.

As well as supporting wellbeing, as a setting, we recognise the important role supervision plays in improving the lives of the children we work with, and it is therefore important that we all work together make sure appropriate arrangements are in place for all members of staff.

Effective supervision provides support, coaching and training for the practitioner and promotes the interests of children and serve to safeguard our children and staff too as it provides opportunities for staff to share concerns and issues sensitive issues.

Supervision meetings will:

- Allow for an opportunity to discuss any issues, particularly concerning children's development or wellbeing, including child protection concerns.
- Identify solutions to address issues as they arise.
- Provide an opportunity for staff to receive coaching to improve their personal effectiveness.
- Be recorded using our **supervision template**, at the end of the supervision meeting you will receive a copy of your supervision and one will be placed in your **individual staff file**.
- Occur at regular intervals, at the end of each supervision meeting another date will be set.

During certain times, supervision meetings may happen on a more regular basis, this will be discussed with individual staff members and agreed with management.

Additional elements to consider:

- **Links to supervision policy.**
- **Links to individual contracts.**
- **Links to safeguarding policies and procedures.**
- **Links to whistleblowing policy.**

Reporting of Changes

The EYFS Framework 2024, states that:

Providers must tell staff / Childminders must tell assistants that they are expected to disclose any convictions, cautions, court orders, reprimands and warnings that may affect their suitability to work with children (whether received before or during their employment at the setting).

Staff must ensure that they report to their Manager any details of any arrests, criminal conviction or cautions made against them by the Police, where the offence calls into question the member of staff's suitability to work with children or is a breach of discipline and/or may have a direct impact on the staff member's job.

Failure to comply with ongoing reflections on professional suitability may result in action being taken against you and you able to continue in the role.

Additional elements to consider:

- Link to settings employment policy.

Appendix 1

Policy Review

Policy Title	Staff Code of Conduct
Reviewed on:	
Reviewed by:	
Next Review Date:	

Appendix 2

Confirmation of Compliance

I confirm that I have read, understood, and agree to comply with the **setting's** Staff Code of Conduct Policy.

If I consider there are any changes to my suitability to work in the role, I acknowledge in signing here that I have a responsibility to inform my Line Manager.

Name

Position/Post Held.....

Signed

Date

Once completed, signed, and dated, please return this form to your Line Manager.

Early Years and Childcare Safeguarding Flowchart: Low Level concern /allegations against a member of staff/volunteer

General safeguarding advice and support is available from Warwickshire Early Years Adviser Team: 01926 742547 E: earlyyearsadvisors@warwickshire.gov.uk

Guidance on managing allegations:
<https://westmidlands.procedures.org.uk/ykpzy/statutory-child-protection-procedures/allegations-against-staff-or-volunteers>

NSPCC Whistleblowing Advice Line: 0800 028 0285

Low level concern /allegation against a member of staff or volunteer or childminder

Concerns logged on yellow form and passed to manager/setting leader

Manager considers if the concerns meet the threshold

- behaved in a way that has harmed a child, or may have harmed a child and/or
- possibly committed a criminal offence against or related to a child, and/or
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children, and/or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children

No Follow low level concern policy

- Record in writing
- Hold securely
- Review for patterns

Yes

Speak to the LADO within one working day 01926 745376
lado@warwickshire.gov.uk

Manager/setting leader considers the information and the need for

- training either individual or as a team
- supervision
- re confirm the staff behaviour policy (code of conduct) – clear expectations of appropriate behaviour
- empower reporting of low-level concerns

Low level concerns shared about agency staff and contractors should be shared with THEIR employer.

Encourage an environment where staff self-refer if they find themselves in a situation there could be considered to fall below expected professional standards.

Low level concerns about the manager should be followed up with the owner/ committee/ governors.

Any doubt

OFFICIAL