

Tutor Trust Guidance on Conduct and Behaviour – For Tutors

(Content taken from KCSIE2023 & NSPCC WEBSITE)

Tutors can become an important part of a child or young person’s life. Over a period of time tutors can build up a strong, trusting relationship with children and their families and play a key role in providing support.

Tutors can have varied roles. They may:

- work with small groups of children online, in schools or similar education setting
- work on a one-to-one basis online, in schools or similar education setting
- work in their own home online with children.

Like anyone who works with children, tutors have a responsibility to promote children’s wellbeing. It’s important they are able to recognise and respond appropriately to any concerns, and help keep children safe. It is also vital to make sure children and young people are safe during a tutoring session. This includes making sure all tutors and staff have undergone the necessary checks, and steps are taken to mitigate any risks during sessions. Tutors, parents and children need to be clear about professional boundaries and appropriate behaviour to avoid any potential misunderstandings or allegations. For further guidance when delivering online tuition, please see *Tutor Trust Remote Tuition Safeguarding Guidance*.

Power and Positions of Trust

As a result of their knowledge, position and/or the authority invested in their role, all adults working in education settings are in positions of trust in relation to the young people in their care. Broadly speaking, a relationship of trust can be described as one in which one party is in a position of power or influence over the other by virtue of their work or the nature of their activity. It is vital for all those in positions of trust to understand this power and the responsibility they must exercise because of this relationship.

A relationship between an adult and a child (under the age of 18) is not a relationship between equals. There is potential for exploitation and harm of vulnerable young people. Adults therefore have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

Tutors should always maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. They should report and record any incident with this potential.

Where a person aged 18 or over is in a specified position of trust with a child under 18, it is an offence for that person to engage in sexual activity with, or in the presence of, that child or to cause or incite that child to engage in or watch sexual activity.

Propriety and Behaviour

Everyone coming into contact with children have a responsibility to safeguard their welfare, as the

best interests of the child are paramount. It is therefore expected that they will adopt high standards of personal conduct in order to maintain the confidence and respect of their colleagues, pupils, the public in general and all those with whom they work.

There may be times, for example, when an adult's behaviour or actions in their personal life come under scrutiny from local communities, the media or public authorities. This could be because their behaviour is considered to compromise their position in their workplace or indicates an unsuitability to work with pupils. Misuse of drugs, alcohol or acts of violence would be examples of such behaviour.

Tutors in contact with pupils should therefore understand and be aware that safe practice also involves using their judgement and integrity about behaviours in places other than the work setting, such as with online tuition.

This means that tutors should NOT:

- Behave in a manner which would lead any reasonable person to question their suitability to work with children or to act as an appropriate role model (e.g. tutoring whilst under the influence of alcohol).
- Make, or encourage others to make, sexual, racial, homophobic or any other discriminatory remarks to or about a student.
- Use inappropriate language to, or in the presence of, pupils.
- Discuss their personal or sexual relationships with, or in the presence of, pupils.
- Make, or encourage others to make, unprofessional personal comments which scapegoat, demean, discriminate or humiliate, or might be interpreted as such.

Dress and Appearance

A person's dress and appearance are matters of personal choice and self-expression. However, tutors should dress in ways which are appropriate to their role and this may need to be different to how they dress when not at work.

Those who dress in a manner which could be considered as inappropriate could render themselves vulnerable to criticism or allegations.

This means that tutors should wear clothing which:

- *is appropriate to their role*
- *promotes a positive and professional image*
- *is not likely to be viewed as offensive, revealing, or sexually provocative*
- *does not distract, cause embarrassment or give rise to misunderstanding*
- *is absent of any political or otherwise contentious slogans*
- *is not considered to be discriminatory and is culturally sensitive*

Gifts, Rewards and Favouritism

All tutors should be aware of their school's or education service's guidance on rewards, including arrangements for the declaration of gifts received and given. The giving of gifts or rewards to pupils should be part of an agreed policy for supporting positive behaviour or recognising particular achievements. There are occasions when children, young people or parents wish to pass small tokens of appreciation to adults e.g., on special occasions or as a thank-you, and this is acceptable as long as the school is made aware.

However, it is unacceptable to receive gifts on a regular basis or of any significant value.

Child on Child abuse

All tutors should be aware that children can abuse other children (formerly referred to as peer-on-peer abuse), and that it can happen both inside and outside of school and online. It is important that all tutors recognise the indicators and signs of child-on-child abuse and know how to identify it and respond to reports. All tutors should understand that even if there are no reports in their schools or tuition settings it does not mean abuse is not happening, it may be the case that it is just not being reported. As such it is important that if tutors have any concerns regarding child-on-child abuse they should speak to their designated safeguarding lead (or deputy) in school as soon as possible (before leaving the building if they are tutoring in-person). It is essential that all tutors understand the importance of challenging inappropriate behaviours between children, many of which are listed below, that are actually abusive in nature. Downplaying certain behaviours, for example dismissing sexual harassment as “just banter”, “just having a laugh”, “part of growing up” or “boys being boys” can lead to a culture of unacceptable behaviours, an unsafe environment for children and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it. Child on child abuse is most likely to include, but may not be limited to:

- bullying (including cyberbullying, prejudice-based and discriminatory bullying);
- abuse in intimate personal relationships between peers;
- Physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse);
- sexual violence, such as rape, assault by penetration and sexual assault (this may include an online element which facilitates, threatens and/or encourages sexual violence);
- sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse. For further information about sexual violence and sexual harassment, see Annex B in KCSIE 2023;
- Causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party;
- consensual and non-consensual sharing of nude and semi-nude images and/or videos (also known as sexting or youth produced sexual imagery);
- up skirting, which typically involves taking a picture under a person’s clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm; and
- initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element).

All tutors should be clear as to the school’s and Tutor Trust’s policy and procedures with regards to child-on-child abuse and the important role they play in responding to it.

Inappropriate or Abusive Images

Youth Produced Sexual Imagery can be defined as images or videos generated by children under the age of 18 that are of a sexual nature or are considered to be indecent. These images may be shared between children and young people and/or adults via a mobile phone, webcam, handheld device or website/app.

The taking and sharing (consensual or non-consensual) of sexual imagery of children by children is always a risky behaviour, and illegal. Once an image has been shared, control of it has been lost and is unlikely to ever be fully regained. This activity is also known as ‘Sexting’.

Children and young people may consent to sending a nude image of themselves. They can also be forced or coerced into sharing images by their peers or adults online. If a child or young person originally shares the image consensually, they have no control over how other people might use it. If the image is shared amongst peer groups it may lead to bullying and isolation. Perpetrators of abuse may circulate a nude image more widely and use this to blackmail a child and/or groom them for further sexual abuse.

It is a crime to take, make, permit to take, distribute, show, possess, possess with intent to distribute, or to advertise indecent images of any person below the age of 18 (Crime and Justice Act 1988, section 160, Protection of Children Act, 1978, section 1,1a).

Adults should be aware that the prosecution or criminalisation of children for taking indecent images of themselves and sharing them should be avoided where possible. Being prosecuted through the criminal justice system is likely to be upsetting and distressing for children and young people, especially if they are convicted and punished.

This means that tutors should not:

- *Display any material (either pictures or words) of a child or adult that is sexually explicit.*
- *Display any other images perceived to be inappropriate either due to the age of the pupil or content of the image.*

This means that tutors should:

- *Where they witness a display of inappropriate or abusive images of a child, by or in the presence of a pupil, explain that due to the nature of the image(s) they will immediately terminate the session.*
- *Advise the school DSL/Deputy DSL immediately after terminating the session to ensure any evidence/recordings can be preserved and made available for any subsequent police investigation.*
- *Alert The Tutor Trust DSL/Deputy DSL upon leaving the tuition setting, avoiding any unsolicited contact from the pupil or other persons following the termination of a session.*

Infatuations

Occasionally, a child or young person may develop an infatuation with a tutor who works with them. Tutors should deal with these situations sensitively and appropriately to maintain the dignity and safety of all concerned. They should remain aware, however, that such infatuations carry a high risk of words or actions being misinterpreted and should therefore make every effort to ensure that their own behaviour is above reproach.

A tutor, who becomes aware that a child or young person is developing an infatuation, should discuss this at the earliest opportunity with the school's DSL and the DSL at The Tutor Trust, so appropriate action can be taken to avoid any hurt, distress or embarrassment.

This means that tutors should:

- *report and record any incidents or indications (verbal, written or physical) that suggest a child or young person may have developed an infatuation to the school DSL/Deputy DSL immediately.*
- *alert The Tutor Trust DSL/Deputy DSL upon leaving the tuition setting.*
- *always acknowledge and maintain professional boundaries.*

Sexual Contact

All tutors should clearly understand the need to maintain appropriate boundaries in their contacts with pupils. Intimate or sexual relationships between children/young people and tutors who work

with them will be regarded as a grave breach of trust. Allowing or encouraging a relationship to develop in a way which might lead to a sexual relationship is also unacceptable and is regarded as Child Sexual Exploitation.

There are occasions when adults embark on a course of behaviour known as 'grooming' where the sole purpose is to gain the trust of a child and manipulate that relationship, so sexual abuse can take place. Tutors should be aware that consistently conferring inappropriate special attention and favour upon a child might be construed as being part of a 'grooming' process and as such will give rise to concerns about their behaviour.

This means that tutors should not:

- *have sexual relationships with pupils.*
- *have any form of communication with a child or young person which could be interpreted as sexually suggestive or provocative via Social Media platforms, verbal comments, letters, notes, email, phone calls, texts or physical contact.*
- *make sexual remarks to, or about, a child/young person.*
- *discuss their own sexual relationships with, or in the presence of, pupils and take care that their language or conduct does not give rise to comment or speculation. Attitudes, demeanour, and language all require care and thought.*

Further Guidance

- Tutor Trust tutors should only have contact with the children and young people we are providing tuition to, at the times and in the venues that have been agreed with the school, college or other institution that has contracted the tuition.
- Tuition will only take place in rooms provided by the school, carer or college, or via Vedamo, Tutor Trust's approved online delivery platform.
- A tutor should not be alone in a closed room with a child or young person during a tuition session, nor should they be located in an isolated part of the school.
- When a tutor is the only adult in a room conducting a tuition session with an individual or group of children/young people, a teacher or other representative from the school or college will normally be present in the room or in an adjoining room. When a school or college representative is not in the room during a tuition session, or does not have sight of the session, the door of the room must be left open.
- On no account should any tutor have any physical contact with a child or young person unless it is to prevent accident or injury to themselves or anyone else.
- All tutors have a strict duty never to subject any child to any form of harm or abuse, or to act in a way that could lead to accusations of inappropriate behaviour or abuse. This means that it is unacceptable, for example, to treat a child/young person in any of the following ways:
 - to touch them, apart from handshakes or 'high fives' as congratulations or encouragement during a tuition session.
 - to allow or engage in inappropriate touching of any kind.
 - to allow or engage in sexually suggestive behaviour or make suggestive remarks.
 - to give or show anything which could be construed as containing sexual content or pornographic material.
 - to seek or agree to meet them anywhere outside of the tutoring sessions.
 - to cause distress by shouting or calling them derogatory names.
 - to slap or hit.

Contact outside of work

Contact should not be made outside of tuition sessions with any of the children or young people with whom we are working. Our tutors are required to maintain our reputation for integrity and

responsibility and should not enter into any social or other arrangements with the children that The Tutor Trust is providing tutoring to.

Use of Technology in schools

All tutors are reminded to exercise extreme caution when using technology in relation to your work for The Tutor Trust. As instructed in training, this relates to, but is not exclusive to, the following:

- You must always follow the school policies in relation to use of technology when you are carrying out tuition.
- Always have your mobile phone turned off and out of sight during tuition sessions.
- Never give your e-mail address or phone number to a pupil.
- Never engage with students via Social Networking websites, as outlined below (if you wish to discuss something with regards to Social Networking and a student, please contact The Tutor Trust or your point of contact at the school. **Never** communicate directly with the student online).
- Never take photographs within a school.
- Never write anything disparaging about a child, school or colleague online.
- You must obtain permission from the school to use a laptop for a lesson.

The school in which you are working may hold resources such as iPads that could be used in tuition. Please be extremely careful if you decide to use your personal possessions (e.g. laptops, iPads) for lessons as these items are not covered by The Tutor Trust's insurance.

Social Media

Under **no** circumstance should a tutor engage in any contact with pupils on social media of any form. Whilst this list is not exhaustive, this includes:

- Facebook
- Snapchat
- Instagram
- Twitter
- TikTok

Social media usage for personal reasons does not need approval by The Tutor Trust. However, posts should not compromise the Charity's reputation or brand, or disclose confidential/sensitive data received whilst working in a school. Tutors should consider making their social media profiles 'Private', to minimise the risk of pupils finding them.

Prevent Duty

Protecting children from the risk of radicalisation should be seen as part of schools' and colleges' wider safeguarding duties and is similar in nature to protecting children from other forms of harm and abuse. During the process of radicalisation, it is possible to intervene to prevent vulnerable people being radicalised. Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism. There is no single way of identifying an individual who is likely to be susceptible to an extremist ideology. It can happen in many different ways and settings. Specific background factors may contribute to vulnerability which are often combined with specific influences (such as family, friends or online contacts), and with specific needs for which an extremist or terrorist group may appear to provide an answer.

The internet and the use of social media in particular has become a major factor in the radicalisation of young people. As with other safeguarding risks, tutors should be alert to changes in children's behaviour which could indicate that they may be in need of help or protection (see Annex B of KCSiE 2023). Any suspicions should be reported to the School's Designated Safeguarding Lead and The Tutor Trust Designated Safeguarding Lead.

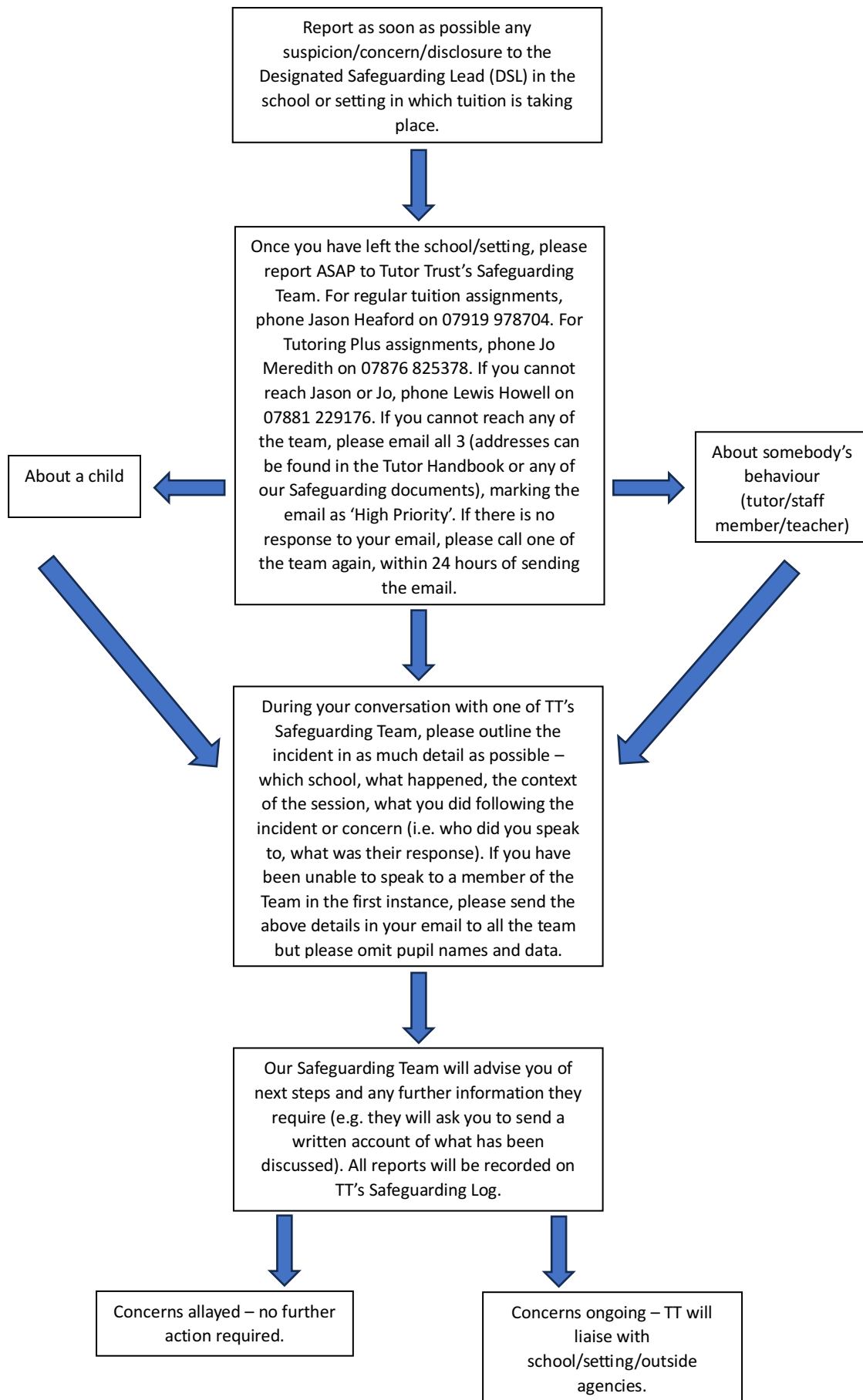
Procedures for making a Disclosure about Tutor Trust staff

If a tutor has a disclosure or safeguarding concern about a member of Tutor Trust staff, or a fellow tutor, the tutor must pass this information, as soon as is reasonably possible, to the appropriate designated investigating officer as follows:

- Tutors, children and teaching staff are able to make disclosures directly to the Designated Safeguarding Lead, Jason Heaford, via telephone (07919 978704) or email (Jason.heaford@thetutortrust.org) or to one of the Deputy DSL's, Jo Meredith, by telephone (07876 825378) or email (joanne.meredith@thetutortrust.org) or Lewis Howell, by telephone (07881 229176) or email (lewis.howell@thetutortrust.org).
- Complaints of malpractice will be investigated by the appropriate Director (Lucy Crompton) unless the complaint is against the Director or is in any way related to the actions of the Director. In such cases, the complaint should be passed to the Trustee Chair for referral.
- In the case of a complaint, which is any way connected with but not against the Director, the will nominate a Senior Manager to act as the alternative investigating officer.
- Complaints against the Trustee Chair should be passed to a different Trustee who will nominate an appropriate investigating officer.
- The complainant has the right to bypass the line management structure and take their complaint direct to the Trustee Chair. The Chair has the right to refer the complaint back to management if he/she feels that the management without any conflict of interest can more appropriately investigate the complaint.

If there is evidence of criminal activity, then the investigating officer should inform the police. The Tutor Trust will ensure that any internal investigation does not hinder a formal police investigation. Disclosures will be treated with the utmost seriousness and investigations undertaken as quickly as possible.

The reporting flowchart below demonstrates the process by which child protection concerns should be addressed by Tutor Trust tutors and staff:



This document will be reviewed on a regular basis to ensure it is adequate and relevant to safeguarding standards.