

Safeguarding Code of Conduct and Policy on Appropriate Professional Boundaries

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Policy on appropriate professional boundaries

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1. Introduction

Safeguarding and promoting the welfare of children and adults at risk is a shared responsibility. To prevent harm to children and to protect NSPCC's reputation and credibility it is essential that we demonstrate the highest standards of conduct.

This Safeguarding Code of Conduct - hereafter referred to as the Code - is part of a suite of policies that are mandatory for all staff, volunteers, and others working with us. Depending on the nature of the work the Code also applies to contractors.

The other policies in the suite are NSPCC Safeguarding and Child Protection policy; Adults at Risk policy and procedure; and 'What to do if you have concerns about a child' procedure. In addition, Managing Safeguarding Allegations Against Staff and Volunteers policy is mandatory for managers. The Code is reflected in NSPCC disciplinary policy.

Staff and volunteers may also be required to undertake safeguarding training as well as discussing this Code and their understanding of it with their line manager/supervisor/commissioner.

The Code includes a Policy on appropriate professional boundaries for all those who are undertaking any type of work with service users (see Policy below).

The Code's purpose is to:

- Specify appropriate behaviour required of staff, volunteers, students and contractors whilst they are engaged in working for, or on behalf of the NSPCC, or where they are volunteering with NSPCC
- Support all those named above to meet their obligations to safeguard
- Reduce the risk of misplaced or malicious allegations by clarifying expectations of behaviour so that any deviations from it can be easily identified

2. Application

The Safeguarding Code of Conduct forms part of:

- The contract of employment, as a member of staff, *or*
- The agreement to work as a volunteer (including interns and trustees), *or*
- The placement agreement as a student, secondee, or person on work experience, *or*
- The agreement as a contractor, as necessary

The Legal Department ensures that the safeguarding element of contracts is fit for purpose and proportionate to the work being contracted. Safeguarding will always be a contractual requirement when the work brings the contractor into contact with a child, adult at risk or service user.

The Policy on appropriate professional boundaries covers the provision of services to children and families face to face, online and on the telephone, participation work, and the schools service. It applies equally to work with adult service users. It applies wherever we provide a service whether in an office or service user's home, and whether in the UK or in another country.

Adherence to this Policy will enable individuals to meet the expectations within the Code of Conduct.

This Code complements and does not contradict or supersede any professional code of conduct set by any of the professional regulatory bodies such as the Health and Care Professionals Council (HCPC).

On joining the NSPCC staff, volunteers and others are expected to adhere to NSPCC policies and procedures including this Code.

In specific circumstances at the discretion of the NSPCC anyone to whom the Code applies may be required to sign a Commitment to adhere to the Code. This might include, for example, those providing services on a temporary basis outside the UK.

3. Definitions

For the purpose of these policies the following terms apply:

- ‘Safeguarding’ means ‘keeping children and adults at risk safe from harm’
- ‘Child’ means anyone up to the age of 18 years (16 years in Scotland). In the context of this policy the child may be a service user or non-service user (e.g. children involved in participation and/or fundraising activities or who are on work experience within NSPCC)
- ‘Adult at risk’ means any person who is aged 18 or over and is at risk of abuse or neglect because of their needs for care and support. Formerly the term was ‘vulnerable adult’
- Individual means staff, volunteers (including interns and trustees), students, those on work experience and contractors

4. The Code

Staff, volunteers, students, secondees, those on work experience and, as agreed, contractors must:

- Maintain high standards of personal and professional conduct including sensitivity to the cultural context of the work being undertaken
- Treat all children and adults at risk with respect including respect for diversity
- Work in partnership with other departments and organisations to ensure that everything possible is done to safeguard and promote the welfare of children and adults at risk
- Report any incidents or concerns that cause them to believe that a child or an adult at risk is, or is likely to be at risk of significant harm in line with the NSPCC procedures
- Adhere to all policies and guidance on online-safety and social media activity
- Co-operate with any vetting and recruitment requirements appropriate to role
- Ensure that whenever possible there is more than one adult present during activities with children, or at least you are within sight or hearing of others. Unless the reason for this has been firmly established and agreed with your manager
- Ensure that when work is being undertaken with an adult at risk an assessment is undertaken of whether or not more than one person should be present
- Report any safeguarding allegations against any individual in line with the NSPCC procedures
- Report any breaches of this Code to a line manager

It is not permissible (and in some instances, may be unlawful) for an individual to:

- Engage in, or attempt to engage in, sexual relations or sexually inappropriate relationship with a child or adult at risk or service user
- Make sexually suggestive or derogatory remarks or gestures to, or in the presence of a child, adult at risk, or adult service user
- Use their status or position to groom, form, or promote relationships with any child, adult at risk or service user, either face to face or online, which are of a sexual nature, or which may become so
- Exchange money, employment, goods or services for sexual favours
- Accept significant gifts or incentives from governments, beneficiaries, donors, suppliers or others
- Allow individuals to gain access to children or adults at risk, without having completed the appropriate checks and processes
- Encourage or assist others to break the law in any way
- Engage in any form of sexual harassment
- Use their position to intimidate, bully, threaten, injure, discriminate against, coerce or undermine any child or adult at risk
- Either exaggerate or trivialise child or adult abuse
- Invite a child or adult at risk or other service user that has been met through employment, placement or volunteering into their home
- Carry out duties or volunteering whilst affected by alcohol, solvents or drugs
- Be in the possession of, or profit from the sale of, illegal goods or substances
- Possess abusive images of any children or 'adult at risk' or service user
- Be alone with children away from organisational premises, such as taking them out on trips unaccompanied by other adults or transporting them alone, unless the reason for this is part of a work plan authorised by a manager and with the consent of parents/carers where required
- Breach confidentiality or seek information to which you have no right of access
- Engage in activities either in the work environment or home life or online which might damage the reputation of the NSPCC and undermine our mission to end cruelty to children or our responsibility to safeguard children and adults at risk

5. The consequences of breaching the Code

Any breach of the Code may result in adverse consequences for the individual. These will vary depending on the position of the individual and the nature of the work/volunteering that they perform:

- For employees, it may result in disciplinary action or dismissal
- For volunteers, it may result in ceasing the volunteering activity

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- For contractors, it may result in cancellation of the contract
 - For students or those on work experience it may result in the placement being terminated

Where a safeguarding allegation is made against a member of staff/volunteer/student/contractor it may also be necessary to take action under the NSPCC Managing Safeguarding Allegations Against Staff and Volunteers Procedure and/or Disciplinary Procedures and this could include reporting onwards to Disclosure & Barring Service/Disclosure Scotland/Access NI, a relevant professional registration body, children's social care, adult social care and/or the police.

The NSPCC cannot contractually require an individual to adhere to the Code outside their work or volunteering for NSPCC. However, an individual's conduct outside their work/volunteering for NSPCC may be taken into consideration in respect of internal procedures and may therefore have employment and volunteering implications for members of staff and volunteers.

Policy on appropriate professional boundaries

A1. Introduction

This policy describes the difference between a personal and working relationship with a service user; clarifies how to set and maintain appropriate boundaries; and identifies actions to address any breaches of appropriate boundaries.

In this policy, the term 'service user' means children and adults at risk, and their families. The policy also applies to personal contacts, friends or neighbours of the service user.

A2. Application

This policy complements expectations set by professional regulatory bodies to which some individuals may already be subject, for example those registered with the Health and Care Professionals Council (or equivalents in other nations) or the Nursing and Midwifery Council.

Appropriate boundaries are the framework within which an individual's relationship with a service user exist through their work or volunteering activity, and which make that relationship appropriate and safe for the service user. The framework sets the parameters within which services and work are delivered, making clear the roles and responsibilities of the individual in relation to the service user.

Adherence to this policy will enable individuals to ensure they are meeting the requirements of the Safeguarding Code of Conduct.

A3. The consequences of breaching this policy

A breach of professional boundaries can occur when an individual behaves towards a service user in a way which is indicative of a personal rather than a working relationship. It is the responsibility of the individual to ensure the relationship is maintained on a professional level at all times. Boundaries must be set based on what the service user requires from the relationship and focussed on the purpose of the task or work.

Any breach of appropriate boundaries may result in disciplinary action and/or dismissal and/or the decision to cease volunteering activity or cancellation of the contractual arrangement.

Where a safeguarding allegation is made against a member of staff/volunteer/student/contractor it may be necessary to take action including reports to the Disclosure and Barring Service/Disclosure Scotland/Access NI, professional registration bodies, children’s social care and/or the police.

A4. Why establish appropriate professional boundaries

Appropriate conduct is important because it:

- Safeguards children and ensure that individuals are aware of what the NSPCC expects of them in terms of their conduct and relationships with service users
- Recognises and appropriately manages power imbalances and unequal relationships which are inevitable by virtue of the NSPCC providing services be they paid, voluntary or otherwise
- Builds appropriate relationships of trust with service users
- Ensures we understand the issues around working with service users and their expectations of us
- Contributes to fulfilling the registration requirements of different regulatory bodies and the need to comply with their codes of conduct
- Protects the reputation of the organisation

A5. The difference between a working and personal relationship

The table below highlights some of the key differences between a personal and a professional relationship:

Characteristic	Working Relationship	Personal relationship (casual, friendship, romantic, family relation)
Remuneration	Paid to provide care or a service provided on the basis of a recognised volunteering role	No payment for being in the relationship or no official volunteering role
Length of the relationship	Time limited for the length of the service user’s needs for a service or the period of the work	May last a life time
Location of relationship	Place defined and limited to where the service/work is to be carried out	Place unlimited, often undefined
Purpose of relationship	Goal-directed to provide service or carry out work with the service user	Pleasure, interest directed
Structure of the relationship	For the individual to provide a service or to work with the service user	Spontaneous, unstructured

Power balance	Unequal power – individual has more power due to authority, knowledge, influence and access to privileged information about the service user	Relatively equal
Responsibility for the relationship	Individual responsible for establishing and maintaining working relationship, not the service user	Equal responsibility to establish and maintain
Preparation for the relationship	Individual requires formal knowledge, preparation, orientation and training	Does not require formal knowledge, preparation, orientation and training
Time spent in relationship	Individual defines a plan of work or activity with the service user for a specific purpose and which is time limited. Relationship does not go beyond this	Personal choice about how much time is spent in relationship and for how long

A6. Setting and maintaining appropriate boundaries

Before undertaking any work with or delivering any service it is important for the individual to set clear boundaries and parameters to the relationship with the service user. Any individual undertaking direct work with service users or having contact with them through other activities (for example fundraising, participation, evaluation, telephone counselling) should:

- Be clear of what your role and responsibilities are from your job description/volunteer agreement/contract. If necessary in discussion with your line manager/supervisor/commissioner
- Ensure that the service user understands what they can expect from the working relationship during a piece of direct work
- Ensure the service user understands the limits of confidentiality i.e. what you can and can't keep confidential and when you may have to report a concern
- Make clear to the service user that this is a working not a personal relationship and that the relationship is not a friendship, but can offer them appropriate support
- Continually reflect upon and consider the relationships you have established with the service user, and ensure that the boundaries you have established are being maintained

A6. When are appropriate boundaries breached?

An individual's actions can at times lead to them breaching professional boundaries even though their initial intentions were well meaning. Regardless of the intention, the actual or potential breach must be shared with the line manager and steps taken to support the individual not to breach appropriate boundaries again.

Often the breach is not a single event but a series of events and interactions which together cause the individual to cross the boundary between what would be considered a working relationship to a personal relationship. The table above shows the characteristics of a personal relationship, and moving from a working to a personal relationship in any of these ways is a breach of appropriate boundaries.

Examples of potential or actual breaches:

Over-familiarity

Moving from a working relationship with a service user to one which is over-familiar, looking more like a friendship than a working relationship, can lead to a range of problems. These include: the clouding of an individual's judgement about the service user and their needs; the other person pushing the relationship further and becoming more demanding than is appropriate to the work being conducted; or the individual feeling as though they have more of an obligation to the other person than is required of the role. Once a relationship has crossed over in this way, it is difficult to return to a working relationship.

It is important to recognise that those with whom we work may be very isolated. For this reason, they may seek a different form of a relationship or misinterpret the support that they are receiving. If the boundary is not carefully and appropriately managed, the service user may experience loss and betrayal when the work is completed.

Feelings and actions

At times when working with a service user an individual may have feelings that cause them concern or that they feel are perhaps inappropriate. Having these feelings is not in itself a breach of appropriate boundaries. There is a difference between having feelings and acting on those feelings and behaving inappropriately. If an individual, finds that they are having such feelings, they should discuss and explore them further with a line manager/supervisor/volunteer manager in order to ensure that appropriate boundaries are maintained.

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

Similarly, a service user may develop a dependency on an individual which may alter the nature of the working relationship and make the individual feel responsible for fulfilling that dependency. Again, this must be addressed sensitively whilst being clear the focus of the relationship is a working one with a clear focus and remit.

An individual, who becomes aware that a service user is developing an infatuation or dependency, must make a record of this and discuss this at the earliest opportunity with a line manager/supervisor/volunteer manager in the first instance so appropriate action can be taken to avoid any hurt, distress or embarrassment.

Personal gain

Individuals must never manipulate a service user to bring about personal gain. This includes using contacts made to get information that they would not otherwise have access to, to get discounted or free products or services that they would not otherwise have been offered or to get any unnecessary work or services that they would not ordinarily have had.

Giving and accepting gifts

Gift giving and accepting must only take place in line with NSPCC standards and policies. These must be agreed with the line manager/supervisor/volunteer manager. Large or expensive gifts must never be given as they can generate false expectations from the service user and change the nature of the relationship, and may also lead to a feeling of obligation by the other person.

There are occasions when service users wish to pass small tokens of appreciation to practitioners, for example on special occasions or as a thank you and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value.

Family and friends

It is inappropriate for individuals involved in work with service users or people that you know on a personal basis. If this situation occurs, arrangements should be made for another staff member to take over that case.

Social contact and becoming friends

There may be some circumstances in which those who work with service users live in the same community or locality as them, and therefore may on occasions encounter each other as part of normal daily life activities. It is not acceptable for individuals to initiate social contact with service users outside of or after the end of the working relationship.

Becoming friends with service users is a breach of appropriate boundaries as it moves the relationship from a one working to a personal one. If this happens the individual must raise this with their line manager/supervisor/volunteer manager to agree a strategy for dealing with the situation.

Sexual relationships

Any sexual relationship with a service user is a serious breach of appropriate boundaries, and in some instances illegal. This includes attempts to 'groom' or befriend a service user for this purpose. Any sexual activity between an individual and a service user may constitute a criminal offence and will always be investigated in line with the NSPCC Managing Safeguarding Allegations Against Staff and Volunteers procedures and will also be a matter for disciplinary action.

It is also inappropriate for an individual to discuss their own sexual relationships with or in the presence of child/ren.

Physical contact

Where a service user seeks or initiates inappropriate physical contact with an individual, the situation should be handled sensitively and care taken to ensure that contact is not exploited in any way. Careful consideration must be given to the needs of the service user and advice and support given to the person concerned.

Any physical contact made with a service user should be in response to their needs at the time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background. It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one person in one set of circumstances may be inappropriate in another, or with a different person. Individuals, nevertheless, must use their professional judgement at all times, observe and take note of the service user's reaction or feelings, and – so far as is possible use a level of contact and/or form of communication which is acceptable to the child for the minimum time necessary.

Physical contact, which occurs regularly with a child, adult at risk or service user, is likely to be of concern.

Self-disclosure by a practitioner

While recognising that some individuals may have had personal experiences in their own life which may give them empathy and understanding of the situations in which the children or adults they work with find themselves, it is not acceptable for any individual to disclose their personal experiences to a service user with whom they are working. It changes the boundary of the relationship. Moreover, the individual will have no control over how that information is subsequently used or shared with others.

Appearance and clothing

Individuals who work with service users should ensure they take care to ensure they are dressed appropriately for the tasks and the work they undertake such that their clothing/appearance 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 or discriminatory slogans

Working within the parameters of the role and working relationship

In any substantial direct work undertaken with service users, there must be a clear plan of how, where, when and why the work will be undertaken and by whom. The work must be undertaken within these agreed parameters following NSPCC policies, procedures and practice standards. Any changes to the agreed parameters of the work must be discussed with your line manager/supervisor/volunteer manager and recorded in a work plan.

It is not acceptable to:

- Visit a service user with whom you are working outside of agreed and planned working hours
- Visit the service user at their homes unless it is part of the agreed work plan
- Invite the service user to your home or to be part of your family or social network
- Transport a service user on your own unless this has been risk assessed, agreed with your line manager/supervisor/volunteer manager and in the case of a child with the agreement of parents/carers and the child

Giving out personal contact details

Individuals must never give out their personal contact details, including email and social networking sites, to service users. Equally they must not accept a service user's request to join their social network page e.g. as a Facebook friend. Further guidance on the expectations around online behaviour and online-safety are contained in the NSPCC Online Safety Guidance and Using Social Media and talking about NSPCC online.

If a service user needs to contact the individual they should be given a work email address or telephone number. This is to ensure that if an individual is absent and a service user urgently needs to get hold of them, another person can pick up and deal with it. If for any reason an individual, needs to give out a personal contact number to a service user, other than a work contact number, they must inform their line manager/ supervisor/volunteer manager that they have done so.

Sarcasm demeaning comments and corporal punishment

All service users have a right to be treated with respect and dignity even in those circumstances where they display difficult or challenging behaviour. Individuals should not use any form of degrading treatment to punish a service user. The use of sarcasm, demeaning or insensitive comments towards service users is not acceptable in any situation. The use of corporal punishment is never acceptable and could constitute a criminal offence.

Where a child displays difficult or challenging behaviour, the individual must use strategies appropriate to the circumstance and situation. The use of physical intervention, such as physical restraint, can only be justified in exceptional circumstances and must be used as a last resort when other behaviour management strategies have failed.

Where a child has specific needs in respect of particularly challenging behaviour, and a behaviour management plan is considered necessary, it must be agreed by all parties.

Personal care

All service users have a right to safety, privacy and dignity when contact of a physical or intimate nature is required and depending on their abilities, age and maturity should be encouraged to act as independently as possible.

Some job responsibilities necessitate intimate physical contact with a service user, for example assisting young children with toileting or providing personal care for a disabled child or adult. The nature, circumstances and context of such contact should comply with professional codes of practice or guidance and/or be part of a formally agreed plan, which is regularly reviewed. The additional vulnerabilities that may arise from a physical or learning disability should be taken into account and recorded as part of an agreed plan. The emotional responses of service user to personal care should be carefully and sensitively observed, and where necessary, any concerns passed to line manager/supervisor/volunteer manager and/or parents/carers.

The views of the service user must be actively sought, wherever possible, when drawing up and reviewing formal arrangements. As with all individual arrangements for personal care needs, agreements between the service user and the practitioner must be negotiated and recorded.

A7. Warning signs of breaches of professional boundaries

This guidance is intended both for those who are themselves concerned that they may be crossing an appropriate boundary, and for those who are concerned about others potentially breaching appropriate boundaries. While this is not an exhaustive list, it gives some common indicators that might give rise to concerns about whether appropriate boundaries are being breached:

- Frequently thinking about the service user when away from work
- Favouring one service user's needs at the expense of others or giving special treatment to one particular service user
- Selective reporting/recording of time spent with the service users and the service user's behaviour
- Communicating in a guarded and defensive manner when questioned regarding interactions and relationship with the service user
- Denying that the person is a service user

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- Denying that the behaviour has or is likely to cross a professional boundary

A8. Dealing with breaches of appropriate boundaries

If at any time a member of staff or volunteer believes that it is necessary to act in a way that breaches a professional boundary or which is counter to this policy, they must discuss this with their manager/supervisor/volunteer manager before taking any action and a record must be kept by them and the manager of the discussion.

If an individual is concerned that they may have, or are about to breach appropriate boundaries through work or volunteering, the individual must contact their line manager/supervisor/volunteer manager immediately to talk through their concerns. The primary focus must be for the welfare of the service user.

If a manager or colleague identifies warning signs that professional boundaries are being breached by an individual and are concerned about their conduct, you must not keep it to yourself. You must speak to a line manager/ supervisor/volunteer manager to share your concerns.

If a manager or colleague feels unable to do this, or it is not possible for any other reason to speak to their line manager or second line manager, the person must report their concerns immediately following the relevant NSPCC policy and procedures:

For safeguarding allegations: follow the Managing Safeguarding Allegations Against Staff and Volunteers Procedure.

For any other concerns about conduct: follow the Whistleblowing Policy.