

## Code of Practice - for Tutors and Tutoring Companies

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## Summary

The Tutors' Association Code of Practice ("**TTA Code**") describes the standards of professionalism that we, the Tutors' Association ("**TTA**") and the public expect of individual and corporate TTA members providing tutoring services, as well as TTA staff and/or directors.

It is a condition of your membership of the TTA that you are deemed to have accepted and signed up to the TTA Code upon being accepted as a member of TTA.

The TTA Code applies to conduct and behaviour relating to face-to-face, online, one-to-one and group tutoring. It comprises a framework for ethical and competent practice which applies irrespective of where you tutor and the students that you tutor. It ensures that the safeguarding and welfare of children and vulnerable people is the absolute priority and that the correct safeguarding procedures are always followed. You must exercise your judgment in applying these standards to the situations you are in and deciding on a course of action, bearing in mind the students you are tutoring.

It also covers the behaviours expected of members towards other members, both Corporate and Individual; towards parents and any others who commission tutoring on behalf of a tutee; and in any expression of views, verbal or written, including in social media, that may impact adversely on the reputation of either TTA or the tutoring profession.

You are personally accountable for compliance with the TTA Code and must always be prepared to justify your decisions and actions.

### 1. Acting honestly and in the best interests of TTA Students

- 1.1. You are honest in all communications relating to tutoring students, including but not limited to any communications with the TTA, individual students you are teaching, parents of students you are teaching and agencies who have engaged you for your tutoring services.
- 1.2. You understand that your relationship with students and their families/carers is professional and not personal and that you have a duty of care towards them.
- 1.3. You provide a caring, positive and stimulating environment in which students can learn.
- 1.4. When working as a tutor, you always behave, communicate and conduct yourself in a professional manner to the standard that would be reasonably expected of a TTA member tutor. This includes your life when not actively tutoring – for example on your social media.
- 1.5. You always respect students' personal dignity and promote their well-being.
- 1.6. You encourage and help students achieve their unique potential as independent learners through acknowledgement, encouragement, understanding and personalised attention.
- 1.7. You do not engage in or assist your students in engaging in any form of plagiarism.
- 1.8. You demonstrate faith in students' learning ability and provide accurate, constructive and regular feedback on students' strengths, weaknesses, attainment, progress and areas for development in a manner that is beneficial to their overall learning.
- 1.9. You are careful to avoid creating any unhealthy dependencies and to avoid engaging in any practice which undermines the independent learning of students.

- 1.10. You understand the need to be flexible in your approach to tutoring students and commit to assisting them discover effective learning strategies that help them develop the skills that they need to achieve the educational goals set by them, their parent or guardian or any Agency that has engaged your tutoring services (“Agency”).
- 1.11. You consider each student’s attributes, needs and circumstances and adapt your tutoring appropriately to accommodate these.
- 1.12. You are committed to identifying any challenges or difficulties that students have with their learning and provide appropriate assistance to help them overcome those barriers.
- 1.13. You conduct your sessions with students using appropriate materials.
- 1.14. If you are carrying out tutoring online, you use all reasonable endeavours to maintain the security of the tutoring sessions.
- 1.15. If you are carrying out tutoring online, you carry out the entirety of every session alone in an appropriate and quiet non-public space that is free from disturbances with a high-quality internet connection.
- 1.16. You carry out tutoring sessions on time and provide your student, your student’s parent or guardian and/or the agency that has engaged your services (if relevant) with reasonable notice if you are unable to carry out a session.
- 1.17. You ensure that information provided to you about students and information gained when working with students is kept confidential unless doing so would result in injury or harm being done to them.

## **2. Complying with Child Protection and safeguarding procedures**

- 2.1. You hold an Enhanced DBS certificate (“DBS”) and are signed up to the DBS Update Service, or you hold a DBS that is less than one year old and you agree that you will renew your DBS on or before its one year anniversary and you will subsequently sign up to the DBS Update Service.
- 2.2. You commit to safeguarding children and young people and you always prioritise the welfare of them. This includes children and young people that you do not directly tutor - for example, the siblings or relations of a child you tutor.
- 2.3. You ensure that your students receive tutoring in a safe environment and that you value each student’s contribution, irrespective of their age, culture, ability, gender, language, racial origin, religious belief and/or sexual identity.
- 2.4. You show respect for students’ cultural background and values. You should also put a child's wellbeing as paramount - so whilst being respectful of cultural background, if something threatens a child's safety/wellbeing then it should still be considered as a concern. For example, Female Genital Mutilation (FGM) is practiced in some cultures but is illegal in the UK and should be reported to the appropriate authorities.
- 2.5. You take all reasonable steps to protect students from harm, discrimination and demeaning treatment and you respect their rights, wishes and feelings.
- 2.6. You do not contact or allow contact requests from students under the age of 18 on any social media platforms or engage in any conversation via text messaging or social media with students under the age of 18 unless it is with the explicit, prior consent of the parent/guardian with whom your service agreement lies, and with the same party(ies)

- copied in to all such communications either on email, text messaging or social media. If you tutor for a family with whom you have an existing social media connection, this should always be disclosed to any Agency you may be working with. Social contact should not begin with students just because they have turned 18; developing a personal (non-professional) relationship with a child you are educating before they are 18 and then developing this further once they turn 18 could raise concerns that the child has been groomed.
- 2.7. You do not use your personal mobile phone or camera during tutoring sessions except to directly aid a student's learning or in the case of emergency.
- 2.7.1. We recommend, but do not mandate, that recordings are made and retained for all online tutorials, **subject to the parent/guardian giving their explicit consent in advance**. Parents/guardians should always be made aware of whether recordings will be made of tutorials or not.
- 2.7.2. Recordings should always be made available to parents/guardians and students on request.
- 2.7.3. Any recording should be deleted promptly and irretrievably on request of the parent/guardian or, if/when the student is over the age of 18, the student himself.
- 2.7.4. Recordings should **never** be shared with third parties or used for any purpose other than the reference of the tutor or student, or to satisfy a statutory requirement or obligation, without the explicit consent of the parent/guardian, which may be rescinded at any time. (For example, using recordings for internal training is not permitted unless consent is given for this purpose).
- 2.7.5. Recordings should be stored securely and in compliance with the tutor or organisation's data protection policy.
- 2.7.6. Recordings should only be retained for a reasonable length of time. (for example, it might be reasonable to retain recordings of sessions in an ongoing tutorial relationship for up to one year, or for up to 6 months following the cessation of tuition for a given student).
- 2.7.7. It is highly recommended that tutors ensure that a parent or guardian is available and within earshot of the tutorial at all times for both online and in-person tutorials and parents/guardians should always be encouraged to remain nearby. This is of greater importance when sessions are not being recorded. (In the circumstances where a parent or guardian goes absent during the tutorial, it is up to the individual tutor to decide whether to end the tutorial or not, but they would be perfectly entitled to do so).
- 2.8. You ensure that you understand Child Protection and safeguarding measures. Agencies/corporate members should provide proof that they provide safeguarding training for their tutors on an annual basis. If this is not provided or the tutor is independent of an agency, training should be sought through the TTA or an external provider such as the NSPCC. Any tutors using remote teaching (particularly during the COVID-19 pandemic) should be familiar with the government guidance on safeguarding and remote teaching: <https://www.gov.uk/guidance/safeguarding-and-remote-education-during-coronavirus-covid-19> You take all suspicions and allegations of poor practice or abuse seriously and report these to the Agency and/or the local Child Protection services in the local authority in which the child lives/the alleged incident took place ("**Child Protection Contact**").

- 2.9. If you receive information about a child or young person either from a student directly or from another source, which could potentially cause serious physical or psychological harm to a child or young person, you report this to the Child Protection Contact.
- 2.10. If you observe a situation which could potentially cause serious physical or psychological harm to a child or young person, you report this to the Child Protection Contact.
- 2.11. You record all child protection incidents in writing and provide these records to the Child Protection Contact. This should be done in accordance with the reporting procedure of your Agency or the TTA if you are an independent tutor. All written recordings should only include facts (what was said or seen) not an interpretation of these. For example, instead of writing that a child seemed very upset, you might write that they were crying. Tutors or agencies have a duty to share any report with a responsible authority (e.g. the police and/or local authority) if it constitutes substantive evidence of a safeguarding concern and/or criminal offence.
- 2.12. You do not ever enter into a sexual relationship with any student under the age of 18, even if the student is over the age of consent. This includes not beginning a personal/romantic relationship with a student before the age of 18 and then beginning a sexual relationship once they turn 18 - this would be considered grooming.

### **3. Maintaining appropriate communication**

- 3.1. Before commencing a tutoring role, you ensure that you are clear on who your contact at the Agency is or who the responsible person is for your student if you do not work for an Agency ("Contact"). You ensure that you have all necessary contact information for the Contact. Agencies are expected to make this clear to any tutors they work with. Further contacts should be provided for tutors reporting directly to safeguarding bodies - for example, in London: <https://www.londonscb.gov.uk/contacts/safeguarding-contacts/>
- 3.2. Before commencing a tutoring role, you ensure that you are clear on your objectives, the educational goals set by the student or the Contact. You must ensure that these are appropriate for the child who will be tutored - that objectives are not set too high or too low for them. There should be a clear plan to review and assess these objectives.
- 3.3. Before commencing a tutoring role, you ensure that you discuss and agree a proper and appropriate feedback procedure with your Contact. For example, by email, on a learning platform, in the form of reports.
- 3.4. During the term of your role, you maintain open, clear, regular and appropriate communication with your Contact, informing your Contact promptly of any issues or difficulties.
- 3.5. You disclose to your Contact promptly any concerns you have about any social, emotional and/or behavioural difficulties a student is experiencing that are beyond your competencies to address. This should be done unless doing so could endanger the safety of the child - for example, if a child were to disclose harm from a parent, you would report this through the Agency you work for, the TTA, or to the local safeguarding board.
- 3.6. You maintain accurate records of tutoring sessions and students' progress and provide these to your Contact on request.
- 3.7. You disclose any personal or material interest when making any referrals.

- 3.8. When working for an Agency, you comply with the terms and conditions of your contract with the Agency and do not seek to provide any educational services to students for which the Agency has engaged your tutoring services independently of the Agency without the Agency's prior written consent.

#### **4. Ensuring suitability for each role**

- 4.1. You ensure that you are suitably qualified and experienced for any student that you take on to ensure that you are able to provide the quality of teaching that the TTA would reasonably expect of a tutor taking part in the TTA.
- 4.2. If you are tutoring a student that you consider to have special educational needs that are beyond your experience or ability to resolve, you discuss the issue with your Contact.

#### **5. Continuing professional development**

- 5.1. You keep up to date with current and advances in tutoring pedagogy and practice.
- 5.2. You maintain your competence to carry out your role by keeping your professional knowledge and skills up to date.
- 5.3. You know where to source updates on relevant syllabuses and the way that the subjects you are tutoring are examined.
- 5.4. You ensure that you keep up to date with your students' national curriculum and exam specifications so that you are best placed to help your Students achieve their educational outcomes.
- 5.5. You regularly undertake relevant Continuing Professional Development as appropriate.
- 5.6. You keep up to date with and follow the legislation, regulation and guidance governing tutoring and the way that you work.

#### **6. Professional conduct**

- 6.1. You do not conduct yourself, your businesses, and/or any of your communications in any way that may bring the tutoring profession and/or TTA into disrepute. You endeavour to conduct yourself, your business and your communications at all times in such a way as to bring credit to the tutoring profession and to the Association.  
Unacceptable behaviours include, but are not limited to:  
bullying behaviour; threats of unnecessary or vexatious legal action (especially towards tutors, employees or contractors); any actions that might reasonably be deemed by the Disciplinary Committee to bring the sector into disrepute, including public comments on matters concerned with tutoring, either verbal or written, including on social media.
- 6.2. You take no action that deliberately injures the business, reputation, or interests of fellow member organisations, other than activities accepted as normal competitive business practice.
- 6.3. At all times you act honestly in your professional dealings with clients, potential clients, tutors and employees.
- 6.4. As a Corporate member, when collecting monies on behalf of self-employed tutors, you are required to collect funds from the client promptly. You acknowledge that you have a duty of care to protect the tutor from delay in receiving their monies and you should

consider suspending tuition if there is any unreasonable delay by a client in paying an account by its due date or indeed taking legal action if the client's behaviour warrants this.

- 6.5. You do not, knowingly or recklessly, disseminate any false or misleading information
- 6.6. You respect the confidentiality of all business information which comes into your possession (other than those persons entitled to receive it) unless it is unlawful to do so.
- 6.7. You do not claim the Association's endorsement in connection with any activity unless you have the Association's prior written approval to do so.
- 6.8. You have regard for, and comply with, all the relevant laws of the country in which you are operating.
- 6.9. You observe this Code as it may be expanded and annotated and published from time to time and brought to your attention in TTA communications.

## **7. Complaints**

- 7.1. You cooperate with the TTA if a complaint is made against you and provide full and accurate explanations, information and documents promptly in response to any request or requirement.
- 7.2. If a complaint against you is escalated to the TTA, you cooperate with the TTA and provide full and accurate explanations, information and documents promptly in response to any request or requirement.
- 7.3. You are able to justify your decisions and actions to demonstrate compliance with your obligations under this TTA Code.
- 7.4. You inform the TTA promptly of any facts or matters that you reasonably believe should be brought to its attention so that it may investigate whether a breach of this Code has occurred.
- 7.5. You notify the TTA promptly if you are subject to any criminal charge, conviction of caution or are subject to the Rehabilitation of Offenders Act 1974.

## **8. Observing the TTA Code**

- 8.1. You ensure that at all times you comply with this TTA Code and any further Codes of Practice and supplementary guidance that the TTA publishes relating to the TTA.

## **9. Additional Child Protection guidance**

### **9.1. Introduction**

In addition to the safeguarding procedures contained in the main Code of Practice, the following additional guidance should be observed by members. A child/young person is defined as a person under the age of 18 (The Children's Act 1989 and 2004, and the Children & Young Persons' Act 2008).

### **9.2. TTA's Role**

The TTA offers guidelines and advice on how to deal with a Child Protection incident or concern, but members of TTA do not act as a DCPO or LADO.

Any tutor working for an agency/company who requires help and support on a Child Protection issue should in the first instance report the incident to their agency/company, which in turn should refer the case to the LADO or DCPO.

A self-employed tutor who is not attached to any agency/company should always refer any Child Protection concerns directly to the LADO in their local council.

TTA staff and members can also report concerns through the TTA's own reporting process, for the TTA's Safeguarding Team to pass on to the relevant authorities. It is recommended that members report through their own agencies where possible, as the agency may be better placed to pass on details about the student and/or history if required.

### 9.3. **Monitor and review procedures**

This policy will be reviewed every 3 years or whenever there is a major change in the organisation or when there is relevant legislation. Each review will be dated. This Code of Practice was last reviewed in March 2021 and should be reviewed again no later than March 2024.

### 9.4. **Safer recruitment policy**

Tutoring companies which act as agents for, or employers of, tutors should adhere to a recruitment policy written in accordance with the Safer Recruitment guidelines as published by the government, to ensure that all tutors are qualified and suitable as far as can be reasonably ascertained.

Enhanced DBS Disclosures must be held by all tutors and office staff with access to tutees or their records, and all holders of DBS checks should be signed up to the DBS Update Service.

Any members of the TTA or TTA staff who have lived abroad in the past 5 years will also require an overseas police check for any countries they have lived in.

References must be taken up and verified by all tutoring companies/agencies, unless these organisations operate solely online as notice boards or online directories. In this case, the website must make it clear that these checks are not done and that they are the responsibility of parents/ guardians.

When interviewed, tutors should be asked to account for any gaps in employment history.

It is required for tutoring companies to have their own bespoke Child Protection Policy and they should appoint a Child Protection Officer who has completed a 'Leading on Child Protection' course in order to deal with disclosures/allegations. An online course is available at [www.childprotectioncompany.com](http://www.childprotectioncompany.com) or a Designated Safeguarding Lead course can be taken through the NSPCC (and reviewed every 2 years).

### 9.5. **Safeguarding compliance for companies**

Tutors should provide Photo ID when interviewed. A photocopy should be taken and retained and stored safely.

All information on tutors should be stored on a Single Central Record (SCR). This should include address and contact details, Photo ID, DBS check, and details of references sought

and sight of degree certificates/other qualifications. The TTA currently holds up-to-date Data Protection cover.

Dates of issue and numbers for DBS Disclosures should also be kept on the SCR.

Tutors must read the TTA Code of Practice, and if working for a Tutoring company, sign up to and adhere to their policy. They should confirm by email they have read and agree to abide by the Code of Practice.

Online Tutoring Companies should hold a Code of Conduct which includes a clause on cyber-bullying and cyber-security.

If a parent or guardian is not able to be present, then there should always be another responsible adult in the home when a child is being tutored, for the protection of the tutor as well as the child.

**9.6. Guidance for freelance tutors working directly with parents**

Freelance tutors who find their own clients and do not operate through agencies/companies must apply for an Enhanced Disclosure (DBS) and sign up to the Update Service. This can be done through TTA or another approved provider.

Any members of the TTA or TTA staff who have lived abroad in the past 5 years will also require an overseas police check for any countries they have lived in.

**9.7. TTA applicant vetting procedure**

TTA cross-references ID and proof of address documents which accompany applications. Tutors must ensure that either:

- The tutor presents the relevant documents to an employee or designated agent of TTA in person, or;
- The tutor presents the relevant documents to an employee or designated agent of TTA via video call (attended by the tutor where both the tutor and the documents can be clearly seen by the representative acting on behalf of TTA), or;
- All copies of the relevant documents have been certified by the Post Office or equivalent civic authority (in the presence of the tutor).

TTA then submits the documents to Capita who complete the DBS application through the Disclosure & Barring Service itself. Members are free to apply for enhanced disclosures through other agencies/companies.

Any applicants who have lived abroad in the past 5 years will also require an overseas police check for any countries they have lived in.

**9.8. Allegations**

Allegations against a tutor of any TTA member/staff that they may have behaved in a way that has, or may have, harmed a child, or committed a criminal offence either against or related to a child, or behaved towards a child in a way that suggests they are unsuitable to work with children, should be reported immediately to the LADO (Local Authority Designated Officer) or DCPO (Designated Child Protection Officer) in the local authority where the incident is alleged to have taken place.

Advice on how to deal with an allegation can be sought from the LA Education Welfare Service or Child Protection Unit.

### 9.9. Child protection incidents

A Child Protection incident usually includes some of the following scenarios but this list is not intended to be a formal and all inclusive definition. A typical Child Protection incident is when:-

- a tutor receives some information about a child or young person either from the child directly or from another source, which could potentially cause serious harm to the child, either physically or psychologically.
- a tutor observes a situation (e.g. risk in a child's environment which could potentially cause serious physical or psychological harm).
- a company/agency and/or parent receives information about a tutor either from the child directly or from another source, that could potentially cause serious harm to the child, either physically or psychologically.

All Child Protection incidents must be recorded. It is essential to:

- Speak individually with all parties concerned - unless this could increase risk of further harm. If an accusation of harm is made against someone a student lives with, talking to that person could risk harm to the student. This should be noted when reporting.
- Write a record of all conversations - only write what is said or seen - not an interpretation of the situation. E.g. if a student is crying you would note this, rather than writing that they were sad/upset. Also note the time/date/duration of any conversations and who was present. All records should be written as soon as is practical - this allows for more accurate recording.
- Write up all telephone conversations with a written report to send to LADO/ Child Protection Unit (at the local authority where the incident took place) who will deal with the allegation.
- All allegations should be dealt with expeditiously, thoroughly, fairly and with common sense and professional judgement. Any investigation should be carried out as quickly as possible and a decision reached as to whether the allegation is borne out or not supported. Dependent on this the outcome of the investigation could have one of three outcomes: a) unsubstantiated, b) substantiated in part or in whole but can be dealt with by disciplinary procedures, c) substantiated and requiring formal referral in the first instance to the LADO (Local Authority Designated Officer) or DCPO (Designated Child Protection Officer.)
  - It should be noted that it is not the place of the tutor, Safeguarding Team, or TTA to investigate allegations made. Allegations can be discussed appropriately to determine what is meant if it is unclear - this should be covered in safeguarding training. If allegations have been made regarding contact via email/social media etc and these can be included in the report - they should be included.