

BEHAVIOUR POLICY



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School Role:	Proprietor
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Next review date:	01.10.2022
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I agree that I have read and understood this policy, and that I am aware of my responsibilities in meeting the expectations stated within this policy.

Name	Signature

1. Purpose

The patterns of behaviour that we want in our school must be taught just as thoroughly and as consistently as the rest of the curriculum. In most schools, most of the time, most students behave appropriately. There will be occasions in our school, as in all schools, when things go wrong, and an effective behaviour policy should help staff to deal with such situations.

The Education and Inspections Act 2006 introduced for the first time a statutory power for teachers and certain other school staff to discipline students. Subject to the school's behaviour policy, a teacher may discipline a student for any misbehaviour when the student is:

- Taking part in a school-organised or school-based activity.
- Travelling to or from school.
- Wearing a school uniform.
- In some other way identifiable as a student from the school.
- Misbehaving at any time, whether the conditions above apply, in a way that could have repercussions for the orderly running of the school; or posing a threat to another pupil or member of the public and in doing so adversely affecting the reputation of the school.

At **Howard House School** all teaching staff, including student teachers, have the right to impose a range of sanctions up to and including an after-school detention should a student's behaviour warrant such a measure. The sanctions should be applied in accordance with the school's behaviour policy.

The use of this range of sanctions is extended to certain non-teaching staff who are in frequent contact with students.

Other non-teaching staff – IT team, dinner supervisors, caretakers, cleaning staff – have the right to impose sanctions (issue a debit point)

Regular visitors to the school and outside agencies also have the right to impose sanctions (issue a debit point), having first discussed the incident with a member of senior management.

Any member of staff, teaching or non-teaching, who feels that a student's disruptive behaviour warrants a sanction beyond their remit should seek the advice of senior management.

Only the Head of School may recommend permanent exclusion. Fixed term exclusions and internal exclusions may be imposed by members of the senior management team with the agreement of the Head of School.

In accordance with the Education and Inspections Act 2006, the school reserves the right to impose sanctions, if warranted, on a student who is misbehaving while not on the school premise but who is under the charge of a member or members of staff. For example, a student who is misbehaving on a school trip. The range of sanctions would be up to and including the loss of an enrichment opportunity. If it was felt that a student's behaviour warranted a more serious sanction, the supervising teacher should discuss the matter with a member of senior management. All consequences would take place on the student's return to school.

2. Guidance

Effective discipline requires an understanding of a student's behaviour and an awareness that the behaviour of the teacher will have a significant influence on the behaviour of the student(s). Some, but not all, of the problems which occur in the classroom may be a direct consequence of the way the teacher acts towards the student(s).

At **Howard House School** we ask all our staff to:

- Remain in control – do not react to a situation, respond to it.
- Recognise and reward positive behaviour and academic achievement.
- Be consistent in disciplinary matters.
- Be a good role model for the student.
- Respect students in and out of the classroom.
- Do all you can to
- Keep calm
- Listen
- Be positive
- Use humour
- Know your students as individuals
- Apply sanctions consistently
- Seek help if necessary
- Avoid
- Unnecessary shouting
- Over-reacting
- Over-punishing
- Humiliating students
- Sarcasm
- Leaving students outside of the classroom for long periods
- Making empty threats

3. Classroom management

At the beginning of a lesson:

- Be punctual. Do not leave students standing in the corridor for several minutes
- Do not allow students to barge into the classroom. If they do, ask them to enter the classroom again, this time in an orderly fashion
- Ask students to remove outdoor coats
- **Take the class register, marking late those students who arrive after the start of the lesson – issue an debit on ClassCharts (use professional judgement – is the student distressed or have valid reason)**
- Make students aware that lateness to lessons is unacceptable
- Make sure the lesson's learning objectives and outcomes are made clear to the students at the beginning of the lesson
- Make sure the list of consequences is displayed – use the school designed behaviour posters
- Use voice effectively
- Be alert to what is happening in all parts of the room
- Be mobile – move around the classroom
- Try to delegate tasks to students

- Make good use of questions
- If possible, vary activities
- Look to reward good work and behaviour
- Be precise when giving instructions
- Insist that students remain 'on task'
- When a student fails to respond, there are several strategies a teacher may adopt:
- A simple direction, e.g. "David, please continue with the exercise you've been given." •
Remind the student of the classroom rules: "You know that eating isn't allowed in the class. Put it in the bin. Thank you."
- Move closer to the student and restate the task.
- Move the student to another desk.
- Begin to apply sanctions (behaviour steps). The student's name should always be made aware before a debit is issued.
- A disapproving look or other body language to bring the student back on task.
- Do not get side-tracked by 'secondary behaviour', e.g. muttering under the breath, putting hands in pockets. Concentrate on the change of behaviour you require – deal with secondary issues later.
- Try to avoid confrontations by not getting into a discussion with the students. It is your classroom. State the behaviour you want to see and keep referring to it.
- Do not allow students out of the classroom without your permission. Visits to the toilet should be discouraged. Only one student should be allowed to go to the toilet at any one time.

End of lesson:

- Use the end of the lesson to recap on the work covered during the lesson.
- Make sure that all homework is set on ClassCharts. It's a good idea to show the homework on the ClassCharts, including the date when the work is to be handed in.
- Finish the lesson promptly so that students will not be late for their next lesson.
- Do not finish the lesson too early, allowing students to stand around with nothing to do.
- Students should remain seated until lesson hand-over.
- Make sure students have put all litter in the bin.
- When it is the end of lesson, dismiss the students in an orderly fashion and make sure they leave the classroom through the identified exit door.

4. Guidance on restrictive physical interventions Aims

Howard House School being a part of Young Foundations, we are extremely proud to have developed our own Restrictive Physical Intervention (RPI) (Foundations for Safer Care (FFSC)) that is used across the company has been approved by BILD. The primary aim of the course is to learn how to de-escalate situations and then the correct RPI methods. FFSC will encourage the following ethos:

- To ensure that any use of RPI reflects current legislation.
- To develop and sustain an ethos and practice in school which protects the dignity and safety of both students and staff.
- To create and sustain a safe and secure learning environment.
- To promote a shared understanding that, although always used as a last resort, physical control is an option that staff authorised by the Head of School may have to take.

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Physical contact with children occurs in providing physical prompts, giving support in PE and, at times, supplying reassurance. The term Restrictive Physical Intervention (RPI) does not apply to such situations.

There may be circumstances where, when preventative strategies have failed, some form of RPI may be necessary. The school acknowledges the difference between restrictive forms of intervention, which are designed to prevent movement or mobility or to disengage from dangerous or harmful physical contact, and non-restrictive methods to manage behaviour.

School staff have a legal power to use force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action. Suspension should not be an automatic response when a member of staff has been accused of using excessive force.

The term reasonable force covers a broad range of actions which may be used by most staff at some point in their careers. Force is usually used either to control or restrain. This can range from guiding a student safely by the arm, to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury. Reasonable in the circumstances means using no more force than is needed. Control means either passive physical control, such as standing between students or blocking a student's path, or active physical contact such as leading a student by the arm out of a classroom.

Restraint means to hold back physically or to bring a student under control. This would be used in more extreme circumstances. For example, when two students are fighting and refuse to separate without physical intervention.

All members of the school staff have a legal power to use reasonable force. This includes people whom the Head of School has temporarily put in charge of students such as unpaid volunteers.

Staff should, however, be aware that any physical contact with a child may be misconstrued by the child, colleagues and other observers. Support of emotionally distressed or physically injured children often involves some physical contact. Contact should be the minimum necessary to comfort and reassure the child.

RPI will usually be used in response to an emergency. For the use of RPI by a teacher or other authorised person to be justified, it must be demonstrated that it is warranted by, and in proportion to, the situation. Consideration should be given to the age, health, emotional state etc. of the student. Every possible step should be taken to prevent the situation, and to try and avoid the use of RPI.

In this school, all staff are authorised to use RPI. Authorisation is not given to parents/carers or volunteers. Supply staff will not be authorised unless they are familiar with the school's policy and have undertaken training.

It is important that staff understand the terminology in respect of Restrictive Physical Interventions:

- **Physical Presence:** describes a situation in which staff stand close by or in front of a student momentarily, or temporarily in the way of a student. Physical presence is a means of both communicating authority and re-establishing safety and security.

- **Restriction of Access or Exit:** describes a situation in which staff stand in doorways or corridors to restrict a student's movement, or in a room fitted with door catches beyond the reach of the student. It is a means of preventing students accessing dangerous environments, or leaving a room when it is judged it would be prejudicial to the maintenance of a safe and secure environment for them to do so.
- **Time Out/On-Call:** describes the removal of a student from an environment where he/she is less likely to disrupt. It serves the purpose of enabling the student to regain self-control.
- **Isolation:** describes the separation of a student from his/her peers and his/her supervision by a member or members of staff with the purpose of providing the student with continuous focused supervision and support. Students isolated from their peers and supervised by staff must not be in locked rooms.
- **Seclusion:** describes the forcible confinement and segregation of a student from his/her peers in situations that are unsupervised by staff. **Howard House School** will not use seclusion.
- **Physical Diversion:** describes the means of deflecting a student from destructive and/or disruptive behaviour. For example, by holding a hand, placing a hand on the forearm, putting an arm around the shoulder or guiding by placing a hand on the back. It should involve little force but serves to reinforce staff attempts to reason with the student.
- **Restrictive Devices:** describes those approved mechanical devices - for example, helmets - that are used in a planned manner to prevent self-injury.
- **Physical Control:** describes the positive use of reasonable minimum force to divert a student from committing a criminal offence, harming himself/herself or others, seriously damaging property or disruptive behaviour which prejudices the establishment and maintenance of a safe and secure learning environment. Physical control is normally limited to holding a student in a standing or sitting position.

5. General principles

The Education and Inspections Act 2006 enables anyone who is a member of staff of any school at which education is provided to students to use reasonable force in specified circumstances:

- Where the student is engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of the school's other students, whether that behaviour occurs in a classroom during a teaching session or elsewhere.
- Self-injuring or placing himself/herself at risk.
- Causing personal injury to, or damage to the property of, any person (including the pupil himself/herself).
- Committing any offence.
- Committing a criminal offence (even if the student is below the age of criminal responsibility).

Types of incidents:

- Where the action is necessary in self-defence or because there is an imminent risk of injury.
- Where there develops an increasing risk of injury, or significant damage to property.
- Where a student is behaving in a way that is significantly compromising good order or discipline.

Examples of situations which fall within one of the first two categories are:

- Student attacks a member of staff or another student.

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- Students are fighting.
- A student is engaged in increasingly at risk behaviour.
- A student is causing, or at risk of causing, injury, damage by accident, by rough play, or by misuse of dangerous objects or materials.
- A student is running in a corridor or on a stairway in a way which he or she is likely to injure himself or herself.
- A student absconds from a class or tries to leave the school (NB this will only apply if a student could be at risk if not kept in the classroom or at school).

Examples of situations which fall into the third category are:

- A student refuses to comply with a directive to leave a classroom in an escalating situation.
- A student is behaving in a way that is seriously disrupting a lesson.

Any form of corporal punishment in schools is illegal, and this ban is absolute.

Any use of RPI should be consistent with the legal obligations and responsibilities of the school and its staff, and the rights and protection afforded to students under the law.

RPI should be used only in the best interests of the students and in conjunction with other strategies designed to support students to learn alternative non-challenging behaviours.

RPI must not be used with intent to:

- Punish.
- Cause or threaten hurt.
- Oppress, threaten, intimidate or bully.
- Secure compliance with staff instruction.

Within the RPI continuum, physical control should only be used:

- With minimum and reasonable force.
- Rarely and exceptionally.
- As a last resort where all other courses of action have failed.
- With the minimum degree of intrusion required to resolve the situation.

Staff should not act in a way that might reasonably be expected to cause injury. For example:

- Holding a student around the neck or by the collar or in any other way that might restrict the student's ability to breathe.
- Slapping, punching or kicking a student.
- Twisting or forcing limbs against a joint.
- Tripping a student.
- Holding or pulling a student by the hair or ear.
- Holding a student face down on the ground.

Acceptable measures of physical intervention

RPI can only be deemed reasonable if:

- It is warranted by the circumstances of the incident.

- It is delivered in accordance with the seriousness of the incident and the consequences which it aims to prevent.
- It is carried out as the minimum to achieve the desired result.
- The age, understanding and gender of the student are taken into consideration.

RPI may involve staff:

- Physically positioning themselves between students (physical presence).
- Blocking a student's path (restriction of access or exit).
- Escorting a student or shepherding a student away (physical diversion).
- In extreme circumstances staff may need to hold a student (physical control).

6. Recording

Where RPI has been used to manage a student, a record of the incident may need to be kept. Where physical control has been used, a record of the incident must be kept. This record should be made on an Incident Report on the Rivo System, which will include the name of the student, the date, time and place of the incident, a brief description of the incident and actions taken.

In addition, specific details of the use of physical control must be recorded on a Major Incident Report. The Incident Report must be completed as soon as possible after the incident, normally prior to staff going off duty, and must be signed by all the staff involved and the Head of School or by someone directed to by the Head of School. In addition, specific details on the use of physical control must be recorded on the incident report. Reporting should include:

- How the incident developed.
- Attempts made to calm the situation.
- Names of any staff or students who witnessed the situation.
- The outcome of the incident including any injuries sustained by a student or member of staff.
- Any damage to property which has resulted.
- Whether/how parents have been informed.
- After investigation, a summary of actions taken.

Staff may find it helpful to seek advice from a senior colleague when compiling a report. After the incident, copies of the report will be placed on file and, where necessary, the appropriate action taken under disciplinary or Child Protection procedures.

Action after an incident

The Head of School will ensure that each incident involving the use of physical control is reviewed and investigated further as required. If further action is required in relation to a member of staff or a student, this will be pursued through the appropriate procedures.

7. Complaints

The availability of a clear policy about RPI and early involvement of parents/carers should reduce the likelihood of complaints but may not eliminate them. Any complaints about staff will be dealt with under the school's complaints procedure.

8. Appeals

If parents/carers remain dissatisfied with the decision following investigation into their complaint, then they have the opportunity to appeal against the decision of the **Proprietor** of the school. All appeals must be made in writing. Parents/carers will also have the opportunity to attend the appeal hearing in person. The School Advisory Body (SAB) will consider all the information and come to a final decision.

9. Review

This policy will be reviewed within the timetable for policy review established by the **SAB** of the school.

Monitoring (Head of School)

The Head of School should monitor any use of RPI by examining:

- The frequency of its use.
- The justification of its use.
- Its nature.
- Its users.
- The views of students concerning its use.

The Head of School must ensure that:

- The need to use RPI is minimised.
- RPI is used only in the appropriate circumstances.
- Only the appropriate degree of RPI is used in particular situations.

The Head of School must also:

- Report on the use of RPI to the **SAB**.
- Report specifically on the use of physical controls.
- Take appropriate action over issues of concern of either a general or specific nature.
- Make available on request the Major Incident Record File to the authority's officers.

10. The Proprietor

The Proprietor should monitor the use of RPI within the school ensuring that:

- The incident of RPI is reported to them termly.
- Incidents comply with the school policy.
- Trends are recognised.
- Action is taken to reduce the use of physical control.

The following should be read in conjunction with the above notes on RPI.

Reasonable force can be used to prevent students from hurting themselves or others, from damaging property, or from causing disorder. In school, force may be used for two main purposes – to control students or to restrain them. The decision whether to physically intervene is down to the judgment of the member of staff and will depend on the individual circumstances. The following list is not an exhaustive one but provides some examples of situations where reasonable force can and cannot be used. Staff can use reasonable force to:

- Remove disruptive students from a classroom where they have refused a request to follow an instruction to do so.
- Prevent a student behaving in such a way that disrupts a school event or a school trip or visit.
- Prevent a student leaving a classroom, where allowing the student to leave would risk their safety or lead to behaviour that disrupts the behaviour of others.
- Prevent a student from attacking a member of staff or another student, or to stop a fight in the playground.

Staff cannot:

- Use force as a punishment, and it is always unlawful to do so.

The school does not require parental consent to use force on a student.

Using force

Certain restraint techniques present an unacceptable risk when used on children and young people. These are:

- The seated double embrace, which involves two members of staff forcing a person into a sitting position and leaning them forward, while a third monitors breathing.
- The double basket-hold, which involves holding a person's arms across their chest.
- The nose distraction technique, which involves a sharp upward jab under the nose.

Staff training

The school will decide which members of staff will require training in the use of force and what that training will be.

Informing parents/carers

The school will contact parents/carers about a serious incident involving the use of force, as well as recording the details of such an incident. In deciding what is a serious incident, staff must use their professional judgement and consider the following:

- The student's behaviour and level of risk at the time of the incident.
- The degree of force used.
- The effect on the student or the member of staff.
- The student's age.

Student complaints

All complaints about the use of force should be thoroughly, speedily and appropriately investigated. Where a member of staff has acted within the law – that is, they have used reasonable force to prevent injury, damage to property or disorder – this would provide a defence to any criminal prosecution or civil or public law action.

When a complaint is made, the onus is on the person making the complaint to prove that his/her allegation is true - it is not for the member of staff to show that he/she has acted reasonably.

Suspension will not be an automatic response when a member of staff has been accused of using excessive force. The school will refer to the Dealing with Allegations of Abuse against Teachers

and Other Staff policy if such an allegation is made. If a decision is taken to suspend a teacher, the school will ensure that the teacher has access to a named person who can offer support.

Other contact

It is not illegal to touch a student. There are occasions when physical contact, other than reasonable force, with a student is proper and necessary:

- Holding the hand of a student at the back of a line when going to assembly or when walking around the school together.
- When comforting a distressed student.
- When a student is being congratulated or praised.
- To demonstrate how to use a musical instrument.
- To demonstrate exercise or techniques during PE lessons or sports coaching.
- To give first aid.

11. Code of conduct

At **Howard House School** we recognise that each member of the school community has a right to be treated with respect and to work in a clean, calm and safe environment. To help us achieve this aim, we expect our students to:

- Show respect for others by working sensibly in lessons and not disrupting the learning of other students.
- Show consideration for others by moving around the school quietly and carefully. This means:
 - Keeping to the left side of the corridor.
 - Opening doors for others.
 - Walking down the corridor, not running.
 - Entering and leaving school by the correct doors.
- Discouraging bullying. This means we will:
 - Not punch, kick or spit at anyone.
 - Not join in name calling.
 - Not damage or steal another person's property.
 - Report incidents of bullying to a member of staff.
 - Never suffer in silence – if you are being bullied, speak to someone about it.
- Come prepared for the day wearing the appropriate uniform and bringing the necessary equipment. This means:
 - Bringing to school a black pen, pencil, ruler and a bag large enough to carry an A4 file. Tutors will carry out an equipment check each morning.
 - Following the school uniform code.
 - Not bringing valuable items to school.
 - Not bringing to school anything which could injure/harm another student e.g. knives, drugs etc.
- Attend school regularly and arrive in plenty of time for the start of lessons. This means:
 - Being punctual for registration and lessons.
 - Bringing a parental note to school following an absence.
 - Seeking permission from school if you are taking a holiday during term time.
 - Making certain you ask for a pass from the office if you are leaving the school premises for a medical appointment.

12. Rewards and sanctions

Students and parents/carers need to be fully aware that bad behaviour is unacceptable and will be punished. Rewards and punishments should be fair and consistent. Sanctions applied to whole groups/classes of students for the misbehaviour of a few should be avoided. Those punishments that are deliberately humiliating or degrading should also be avoided. Rewards are as important as sanctions and teachers should look for opportunities to reward students for good behaviour/work.

Rewards

Praise: Praise may include: words of encouragement, comments on student's work, praise in assembly, positive comments on school reports. Staff should seek every opportunity to praise good work and behaviour. Stress the positive.

Display: Displays of student work are encouraged as a means of motivation and praise. Rooms should be colourful and bright. Displays should be changed regularly.

Credit points: The school's chief means of rewarding students is awarding credit points. Staff can award points in the following categories:

- Respect
- Inspire
- Support
- Effort

Sanctions

Howard House School aims to encourage students to accept responsibility for their own behaviour. Promoting respect for others and highlighting the basic values of honesty, fairness, tolerance and politeness are important aspects of school life. The establishment and maintenance of good order allow effective learning to take place and promote a positive ethos in school. Students 'should have a clear sense of what is important, what is valued, and what will not be tolerated' (DfEE Circular).

Sanctions help to underpin the boundaries of acceptable behaviour, but they must not be seen in isolation. They are part of a whole school behaviour policy which seeks to reward and encourage high standards of conduct and achievement. Indeed, a greater emphasis on rewarding positive behaviour may well reduce the need for sanctions. When sanctions are applied, they should follow the agreed school policy of the school.

Subject Teachers

The vast majority of student behaviour – good and bad – takes place during lessons and therefore the subject teacher has a vital role to play in establishing positive behaviour. It is important to realise that school systems and the involvement of senior staff can support a teacher's classroom discipline, but it cannot replace it. Discipline is best achieved through a consistent and fair approach by individual staff, and one which puts an emphasis on the positive rather than the negative. Care should be taken to differentiate between minor and serious breaches of discipline.

Care should also be taken to ensure that students are aware of the reason for a punishment. Sanctions available to the teacher include:

- Consequences (see Behaviour Steps).
- Parental contact (letters/telephone calls/meetings).
- Referral to the Senior Leader in charge of Behaviour.
- Referral to Head of School.

Senior Leadership Team

Senior Leadership Team (SLT) play an important part in monitoring the behaviour of students. SLT will monitor the behaviour of all students in the School. SLT should consider a range of strategies, including disciplinary sanctions, when dealing with unacceptable behaviour. These strategies include:

- Withdrawal of privileges (end of term treats).
- Letters of concern.
- Placing a student on report.
- Recommending a student for internal exclusion
- Parental contact (letters/telephone calls/meetings).
- Parental interviews.
- Use of outside agencies, e.g. Behavioural Support, Educational Psychology Service, Educational Welfare Service.
- Using the system of consequences.

13. The classroom discipline plan

POSITIVE BEHAVIOUR: <small>POINTS CAN BE ISSUED AT ANYTIME AND REPRESENT A CHANCE TO BUILD ON YOUR GOOD WORK</small>
R1: VERBAL PRAISE
R2: CREDITS
R3: PHONE CALL HOME
R4: POSTCARD / LETTER HOME
R5: END OF HALF TERM REWARD

DISRUPTIVE BEHAVIOUR: <small>POINTS CAN BE ISSUED AT ANYTIME AND REPRESENT A CHANCE TO IMPROVE YOUR BEHAVIOUR</small>
S1: VERBAL WARNING
S2: DEBITS
S3: COOL DOWN PERIOD
S4: SENIOR LEADER CONVERSATION: PHONE CALL HOME
S5: EXCLUSION: WORK SET AND TO BE COMPLETED FOR RETURN

14. The Senior Leadership Team

The aim of the group is to adopt a multi-agency approach when dealing with students who are experiencing problems both in and outside of school. The group meets on a weekly basis. The forum is also used to establish and monitor each students 'attitude to learning' (A2L) and Behaviour Profiles. Information shared at the meeting is confidential to the members of the group.

The majority of referrals to the group come from school, and principally from the Head of School who has an overall view of behaviour within the school. It remains, however, the right of any member of the group to make a referral. The list below is by no means exhaustive, but identifies the major criteria for referral:

- Students who appear very withdrawn; where there are significant deficiencies in terms of social skills.
- Truancy.
- Crime.
- Students who have received a high number of fixed term exclusions.
- Students likely to be a danger to themselves or others.
- An uncared-for child.
- 'Nomad' children.
- Students who are depressed / anxious / underachieving.
- Students not responding to the SEN staged procedures.
- Drug involvement.
- Where there is a sudden deterioration in academic work and/or behaviour.
- When a Pastoral Support Programme needs to be established for the student.
- When an Individual Behaviour Plan needs to be established for the student.

15. Mobile phones and MP3 players/iPod

Mobile phones may be brought to school and then handed over to staff. If they are:

- If a student does not hand over their phone to the member of staff, a Senior Leader or Head of School will confiscate the phone and the phone will have to be picked up by a parent/carer.
- A temporary ban from bringing the phone on to school premises will also be considered.
- If a student continues to refuse to hand over their phone a Fixed Term Exclusion will be considered.
- If all the sanctions have been used and the student continues to breach this school rule, the student will be banned permanently from bringing the phone on to the school premises.
- If a permanent ban is breached, the school will consider a recommendation of permanent exclusion.

MP3/iPods

MP3 players/iPods are banned from the school. This includes any form of headphones/trailing wires.

- The sanctions will be the same as those applied for breaches of the rules regarding mobile phones (see above).

Confiscation of inappropriate items

There are two sets of legal provisions which enable staff to confiscate items from students:

- The general power to discipline enables a member of staff to confiscate, retain or dispose of a student's property as a punishment and protects them from liability for damage to, or loss of, any confiscated items.
- The power to search without consent for weapons, knives, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images, or any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence or cause personal injury to, or damage to the property of, any person (including the student). Weapons and knives and extreme child pornography must always be handed over to the police, otherwise the school has the right to decide when and if to return the confiscated item.

16. Screening, searching and confiscation

School staff can search a student for any item banned under the school rules, if the student agrees. The Head of School and the staff authorised by the Head of School have the right to search a student or their possessions without their consent, where they suspect the student has certain prohibited items. The items that can be searched for are weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images, any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence or cause personal injury to, or damage to, the property of any person including the student. Staff may seize any banned or prohibited item found as a result of a search and which they consider harmful to school discipline.

Screening

The school can require students to undergo screening by a walk-through or hand-held metal detector, even if the student is not suspected of having a weapon. This can be done without the consent of the student. Any member of staff can screen students.

If a student were to refuse to be screened, the school would have the right to refuse to have the student on the premises. This refusal would not constitute an exclusion and the student's absence would be treated as unauthorised.

Searching with consent

Staff can search students with their consent for any item which is banned by the school rules. This would not require a formal written consent – it is enough for the member of staff to ask the student to turn out his or her pockets, or if the teacher can look in the student's bag, and for the student to agree.

If a member of staff suspects a student has a banned item in his/her possession, they can instruct the student to turn out his/her pockets or bag, and if the student refuses, the member of staff can apply an appropriate punishment as set out in the school's behaviour policy.

Searching without consent

Staff can search for knives, weapons, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images, any article that the member of staff reasonably suspects has

been, or is likely to be, used to commit an offence or to cause personal injury to, or damage to property. This also includes any item banned by the school rules which has been identified in the rules as an item which may be searched for. The person carrying out the search must be the same sex as the student being searched, and there should be a witness, ideally also the same sex as the student.

There is a limited exception to this rule. A teacher can carry out a search of a student of the opposite sex and without a witness present, but only where there is reason to believe that there is a risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.

It is for the Head of School to decide whom to authorise to carry out such a search. Verbal authorisation will suffice.

Staff, other than security staff, can refuse to undertake a search. The law states that Head of school may not require anyone other than a member of the school security staff to undertake a search. Staff can be authorised to search for some items but not others; for example, a member of staff could be authorised to search for stolen property but not for weapons or knives.

Staff should only undertake a search without consent if they have reasonable grounds for suspecting that a student may have in his or her possession a prohibited item. The teacher must decide in each particular case what constitutes reasonable grounds for suspicion. The powers allow school staff to search regardless of whether the student is found after the search to have that item. This includes circumstances where staff suspect a student of having items such as illegal drugs or stolen property which are later found not to be illegal or stolen.

Searches without consent can only be carried out on the school premises or where a member of staff has lawful control or charge of the student.

During the search

The member of staff conducting the search may not require the student to remove any item of clothing other than outer clothing, which means nothing next to the skin or immediately over a garment that is being worn as underwear. Outer garments include hats, shoes, boots, gloves and scarves. Possessions means any goods over which the student has or appears to have control – desks, lockers, bags. Under common law powers, schools are able to search lockers and desks for any item providing the student agrees. If a student does not consent to the search then it is possible to conduct a search without consent but only for the prohibited items. A student's possessions can only be searched in the presence of the student and another member of staff. Reasonable force may be used by the member of staff conducting the search.

Members of staff can use such force as is reasonable given the circumstances when conducting a search for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm. Such force cannot be used to search for items banned under the school rules.

After the search

BEHAVIOUR POLICY



Staff can use their discretion to confiscate, retain and/or destroy any item found as a result of a consent search, as long as it is reasonable in the circumstances. Where any article is thought to be a weapon it must be passed on to the police.

With regard to items found as a result of a search without consent, the member of staff carrying out the search can seize anything they have reasonable grounds for suspecting is a prohibited item (knives or weapons, alcohol, illegal drugs, stolen property, tobacco or cigarette papers, fireworks, pornographic images or articles that have or could be used to commit an offence or cause harm).

Alcohol should be retained or disposed of. Controlled drugs should be handed over to the police, unless there is good reason not to do so, in which case the drugs must be destroyed. In determining what is a good reason for not delivering controlled drugs or stolen items to the police, the member of staff should take into account all relevant circumstances and use their professional judgement to determine whether they can safely dispose of a seized article.

Where they find other substances which are not believed to be controlled drugs, these can be confiscated where a teacher believes them to be harmful or detrimental to good order and discipline. This would include, for example, so called 'legal highs'. Where staff suspect a substance may be controlled they should treat them as controlled drugs as outlined above.

Stolen items should be delivered to the police unless there is good reason not to do so, in which case they should be returned to the owner. With regard to stolen items, it would not be reasonable or desirable to involve the police in dealing with low value items such as pencil cases. However, school staff may judge it appropriate to contact the police if the items are valuable (iPods/laptops) or illegal (alcohol/fireworks).

Where a member of staff finds tobacco or cigarette papers they may retain or dispose of them. As with alcohol, this means that school can dispose of tobacco or cigarette papers as they think appropriate but this should not include returning them to the student.

Fireworks found as a result of a search may be retained or disposed of but should not be returned to the student.

If a member of staff finds a pornographic image, they may dispose of the image unless its possession constitutes a specified offence (i.e. it is extreme or child pornography) in which case it must be delivered to the police as soon as reasonably practicable. Images found on a mobile phone or other electronic device can be deleted unless it is necessary to pass them to the police.

Where the article that has been, or could be, used to commit an offence or to cause personal injury or damage to property is found it may be delivered to the police or returned to the owner. It may also be retained or disposed of.

Where a member of staff finds an item which is banned under the school rules, they should take into account all relevant circumstances and use their professional judgement to decide whether to return it to its owner, retain it or dispose of it.

Any weapons or items which are evidence of an offence must be passed to the police as soon as possible.

Where the person conducting the search finds an electronic device they may examine any data or files if they think there is good reason to do so. Following an examination, if the person has decided to return the device to the owner, or to retain or dispose of it, they may erase any data or files, if they think there is a good reason to do so. In determining a good reason to examine or erase data or files, the staff member must reasonably suspect that the data or file on the device in question has been, or could be, used to cause harm, to disrupt teaching or break the school rules. If inappropriate material is found on the device, it is up to the teacher to decide whether they should delete that material, retain it as evidence (of a criminal offence or breach of school discipline) or whether the material is of such seriousness that it requires the involvement of the police.

Telling parents/carers and dealing with complaints

Schools are not required to inform parents/carers before a search takes place or to seek their consent to search their child. There is no legal requirement to make or keep a record of the search. Schools should inform the individual student's parents or guardians where alcohol, illegal drugs or potentially harmful substances are found, though there is no legal requirement to do so. Complaints about screening or searching should be dealt with through the normal school complaints procedure.

17. Specific behavioural sanctions

Out of bounds

Students found in out of bounds areas will be given 5-10 debits.

Swearing

Any student who is heard swearing will receive a debit.

Leaving the school premises

- Any student who leaves the school premises without permission will receive 100 debits; if needed the student will be reported missing if necessary.
- After three breaches of this rule, the student will receive an internal exclusion.
- Subsequent breaches of this rule will lead to further internal exclusions/fixed exclusion.

Lunchtime arrangements

Students are not allowed to leave the premises at lunchtime. Parents/carers that are not happy with this should contact the Pastoral Senior Leader, so that a meeting can be arranged to discuss this matter.

18. Smoking

This is a non-smoking building, a rule which applies to staff and students alike. There will be serious consequences for any student who chooses to breach the no-smoking rule repeatedly. If a student smokes during School time, these are consequences outlined below:

- 1st breach: the student loses enrichment opportunity. Receives 100 Debits.
- 2nd breach: the student will receive a one day internal exclusion. Receives 150 Debits.
- 3rd breach: the student will be given a one day fixed term exclusion and the parent/carer will be invited to attend a meeting with a senior member of staff to discuss the problem. Receives 200 Debits.
- 4th breach: the student will be given a five day fixed term exclusion and the parent/carer/ and SEND officer / Social Worker will be informed and will be invited to attend a meeting with a senior member of staff to discuss the problem. Receives 250 Debits.
- 5th breach: At this stage the parent/carer/ and SEND officer / Social Worker will be invited to attend a meeting with a senior member of staff to discuss an alternative provision, with the option of a permanent exclusion.

Failure to attend registration (including lateness):

- All students are expected to be punctual to lessons and school. School begins at 9.15am. Any student arriving after 9.15am will be marked as being late. Any student arriving after the registers have closed at 9.30am will be marked with a L code, unless parents/carers provide a reason for the lateness.

Where a student is repeatedly late for registration, or fails to attend registration on a regular basis, the tutor should pass the student's name on to a Senior Leader (Pastoral). From that point onwards, the Senior Leader (Pastoral) will employ a range of sanctions to ensure that the student attends registration on time. Sanctions may include detentions, parental contact, internal exclusions, and, in the worst cases, a fixed term exclusion.

Lateness to lessons:

- All students are expected to be punctual to lessons and school.
- Students who are late will receive a verbal warning.
- Those students who are repeatedly late to lessons will be identified by the Pastoral Senior Leader. Once this is done, sanctions will be used to address the problem. These sanctions will include parental contact, debit, loss of enrichment, and, in the worst cases, a fixed term exclusion.

Lateness to assembly:

- On assembly days students are expected to be in the main hall by 9.15am.
- After a student has been late three times for assembly without good reason, a letter is sent to the student's parent/carer.
- If the student is late again, he/she will be given a debit.
- After three debits, the student will lose their enrichment opportunity every time he/she misses assembly owing to lateness.

Alcohol:

- Any student who brings alcohol on to the school premises will receive a fixed term exclusion.

- If the student brings alcohol on to the school premises a second time, a recommendation of permanent exclusion will be made.
- Any student who 'spikes' the drink of another student with alcohol will be permanently excluded.

Weapons:

- A student bringing a weapon on to the school premises is likely to be permanently excluded. A judgement will be made as the level of threat the weapon itself represents to the health and safety of the other students.
- Weapons include knives, darts, guns of any description, including air pistols and BB guns.
- In all cases of a weapon being brought on to the school premises, the police will be informed.

Illicit substances:

- The priority in all incidents relating to the use of illicit substances is the health and safety of the student.
- First incident (use or possession): three-day fixed term exclusion.
- Second incident (use or possession): permanent exclusion.
- First incident (supplying): permanent exclusion.
- In all cases the police and the student's parents/carers will be informed.
- The details of all incidents relating to illicit substances should be entered in the Drugs File and a copy should be given to the school's Safeguarding Lead.

Outside of school

The school has the legal right to discipline students for incidents that take place beyond the school premises. This applies to incidents of poor behaviour that occur when students are coming to or going from school. The right to discipline students would also apply to incidents of bullying that take place off the school site, but which have their origin in the school. Incidents of poor behaviour on school trips would also fall into this category.

19. Exclusions

Definition

Exclusion from the school will take place when the actions of a student are deemed to be a serious breach of school regulations and when previous remedial action taken by the school has produced no noticeable improvement in the attitude or behaviour of a student.

There are three types of exclusion:

- Permanent exclusion.
- Fixed term exclusion - up to a maximum of 45 days in a school year.
- Internal exclusions (not recorded with the LA, though the school does keep its own record of internal exclusions).

Aims

The aims of exclusion are to:

- Prevent disruption to classes.
- Protect the educational, emotional and physical welfare of students and staff.
- Reinforce the discipline of the school.
- Provide, when necessary, a 'cooling off' period for the student.
- Involve parents/carers and students in discussing the student's future behaviour.
- In the event of lengthy fixed term exclusions, to establish targets for improvement in identified areas.
- Where it is felt that a serious breach of the school's disciplinary code falls short of warranting a fixed term exclusion, the sanction of an internal exclusion will be considered.

Permanent Exclusion

A decision to exclude a student permanently is a serious one and is used only in exceptional circumstances. It will usually be the final step in a process for dealing with disciplinary offences, following a wide range of other strategies, which have been tried without success. It is an acknowledgement by the school that it has exhausted all available strategies for dealing with the student and should normally be used as a last resort. There will be exceptional circumstances where it is appropriate to permanently exclude a student for a first or "one off" offence. The following behaviours are examples of where such decisions might be taken:

- Serious actual or threatened violence against a member of staff.
- Serious actual or threatened violence against another student.
- Sexual abuse or assault of a student or a member of staff.
- Possession, use or supplying an illegal drug on school premises.
- Carrying an offensive weapon.

Internal exclusion

To receive an internal exclusion a student has to receive 75 debits. Where appropriate this can be an alternative to an exclusion. The student will sit with the Pastoral Senior Leader for the duration of the internal exclusion. Internal Exclusion may also be used when students have a catalogue of misbehaviour or a serious incident has happened e.g. bullying, a series of detentions have been given, inappropriate behaviour to another student.

Fixed Term Exclusion

To receive a fixed term exclusion a student needs to receive 100 debits or have had a serious incident, e.g. assault on staff or another peer.

However, given the nature of our students every effort is made to help the students regulate their behaviour. There will be times when external factors are an influence and leniency will be applied where appropriate. The behaviour philosophy is to not punish our students but support them.

Before a fixed term exclusion is given there should have been prior contact with parents/carers and a warning given about the future conduct of the student. Fixed term exclusions will generally be for the shortest possible time to allow for a meeting with parents/carers to take place. Students should be provided with work to take home.

When requesting a fixed term exclusion, full details of the incident should be written on the appropriate form and given to the Head of School. The official letter of exclusion should contain a detailed account of the incident leading to the exclusion so that parents/carers are fully informed of the reason for the exclusion. To keep parents/carers fully informed, whenever possible a letter will be given to a student who has received a fixed term exclusion on the day prior to the commencement of the exclusion. The official fixed term exclusion letter will be sent out by email, if that is not possible it will be sent in the post. Parents/carers will also be contacted by telephone. The same procedures apply in the case of an internal exclusion.

In cases where parents/carers do not send their child to school for the period of the fixed term exclusion, it is their responsibility to ensure their child is not present in a public place during school hours. Parent/carers will face a fixed penalty notice if their child is found in a public place during school hours without reasonable justification.

The Head of School will arrange a reintegration interview following the expiry of a fixed term exclusion.

Incidents warranting a fixed term exclusion include:

- Direct challenge to the authority of a member of staff:
- Pushing a member of staff.
- Threatening a member of staff or their property.
- Swearing directly at a member of staff (this should not be confused with swearing when told off or swearing at others in the presence of a member of staff. Students should be punished for these but such incidents do not warrant a fixed term exclusion).
- Direct physical or verbal threats to other students:
- Assault on another student where a clear aggressor can be identified.
- Fights between students which are liable to lead to continued threats or further aggression. In this instance, a fixed term exclusion may be used as a 'cooling off' period. This should not be confused with a fight between students which is quickly resolved.
- Continuous threats to, or bullying of, other students (sufficient recorded evidence should be available to show that other sanctions have been used and that parents/carers have been previously contacted regarding the student's behaviour).
- Deliberate aggressive damage to school property:
- Deliberately breaking windows, setting off fire alarms, smashing furniture or items of school property. In the case of graffiti or minor damage, an exclusion may be warranted if a student is a persistent offender and has failed to respond to previous sanctions.
- Serious or repeated breach of the school's discipline policy:
- Repeated failure to attend detentions, despite warnings; repeated breach of the school uniform code; repeated disruption of lessons.

DFE Circular (May 1998)

- The Head of School is empowered to exclude a student for up to forty five school days per year.
- Fixed term exclusions of more than fifteen days should only be used rarely.
- A fixed term exclusion will be for the minimum time to ensure that the student and others in the school understand that a particular behaviour has been unacceptable.

BEHAVIOUR POLICY



- Students should not remain out of school for more than fifteen days without a clear plan for reintegration.

Fixed Term Exclusions of less than Five days in total per term

NB DfEE Circular 21.1.2000

A decision to exclude a student should be taken only:

- In response to serious breaches of a school's discipline policy.
- If allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school.

Before excluding a student, in most cases, a range of alternative strategies should have been tried. A student who has received 7 Fixed Term Exclusions in one half term will have an emergency review of their placement.