



# BEHAVIOUR POLICY

|                                                              |                          |                                |           |
|--------------------------------------------------------------|--------------------------|--------------------------------|-----------|
| <b>This document has been approved for operation within:</b> | Apex Collaborative Trust |                                |           |
| <b>Status</b>                                                | Statutory                |                                |           |
| <b>Owner</b>                                                 | Lord St Primary School   |                                |           |
| <b>Date effective from</b>                                   | Aug 26                   | <b>Date of the next review</b> | August 27 |
| <b>Review period</b>                                         | Annually                 | <b>Version</b>                 | 4         |

| Version | Changes identified                                                                        |
|---------|-------------------------------------------------------------------------------------------|
| 2       | Added to appendices. Visuals to aid EYFS, KS1 and SEND pupils with Behaviour Reflections. |

|   |                                                                                                                                                                                                                                                                                                                                                                                            |
|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3 | Added details regarding Time Out Zone (p13) and edited Managing Significant Behaviour (p14 and 15). Amendments to Lord Street Citizen Award (p21).                                                                                                                                                                                                                                         |
| 4 | <p>Added in Appendix E, F, G</p> <ul style="list-style-type: none"> <li>E) Exclusions and Suspensions</li> <li>F) Restrictive Physical Intervention</li> </ul> <p>Searching, Screening and Confiscation</p> <p>Changes to the escalation of consequences: Teacher/ SLT report</p> <p>Suspension</p> <p>Isolation</p> <p>Changes of the school value from respect to trust on documents</p> |

## **Contents**

1. Policy Statement Scope and purpose
2. Behaviour expectations and pupils with SEND
3. Duties under Keeping Children Safe in Education 2022
4. Roles and responsibilities
5. The headteacher and the governing body
6. All staff
7. All pupils
8. Families Definitions
9. Our mission and purpose
10. Our aims
11. Values and behaviours
12. Recognition, reward and praise
13. Isolation and reflection
14. Reasonable force
15. Suspension and permanent exclusion
16. Apex Collaborative Trust
17. Learning Habits
18. Managing low level behaviour
19. Managing more significant behaviour
20. Prevention strategies and sanctions for unacceptable behaviour
21. Physical intervention
22. Isolation room/space
23. Appendix A: KS1 & KS2 Behaviour Reflections
24. Appendix B: Behaviour Report
25. Appendix C: Lord Street Citizen Award
26. Appendix D: Visual to aid EYFS, KS1 and SEND pupils with Behaviour Reflections
27. Appendix E: Exclusions and Suspension
28. Appendix F: Restrictive Physical Intervention
29. Appendix G: Searching, Screening and Confiscation

## **Policy Statement**

Lord Street Primary School recognises that the highest standards for behaviour are central to achieving the best education for our pupils. We achieve this through

the promotion of a positive culture, building social norms, proactively teaching students how to behave well, as well as fair and transparent systems of rewards and sanctions.

We believe in the power of positive framing and in the certainty, not necessarily severity, of sanction in creating a culture conducive to learning and thriving in education.

We aim to give all pupils the knowledge and understanding that will enable them to become increasingly self-disciplined and able to make positive choices for themselves.

Lord Street Primary School has consistently high expectations of behaviour for learning and overall conduct; firmly embedded practices and routines to establish a calm and purposeful environment; a clear framework of learning habits. We work as leaders across the Trust to ensure we have broad agreement on the reasonableness and proportionality of sanctions.

This policy should be read in conjunction with the following policies:

- Anti-Bullying
- Physical Intervention
- Child Protection and Safeguarding
- Equality and Diversity
- Exclusion
- Online Safety and Acceptable Use of Information Technology
- Staff Conduct
- SEND
- This policy is underpinned by the following legislation and guidance:
  - Education Act (2002), as amended by Education Act (2011)
  - Education and Inspections Act (2006)
  - School Discipline [Pupil Exclusions and Reviews] – England – Regulations (2012)
  - Equality Act (2010, revised 2018)
  - Searching, Screening and Confiscation at Schools (2018)
  - When to call the police: guidance for schools and colleges (NPCC)
  - Keeping Children Safe in Education
  - Behaviour in Schools
  - Suspension and Permanent Exclusion

### ***Scope and purpose***

At Lord Street Primary School we:

- have the highest expectations of pupil behaviour in order to maximise their opportunity to achieve
- ensure all pupils develop the excellent learning habits that they need to be successful in school and in life
- realise and celebrate the potential of all pupils through promoting independence, high self-esteem and enabling students to reach their full potential
- create an environment in which pupils are enabled to become mature, self-disciplined, industrious and able to accept responsibility for their own actions
- have a no tolerance approach to all forms of child on child abuse, including bullying and cyberbullying, and work hard to create a positive and safe learning environment
- work to develop and support all staff to manage behaviour with a high level of professionalism, dignity and fairness in order to maintain a safe and purposeful environment
- build positive relationships between families, school and pupils through a three-way partnership, makes clear the expectations of all three parties in developing and maintaining a safe and positive culture and an active partnership with parents and carers to support their children's learning

These aims are supported by regular and pertinent staff training and practice; close family and community links; pupil organisation and opportunities in line with our Equalities Objectives; the boosting of pupils' self-esteem through positive reinforcement and a broad balanced curriculum including extra-curricular activities and social and community events aimed at celebrating diversity whilst seeking and emphasising commonality.

### ***Behaviour expectations and pupils with SEND***

Lord Street Primary School has a duty to manage pupil behaviour effectively, including for those with underlying needs, in order to maintain a safe, purposeful and effective learning environment. We aim to establish a culture that consistently promotes high standards of behaviour and provide the support needed for all pupils to achieve and thrive both in and out of the classroom. We aim to develop a whole school approach that fosters a sense of belonging, facilitates learning, and benefits all pupils equally. Some pupils with SEND may have behaviours that arise from their additional needs and the law requires flexibility and responsiveness, often through provision that is 'additional to or different from' the main offer, in order to meet those needs. In addition, pupils with SEND may have behaviours that are not arising from their additional needs and other pupils' behaviour may be arising from SEND that has not yet been identified or understood. We aim to establish behaviour systems that are consistent and based on high expectations as the norm, but are also flexible and responsive enough to support a wide range of needs and support all pupils to learn from their behaviour and move forward in a positive way. This should include directly teaching pupils the skills and understanding that underpins good behaviour, and anticipating likely triggers of challenging behaviour and putting provision in place to support and prevent it wherever possible.

## ***Duties under Keeping Children Safe in Education 2022***

We recognise that challenging behaviour, and in particular a change in a child's behaviour, can be indicative of a child protection or wider safeguarding need. For this reason, all our behaviour systems, including sanctions, incorporate opportunities for restoration, relationship building, consideration of what support is required and, where appropriate, referral for further assessment. We prioritise the proactive teaching of the underlying skills and understanding that underpins our culture of high expectations, including ensuring all pupils know how to seek help if they need it. We take all forms of child on child abuse, including bullying and child on child sexual harassment and sexual violence, extremely seriously. More detailed information about this can be found in our Child Protection Safeguarding Policy and our Anti-bullying Policy.

### ***Roles and responsibilities***

The majority of our time at Lord Street Primary School and across The Apex Collaborative Trust is spent reinforcing a culture of high expectations and positivity in order to maintain good order and discipline that allows pupils to maximise their potential. At times, pupils may make the wrong choices and, when this happens, we will take a proportionate and forward-thinking response in order to maintain our culture and progress positively. The lists below make clear the power and responsibility of The Apex Collaborative Trust, school governing bodies, the Headteacher and all staff to uphold a safe and secure environment in line with this policy. We also recognise that the strength of any behaviour policy or system is in how it is communicated and understood by all stakeholders, and the positive and trusting relationships between those stakeholders. It is crucial that each school shares its behaviour system clearly with all staff, pupils and families; that the implementation is supported by the three-way partnership between school, pupil and families; and that the school works cooperatively and reciprocally with other schools and key agencies.

### ***The Headteacher and the Governing Body***

- The Trust Board approves the Trust policy; it has a duty under the Education Regulations Act 2010 to ensure arrangements are made to safeguard and promote the welfare of students.
- The Local Governing Body annually scrutinises and approves the individual school routines and practices.
- The Headteacher is responsible for ensuring the school aligns to the Trust's mission and values, follows Trust policy and that their individual school has strong behaviour practices to support staff in managing behaviour, including the use of sanction and praise / reward.
- The Headteacher and staff have the power to use reasonable force and other physical contact in order to maintain and restore order (as stipulated in the Physical Intervention Policy), but cannot, under any circumstances, use force as a form of punishment. Corporate punishment of any kind is entirely illegal.

- The Headteacher and delegated staff have the power to search pupils, screen electronic devices, and to confiscate property.
- The Headteacher and delegated staff have the power to discipline pupils outside of school hours if it is a school-related matter, or the pupil's actions undermine the safety of anyone from our community or the good reputation of the Trust.
- All schools have the power to impose detentions outside of school hours, without parental consent. However, we do always inform our parents when a detention or consequence is to occur outside of the usual working day.
- All our schools work actively within local partnerships (Local Authority Partnership, Behaviour and Attendance Collaboration, Fair Access Protocol) to improve the standard of behaviour across the locality.

#### ***All staff***

- Some staff, for example senior leaders and behaviour practitioners, may have additional responsibilities delegated to them by the Headteacher, for example the power to search, screen and confiscate items, in line with guidance and Trust policy.
- All staff must have read and understood this policy and other related policies, and sign to say that they have read and understood them as part of the induction process.
- Staff are responsible for knowing and understanding the systems in place to support behaviour, upholding them within their school, and seeking support if necessary.
- All staff will behave professionally and in a way that demonstrates appropriate behaviour to the pupils through learning by example.
- Staff are responsible for being responsive to signs of child on child abuse and acting swiftly and appropriately, in line with our Anti-bullying Policy and Keeping Children Safe in Education.

#### ***All pupils***

As part of our ongoing commitment to maintaining a culture of safety and learning for all pupils, staff and visitors to Lord Street Primary School, pupils will receive ongoing direct learning opportunities through PSHE, as well as indirect learning opportunities through observing the professional behaviour of the adults around them.

This will include but is not limited to:

- learning how their behaviour impacts others and their own future selves
- learning about identity, protected characteristics, prejudice and discrimination
- learning about ways to seek help and support
- building trusting relationships with staff

- learning from the professionalism and conduct of staff

All pupils have a responsibility to behave in a way that does not disrupt the learning, wellbeing or safety of themselves, their peers or any adult in the academy or wider academy community.

### ***Families***

All families agree our three-way partnership when their child enters the school. We expect families to work with us in supporting good behaviour that is conducive to learning and thriving in education and beyond and in upholding our positive culture. Our success as a Trust is built on this three-way relationship between the home, school and child.

### ***Definitions***

For the purposes of this policy, the school defines “serious unacceptable behaviour” as any behaviour which may cause harm to oneself or others, damage the reputation of the school within the wider community, and/or any illegal behaviour. This includes, but is not limited to, the following:

- **Discrimination** – not giving equal respect to an individual on the basis of age, disability, gender identity, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation
- **Harassment** – behaviour towards others which is unwanted, offensive and affects the dignity of the individual or group of individuals
- **Vexatious behaviour** – deliberately acting in a manner so as to cause annoyance or irritation
- **Bullying** – a type of harassment which involves personal abuse or persistent actions which humiliate, intimidate, frighten or demean the individual being bullied
- **Cyberbullying** – the use of electronic communication to bully a person, typically by sending messages of an intimidating or threatening nature
- Possession of legal or illegal drugs, alcohol or tobacco
- Possession of banned items
- Truancy and running away from school
- Refusing to comply with disciplinary sanctions
- Theft
- Verbal abuse, including swearing, racist remarks and threatening language
- Fighting and aggression
- Persistent disobedience or destructive behavior

## ***Our Mission and Purpose***

Our mission statement encapsulates our approach and what we prioritise daily:

Creating opportunity. Inspiring excellence. Shaping tomorrow.

We want to provide every child in our care with the best possible start in life and motivate them to fulfil their individual potential and make a full contribution to their communities and to society.

## ***Our Aims***

Building on our mission, we have an ambitious vision for our young people and for the Trust:

Through a child-centred approach and exceptional educational experiences we will inspire excellence from all, develop independence, build confidence and ensure readiness for tomorrow.

We believe every child can achieve and we continually encourage high aspirations amongst pupils and staff. To this end, leaders across the Trust adopt an evidence-informed approach to developing all aspects of school provision and are committed to high quality professional development of staff, so that we have an exceptional curriculum and pedagogy in all our schools. High quality pastoral care and support aligned with diagnostic assessment of needs and targeted interventions, help to ensure appropriate provision for every individual.

## ***Values and behaviours***

Three core values underpin all trust decisions and policies and are at the heart of every aspect of school life:

## ***Ambition, collaboration and Trust***

|                      |                                                   |                                                                                                           |
|----------------------|---------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
| <b>Ambition</b>      | <b>Inspiring Excellence and Growth</b>            | We set high expectations for our students, staff, and leadership.                                         |
|                      |                                                   | We challenge the status quo, encouraging innovation and creativity in education.                          |
|                      |                                                   | We believe in potential empowering individuals to reach new heights in their learning and careers.        |
|                      |                                                   | We celebrate success, recognising achievements at every level.                                            |
| <b>Collaboration</b> | <b>Stronger Together</b>                          | We share best practices, creating a network where knowledge flows freely.                                 |
|                      |                                                   | We support and challenge each other, working together to find solutions.                                  |
|                      |                                                   | We listen and respect diverse perspectives, ensuring every voice matters.                                 |
|                      |                                                   | We value teamwork, building relationships that foster trust and openness.                                 |
| <b>Trust</b>         | <b>Integrity, Transparency and Accountability</b> | We do what we say we will do, building confidence in our leadership.                                      |
|                      |                                                   | We communicate openly and honestly, ensuring transparency in decision-making.                             |
|                      |                                                   | We hold ourselves accountable, measuring success by our impact.                                           |
|                      |                                                   | We foster a culture of psychological safety, where staff and students can thrive without fear of failure. |

Three associated behaviours follow from each value, as shown above. These are fundamental to building strong learning communities and creating the best possible environment for all members of those communities to flourish.

### ***Recognition, reward and praise***

The school recognises that praise is key to making pupils feel valued and ensuring that their work and efforts are celebrated. When giving praise, teachers ensure:

- there is a link to our values.
- they define the behaviour that is being rewarded.
- The praise is given immediately following the desired behaviour
- The way in which praise is given is varied.
- Praise is related to effort, rather than only to work produced.
- Perseverance and independence are encouraged.
- Praise is only given when a pupil's efforts, work or behaviour needs to be recognised.
- The praise given is always sincere and is not followed with immediate criticism.

Whilst it is important to receive praise from teachers, the school understands that peer praise is also effective for creating a positive, fun and supportive environment. Teachers encourage pupils to praise one another, and praise another pupil to the teacher, if they see them modelling good behaviour.

As with praise, the school understands that providing rewards after certain behaviour means that pupils are more likely to model the same behaviour again. For rewards to be effective, the school recognises that they need to be:

**Immediate** – immediately rewarded following good behaviour

**Consistent** – consistently rewarded to maintain the behaviour.

**Achievable** – keeping rewards achievable to maintain attention and motivation.

**Fair** – making sure all pupils are fairly rewarded.

We want pupils to be motivated by the intrinsic values of ambition, trust and collaboration however we are also committed to acknowledging pupils when they develop good learning habits. We seek to use descriptive praise and positive framing to signal to pupils that they are demonstrating good learning habits.

Pupils remain on green on our class traffic lights when demonstrating our school values (ambition, trust and collaboration) or are rewarded gold for exceptional work or behaviour. Other extrinsic rewards for positive behaviours and going above and beyond include: house points; which contribute towards a team reward (Pendle, Weets, Hameldon and Boulsworth), Star of the Week and Star of the Term certificates, Headteachers' Award certificates, stickers, pupil work displayed in classrooms, sharing work with the class or other classes, direct praise to parents at the end of the day, postcards home and positions of responsibility such as Pupil Leadership and the School Council.

### ***The Apex Collaborative Trust Learning Habits***

All members of staff are expected to actively promote and model The Apex Collaborative Trust Learning Habits.

### ***Perfect uniform***

We will insist on perfect uniform: not *nearly* perfect but perfect. We expect all pupils to wear their uniforms neatly and with pride. It is important that pupils contribute to our schools' common routines. If pupils breach any one part of our strict uniform code, then they will be given some temporary uniform to wear and a conversation will take place with parents. We will do this to ensure that all our pupils take pride in their appearance and to make sure that our pupils are treated fairly. It is unfair if some pupils keep to our dress code, and some don't. Further detail around specific uniform expectations can be found in the parent/ carer contract.

### ***Punctuality & attendance***

All pupils should attend school and classes on time, every time. We are trusting that pupils will arrive at the school by 8:45 each day so that they are ready for the day's learning. Pupils who arrive late to school are expected to sign in at reception. Anything less than 96% is not good enough and the school would expect this only to be the case for pupils with serious medical issues or exceptional circumstances. If pupils are ill then parents/carers must contact Lord Street Primary School on the morning of each day of absence. Any planned absence should be requested using the schools' leave of absence form. Any holiday request during term time will be refused. We trust that parents will only request leave of absence in exceptional circumstances.

### ***On-task behaviour***

We insist on focused learning in the classroom to ensure that learning is maximised for all pupils. Pupils who wish to succeed are always on-task in every lesson and behave in a purposeful manner outside of lessons. Sometimes, it will be hard work for pupils to remain on task but we will remind them that they learn best when they are concentrating. It also means that other pupils can learn without disruption and allows the teacher to teach what s/he has planned. We expect all pupils to track (eyes on me) the person who is talking to demonstrate that they are listening carefully. Pupils are expected to remain quiet during lessons and when transitioning around school.

When in lessons or assemblies, pupils are expected to remain in silence until they are invited to speak by the member of staff leading the lesson or assembly. Staff members will raise their hands to show that they want silence and it is expected that pupils respond immediately by also raising their hand and becoming silent.

Failure to be on-task in lessons or around the school will result in the use of our Escalation of Consequences. Continued disruption may result in playtime detentions or isolation.

### ***Prepared for learning (homework, deadlines, equipment)***

Pupils should arrive at school with the right equipment, so that no learning time is interrupted. Pupils do this by having the right PE kit, book bag, reading book and homework when applicable.

We wish to develop our pupils' organisational skills for success in future life. For any important role in life, we need the right equipment and pupils and parents need to make sure they provide it.

All stationery will be provided by the school which means no pupils should bring in their own stationery from home. Pupils should not be carrying bags or wearing coats around the school.

Illegal items, chewing gum and jewellery (other than one plain watch and stud earrings which are taken out or taped for PE) are not allowed in the school. Fruit or vegetables only is allowed for a snack at breaktime.

Mobile phones are not to be seen or heard in the school. We would strongly recommend students do not bring a mobile phone into the school. If parents want their child to bring a phone to school for safety and walking home reasons, they must be switched off and handed in to the teacher (we cannot accept any responsibility for lost or stolen possessions). If a member of staff sees a mobile phone it will be confiscated and will be kept until a parent/carer collects it. If pupils fail to be prepared for learning, this will result in the use of our Escalation of Consequences.

### ***Follow staff instructions first time, every time***

Pupils are expected to demonstrate respect for all adults all of the time; this means no refusal to follow instructions first time. We know that pupils who wish to succeed do not refuse to follow instructions and trust that teachers' instructions are to help them be successful. We know it is important that students learn self-discipline. If an adult tells a pupil to do something, we expect it done straight away. If pupils fail to demonstrate this learning habit, this will result in the use of our Escalation of Consequences; which may result in playtime detentions or isolation. If a pupil feels unfairly treated they must still follow the instruction first time, every time. Later, pupils will be given the opportunity to discuss the incident and reflect on the situation and the decision made. Pupils are expected to speak to all members of the school with respect and courteously.

At Lord Street Primary School, we reward great attendance with Attendance Certificates in assembly when a class has achieved 96% or above for that week. They then have the opportunity to roll the dice and move on their 'Classopoly Board' with prizes which include but are not limited to; non-uniform days, laptop time, pyjama parties, film afternoons etc.

Lord Street Primary School have also introduced a 'Lord Street Citizen Award' to acknowledge and reward pupils who consistently go above and beyond with an aim to reach Sapphire by the end of Year 6. (See Appendix C for details).

### ***Managing Low Level Behaviour***

Low level behaviours include but are not limited to:

- Talking at inappropriate times
- Walking around the classroom without permission.
- Shouting out
- Making inappropriate or rude noises
- Attempting to upset others
- Purposefully damaging equipment

Instances of unacceptable, low level behaviour are taken seriously and dealt with immediately. After an initial incident of low level negative behaviour, the following sanctions are:

***Disruptive, low level behaviour occurs:***

- Reminder given through positive framing with a look or tap on the table to the pupil.

***Behaviour continues***

- Verbal warning given to the pupil and consequences of the action explained; ongoing reminders, positive framing and reinforcements when positive behaviours are demonstrated.

***Behaviour continues***

- Pupil is moved down to amber on class traffic lights and 5 minutes of playtime missed. (If already outside, pupil to go to Time Out Zone for 5 minutes).

***Behaviour continues***

- Pupil is moved down to red on class traffic lights and a whole playtime missed. (If already outside, pupil to go to Time Out Zone for the duration of playtime).
- Reflection sheet completed with a verbal, restorative conversation with class teacher (see Appendix A). EYFS, KS1 and SEND pupils use a visual
- resource to support with these restorative conversations and reflection sheets (see Appendix D).
- All red behaviour incidents will be recorded on CPOMS for monitoring
- Parents informed (phone call). Removal of privileges (i.e. after school clubs, visits, etc).

***Behaviour continues***

- Pupil works in SLT or behaviour lead's classroom for next session.
- Parents informed (phone call). Removal of privileges (i.e. after school clubs, visits, etc).

***Behaviour continues***

- Parent Meeting takes place regarding child going onto a teacher behaviour report.
- This report is fed back to the parent regularly

***Behaviour continues***

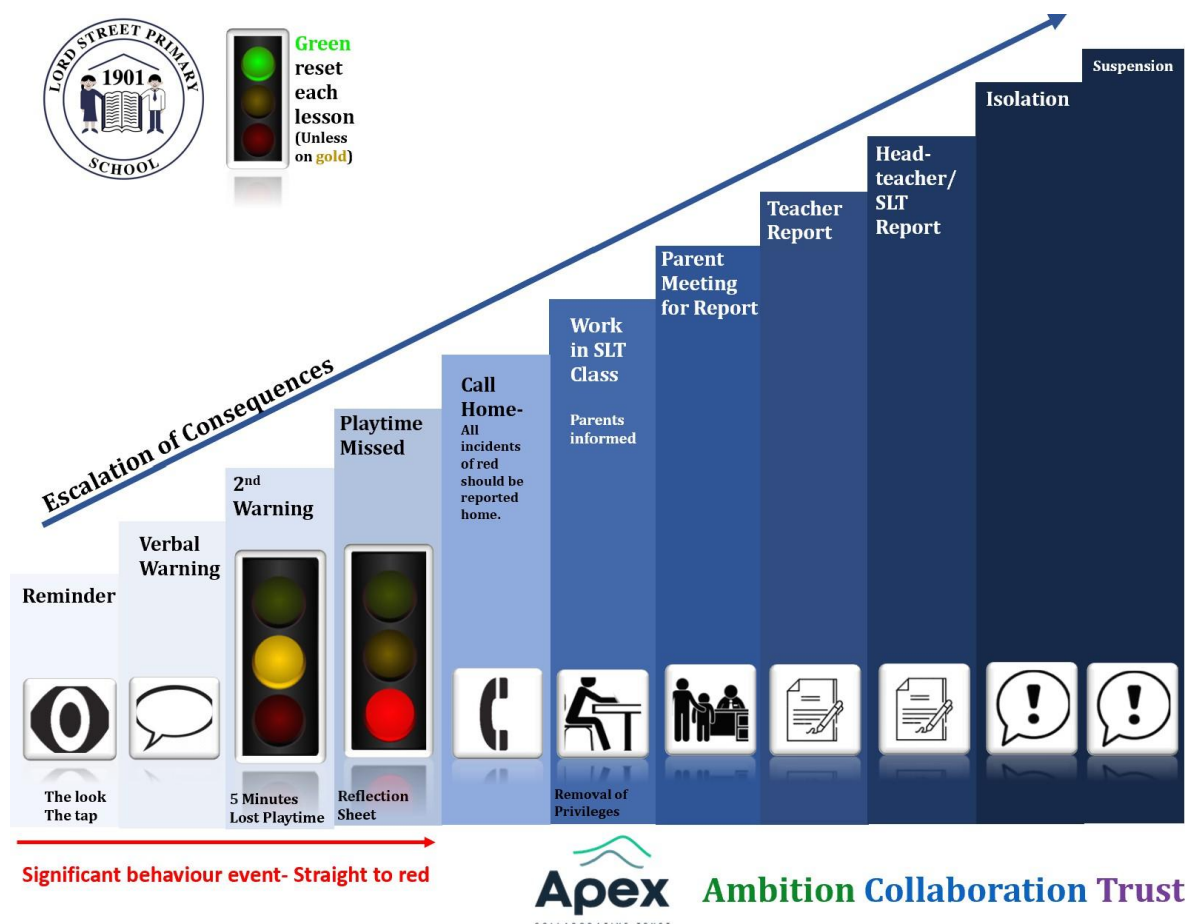
- Pupil is placed on a Senior Leadership Team behaviour report which is observed and reported to a member of the Senior Leadership Team.
- This report is fed back to the parent regularly

### 1.1.1.1

#### **Behaviour continues**

- Pupil is put into internal isolation, for half a day or a full day.

See below the visual 'Escalation of Consequences' used in all classrooms to display our negative behaviour process:



#### **Managing Significant Behaviour**

Significant behaviours include but are not limited to:

- Using abusive/bad language towards adults or other children, including racist or homophobic comments
- Using physical violence towards others – not following our 'no touch policy'
- Continued damaging of equipment
- Becoming defiant towards adults.
- Any low level behaviour that is regularly repeated (over the course of a day).

### ***Significant behaviour***

- Pupil is immediately placed on red on the class traffic lights, a reflection sheet is completed (Appendix A) and a whole playtime is missed (Time Out Zone if already outside). Parents are informed.
- 1<sup>st</sup> incident of significant behaviour, 3 days of playtimes and lunchtimes missed.
- Depending on the severity of the behaviour it may be decided by the Senior Leadership Team that a child will be required to spend time in isolation.

### ***Behaviour repeated following support***

- 2<sup>nd</sup> incident of significant behaviour, 5 days of playtimes and lunchtimes missed.
- Follow 'Escalation of Consequences'

### ***Behaviour continues more frequently following support and 'Escalation of Consequences' has been exhausted (external agencies may be used)***

- Temporary exclusions.
- Exclusion - The headteacher will consider whether the pupil should be excluded for a fixed term, in line with the school's Exclusion Policy, and will determine the length of the exclusion.
- Although unacceptable behaviour does not necessarily mean a pupil has SEND, an assessment will be carried out at this stage to determine whether there are any undiagnosed learning or communication difficulties, or mental health issues that may be contributing to the pupil's behaviour.
- Where a pupil is identified as having SEMH-related difficulties, SEND support will be put in place from school's national SEND budget.
- Where SEND is not identified, but the headteacher determines that support is still required for the pupil, an Individual Behaviour Management Plan will be created to outline the necessary provisions in place.

For discipline to be lawful, the school will ensure that:

- The decision to discipline a pupil is made by a paid member of school staff, or a member of staff authorised to do so by the headteacher.
- The decision to discipline a pupil is made on the school premises or whilst the pupil is under the charge of a member of staff, such as during an educational trip or visit.

- The decision to discipline a pupil is reasonable and will not discriminate on any grounds, as per the Equality Act 2010.

The school will ensure that all discipline is reasonable in all circumstances, and will consider the pupil's age, religious requirements, SEMH needs, any SEND, and any other relevant information.

### ***Prevention strategies and sanctions for unacceptable behaviour***

This section outlines the school's strategies for preventing unacceptable behaviour, minimising the severity of incidents, and using sanctions effectively and appropriately to improve pupils' behaviour in the future.

### ***Positive teacher-pupil relationships***

Positive teacher-pupil relationships are key to combatting unacceptable behaviour. The school focusses heavily on forming these relationships to allow teachers to understand their pupils and create a strong foundation from which behavioural change can take place.

### ***De-escalation strategies***

Where negative behaviour is present, staff members will implement de-escalation strategies to diffuse the situation. This includes:

- Appearing calm and using modulate, low tone of voice.
- Using simple, direct language.
- Avoid being defensive, e.g. if comments or insults are directed at the staff member.
- Provide adequate personal space and not blocking a pupil's escape route.
- Showing open, accepting body language, e.g. not standing with arms crossed.
- Reassuring the pupil and creating an outcome goal.
- Identifying any points of agreement to build rapport.
- Offering the pupil a face-saving route out of confrontation, e.g. that if they stop the behaviour, then the consequences will be lessened.
- Rephrasing requests made up of negative words with positive phrases, e.g. "if you don't return to your seat, I won't help you with our work" becomes "if you return to your seat, I can help you with your work".

### ***Isolation and Reflection***

All of our schools within The Apex Collaborative Trust have the power to use supervised reflection and isolation spaces as a disciplinary sanction and often as a way of avoiding fixed term exclusion. All schools will ensure that time spent in

isolation is used as constructively as possible, that there is a continuation of education and that pupils are allowed to eat, drink and use the toilet. Any removal from a classroom is considered a serious sanction and is only used when necessary to restore order following unreasonable levels of disruption. Removal will only be used once classroom management strategies have been attempted or if the behaviour is extreme enough to warrant removal.

### ***Isolation and Seclusion***

The school may decide to move pupils to a separate room away from other pupils for a limited period.

The school will only move pupils to isolation rooms where absolutely necessary. The school will ensure that pupils' health and safety is not compromised during their time in the isolation room, and that any additional requirements, such as SEND needs, are met.

The amount of time that a pupil spends in the isolation room will be up to the school to decide. This could be for more than one school day. The school will ensure that the pupil is not kept in isolation any longer than necessary.

The staff member in charge and supervising the pupil will decide what the pupil may and may not do during their time spent in isolation. The headteacher will request that the pupil's class teachers set them appropriate work to complete.

Pupils are permitted to eat during the allocated times of the school day and may use the toilet as required.

### ***Restrictive Physical intervention***

In line with the school's Positive Handling Policy, staff have the legal right to use reasonable force to prevent pupils from committing an offence, injuring themselves or others, or damaging school property, and to maintain good order and discipline in the classroom.

Physical restraint will only be used as a last resort and as a method of restraint. Staff members will use their professional judgement of the incident to decide whether physical intervention is necessary. The situations in which physical restraint may be appropriate are detailed in the Positive Handling Policy.

Wherever possible, staff will ensure that a second member of staff is present to witness the physical intervention used. After an instance of physical intervention, the pupil will be immediately taken to the headteacher and the pupil's parent will be contacted – parents may be asked to collect the pupil and take them home for the rest of the day.

Any violent or threatening behaviour will not be tolerated by the school and may result in a fixed-term exclusion in the first instance. It is at the discretion of the headteacher as to what behaviour constitutes for an exclusion.

When using reasonable force in response to risks presented by incidents involving pupils with SEND or medical conditions, the school will recognise and consider the vulnerability of these groups

### ***Reasonable Force***

#### **1.1.1.2**

Reasonable force can be used to prevent pupils from committing a criminal offence, hurting themselves or others or from damaging property. More detailed information on the use of reasonable force can be found in our Physical Intervention Policy.

### **Suspension and Permanent Exclusion**

All our schools within The Apex Collaborative Trust work tremendously hard to avoid and fixed term and permanent exclusion but at times it can be necessary to address a more serious behaviour matter. All of our schools comply with the law and communicate with families clearly. More information can be found in our Exclusions Policy Reasonable force can be used to prevent pupils from committing a criminal offence, hurting themselves or others or from damaging property. More detailed information on the use of reasonable force can be found in our Physical Intervention Policy.

# Appendix A (Behaviour Reflections):

Lord Street Primary School

## Behaviour Reflection KS1

Name \_\_\_\_\_  
Class \_\_\_\_\_

Date \_\_\_\_\_

What happened?

How did you feel?  
(Tick or draw)

| How did you feel?        |                          |                          |                          |                          |                          |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
|                          |                          |                          |                          |                          |                          |
| stressed                 | upset                    | nervous                  | angry                    | worried                  | other                    |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Who do you think  
has been affected  
by your actions?  
(Tick)

| My teachers              | Other teachers           | My friends               | My classmates            |
|--------------------------|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

What can you do  
next time?

|  |
|--|
|  |
|--|

What can (your  
teacher) do to  
help you?

|  |
|--|
|  |
|--|

How do you feel  
now?  
(draw)

|  |
|--|
|  |
|--|

**Additional 11otes:**

## Behaviour Reflection KS2

Name \_\_\_\_\_

Class \_\_\_\_\_

Date \_\_\_\_\_

|  |                                                       |
|--|-------------------------------------------------------|
|  | Perfect Uniform                                       |
|  | Punctuality and attendance                            |
|  | On-task behaviour                                     |
|  | Prepared for learning                                 |
|  | Follow staff instructions<br>- first time, every time |

|                                                                                        |  |
|----------------------------------------------------------------------------------------|--|
| <b>What happened?</b>                                                                  |  |
| <b>What were you thinking and feeling at the time?</b>                                 |  |
| <b>Who do you think has been affected by your actions?<br/>How were they affected?</b> |  |
| <b>What could you do now to help make things right?</b>                                |  |
| <b>How can we prevent this from happening again in the future?</b>                     |  |
| <b>What can I (your teacher) do to help you?</b>                                       |  |
| <b>Additional notes:</b>                                                               |  |

## Appendix B (Behaviour Report):

### Behaviour Report Card



Name:

Year:

Class:

|       | Mon | Tues | Weds | Thurs | Fri |
|-------|-----|------|------|-------|-----|
| AM    |     |      |      |       |     |
| Break |     |      |      |       |     |
| AM    |     |      |      |       |     |
| Lunch |     |      |      |       |     |
| PM    |     |      |      |       |     |
| PM    |     |      |      |       |     |
| PM    |     |      |      |       |     |

|       | Mon | Tues | Weds | Thurs | Fri |
|-------|-----|------|------|-------|-----|
| AM    |     |      |      |       |     |
| Break |     |      |      |       |     |
| AM    |     |      |      |       |     |
| Lunch |     |      |      |       |     |
| PM    |     |      |      |       |     |
| PM    |     |      |      |       |     |
| PM    |     |      |      |       |     |

### My Targets

Demonstrate positive behavior in the playground with your friends  
(collaboration)

Show I can be trusted to follow our school values in all situations (trust)

Use your time out options to help you regulate if you feel cross  
(ambition)

### Scores

5 – Excellent

4 – Good

3 – Satisfactory

2 – Weak

1 – Poor

I agree to work hard to embrace school and have positive days.

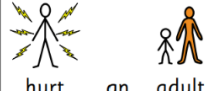
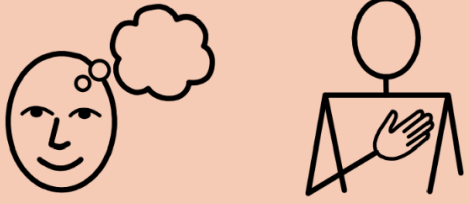
Signed .....

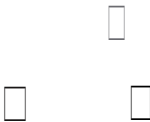
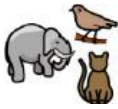
Date .....

## 1.6 Appendix C (Lord Street Citizen Award):

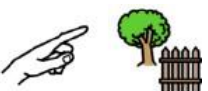
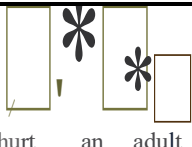
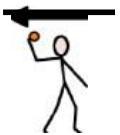
| Autonomy Level | Behaviour                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Autonomy earned to...                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Bronze         | <ul style="list-style-type: none"> <li>Follows our school values.</li> <li>Wears the correct uniform with pride.</li> <li>Models wonderful walking around school.</li> <li>Always has their book bag and reading book.</li> <li>Lines up quietly and arrow straight.</li> <li>Attendance at 96% or above.</li> </ul>                                                                                                                                                           | <ul style="list-style-type: none"> <li>Take messages to the office and other classes.</li> <li>Collect photocopying.</li> <li>Trusted with laptop trolley keys to get laptops for lessons.</li> <li>Hands books out for lessons.</li> <li>Hands book bags out at the end of the day.</li> <li>Walk to end of the day clubs unsupervised.</li> </ul>                                                                                                                    |
| Silver         | <ul style="list-style-type: none"> <li>Polite to all staff and visitors around school.</li> <li>Excellent behaviour in lessons.</li> <li>Moves quietly around school.</li> <li>Shows honesty and is trustworthy at all times.</li> <li>Excellent behaviour in extra-curricular clubs.</li> <li>Attendance at 98% or above.</li> </ul>                                                                                                                                          | <p>All of bronze and...</p> <ul style="list-style-type: none"> <li>Help teachers take the register.</li> <li>Read out the lunch time options to children.</li> <li>Support lunch time staff with organising children into dinner lines.</li> <li>Collect sports equipment.</li> <li>Walk to play time by themselves (as long as a teacher is on duty)</li> <li>Collect the fruit for the class.</li> </ul>                                                             |
| Gold           | <ul style="list-style-type: none"> <li>Kind, respectful and helpful to all staff and pupils in school.</li> <li>Outstanding behaviour.</li> <li>Always has and wears correct PE kit.</li> <li>Completes homework to a high standard and on time.</li> <li>Continuously strives to achieve in all aspects of learning.</li> <li>Produces outstanding pieces of work.</li> <li>Works collaboratively with fellow peers throughout school.</li> <li>Attendance at 99%.</li> </ul> | <p>All of bronze, silver and...</p> <ul style="list-style-type: none"> <li>Have a student leadership role such as student councillor, eco-warrior, playground buddy etc.</li> <li>Help in the dinner hall at lunch times.</li> <li>Support peers with attendance and wanting to come to school every day.</li> <li>Help teachers set up events such as summer fayres etc.</li> <li>Change their own and their friend's library books on the library system.</li> </ul> |
| Sapphire       | <ul style="list-style-type: none"> <li>Outstanding behaviour at school and at home.</li> <li>Able to articulate the school values and what they mean.</li> <li>Able to speak confidently to all visitors in school about Lord Street and their learning.</li> <li>Shows an exceptional level of resilience and determination.</li> </ul>                                                                                                                                       | <p>All of bronze, silver, gold and...</p> <ul style="list-style-type: none"> <li>Meet and greet special visitors in school.</li> <li>Show visitors around school.</li> <li>Help teachers organise and run special events in school such as open days.</li> <li>Support younger pupils with their learning such as reading.</li> </ul>                                                                                                                                  |

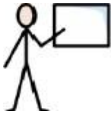
## 1.7 Appendix D (Visual to aid EYFS, KS1 and SEND pupils with Behaviour Reflections):

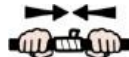
|                                                                                                          |                                                                                                                                                                                                                 |                                                                                                    |                                                                                                    |                                                                                                              |
|----------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| <br>broke something     | <br>scribbled on something                                                                                                     | <br>hurt an adult | <br>hurt a child | <br>was unsafe            |
| <br>took my clothes off | <div style="text-align: center; background-color: yellow; padding: 20px;"><h1>?</h1><h2>What happened?</h2></div>                                                                                               |                                                                                                    |                                                                                                    | <br>wasn't respectful     |
| <br>swore               |                                                                                                                                                                                                                 |                                                                                                    |                                                                                                    | <br>wasn't ready          |
| <br>didn't listen      |                                                                                                                                                                                                                 |                                                                                                    |                                                                                                    | <br>threw something        |
| <br>worried           | <br>fidgety                                                                                                                  | <br>confused    | <br>angry      | <br>sad                 |
| <br>irritated         | <div style="text-align: center; background-color: orange; padding: 20px;"><h2>What were you thinking or feeling?</h2></div> |                                                                                                    |                                                                                                    | <br>excited             |
| <br>giggly            |                                                                                                                                                                                                                 |                                                                                                    |                                                                                                    | <br>distracted          |
| <br>silly             | <br>hungry / thirsty                                                                                                         | <br>anxious     | <br>scared     | <br>something different |

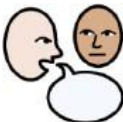
|                                                                                                           |                                                                                                                                                                                               |                                                                                                          |                                                                                                                                                                                               |                                                                                                              |
|-----------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| £<br>me                                                                                                   | <br>a friend                                                                                                 | F<br>a teacher                                                                                           | ! <br>a MOS                                                                                                | @<br>my class                                                                                                |
| CD<br>my mum                                                                                              | ;  ?                                                                                                         |                                                                                                          |                                                                                                                                                                                               | * *<br>oth.er ch.ildrert                                                                                     |
| CD<br>my dad                                                                                              | Who has been affected?                                                                                                                                                                        |                                                                                                          |                                                                                                                                                                                               | <br>group                 |
| <br>my famLly            | <br>people in the communit  | <br>animals            | <br>my carer                                                                                               | <br>someone else          |
| <br>wrLte Lt dowrt     |  <br>write a letter     | 0 <br>talk to someone | <br>say sorry                                                                                            | <br>fix someth.Lng      |
| <br>get dressed        |                        |                                                                                                          |                                                                                                                                                                                               | <br>tidy up             |
| <br>have thinking time | What needs to happen to put it right?                                                                                                                                                         |                                                                                                          |                                                                                                                                                                                               | fg<br>clean something                                                                                        |
| <br>make a plan        | <br>practise                                                                                               | <br>finish. my work   | <br>get erterg  out | <br>something different |

|                                                                                            |                                                                                                                                                                                                      |                                                                                             |                                                                                             |                                                                                                               |
|--------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| <br>sad   | <br>sorry                                                                                                           | <br>guilty | ij<br>ashamed                                                                               | <br>scared                 |
| <br>good  |  <br><b>How do you feel now?</b> |                                                                                             |                                                                                             | <br>worried                |
| @<br>happy                                                                                 |                                                                                                                                                                                                      |                                                                                             |                                                                                             | ffl<br>unsure                                                                                                 |
| <br>tired | <br>calm                                                                                                            | <br>better | <br>oRay | <br>somethin.g diijeren.t  |
| Q@<br>talk to an adult                                                                     | <br>ask to go outside                                                                                             | 0f)<br>go to a calm space                                                                   | S(<br>go for a run                                                                          | 11<br>get a .fidget to                                                                                        |
| re<br>physical checklist                                                                   |  <br>4'0/                    |                                                                                             |                                                                                             | <br>1 2 3<br>count to 10 |
| ;r.<br>pla with someone else                                                               | <br><b>Next time I could...</b>                                                                                   |                                                                                             |                                                                                             | 1!-<br>walR away                                                                                              |
| asR for help                                                                               | <br>ta deep breaths                                                                                               | 0,8<br>D<br>tell someone how I feel                                                         | have a drinR                                                                                | somethin.g diijeren.t                                                                                         |

|                                                                                                                |                                                                                                               |                                                                                                            |                                                                                                        |                                                                                                              |                                                                                                     |
|----------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|
| <br>to talk to an adult       | <br>to go outside            | <br>to go to a calm space | <br>to go for a run | <br>to get a fidget to    |                                                                                                     |
| <input type="checkbox"/><br>my physical checklist                                                              | <br><b>I</b>                 |                                                                                                            | <br><b>need...</b>   |                                                                                                              | <input type="checkbox"/><br>1 2 3<br>to count to 10                                                 |
| <br>to play with someone else | <div style="border: 1px dashed black; height: 100px; width: 100%;"></div>                                     |                                                                                                            |                                                                                                        |                                                                                                              | <br>to walk away |
| <br>help                      | <br>to take deep breaths     | <input type="checkbox"/><br>to tell someone how I feel                                                     | <b>Jo</b><br>to have a drink                                                                           | <b>8X</b><br>something different                                                                             |                                                                                                     |
| <br>broke something         | <br>scribbled on something | <br>hurt an adult      | <br>hurt a child  | <br>was unsafe          |                                                                                                     |
| <br>took my clothes off     | <div style="text-align: center;"> <h1>?</h1> <h2>What happened?</h2> </div>                                   |                                                                                                            |                                                                                                        | <br>wasn't respectful   |                                                                                                     |
| <br>swore                   |                                                                                                               |                                                                                                            |                                                                                                        | <br>wasn't ready        |                                                                                                     |
| <br>didn't listen           | <br>threw something        | <sup>4</sup><br><b>st</b><br>ran away                                                                      | <input type="checkbox"/><br>tore my work                                                               | <br>something different |                                                                                                     |

|                                                                                              |                                                                                                                                                                                                                                         |                                                                                                   |                                                                                               |                                                                                                            |
|----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
| <br>worried | 1<br>.fidgety                                                                                                                                                                                                                           | (-iJ<br>confused                                                                                  | (i)<br>angry                                                                                  | <br>sad                 |
| (i)<br>irritated                                                                             |                                                                      |                                                                                                   |                                                                                               | <br>excited             |
| <br>giggly  | What were <input type="checkbox"/> ou thinRing or feeling?                                                                                                                                                                              |                                                                                                   |                                                                                               | <br>distracted          |
| <br>silly   |  <br>hungr <input type="checkbox"/> / thirst <input type="checkbox"/> | <br>anxious      | <br>scared | <br>something different |
| £<br>me                                                                                      | <br>a friend                                                                                                                                          | <br>a teach.er | <br>a MDS | <br>my class           |
| CD<br>my mum                                                                                 |                                                                                                                                                      |                                                                                                   |                                                                                               | <br>other children.   |
| CD<br>my dad                                                                                 | Who has been affected?                                                                                                                                                                                                                  |                                                                                                   |                                                                                               | <input type="checkbox"/><br>group                                                                          |
| <input type="checkbox"/><br>my family                                                        | <br>people in the community                                                                                                                          | <input type="checkbox"/> 1<br>animals                                                             | <input type="checkbox"/><br>my carer                                                          | +<br>t <input type="checkbox"/><br>someon.e else                                                           |

|                                                                                                          |                                                                                                                                                                                        |                                                                                                   |                                                                                                      |                                                                                                              |
|----------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| <br>write it down       | 4f3<br>write a letter                                                                                                                                                                  | ()8<br>0<br>talk to someone                                                                       | <br>say sorry     | <br>fix something         |
| <br>get dressed         | <div>   </div>     |                                                                                                   |                                                                                                      | <br>tidy up               |
| <br>have thintling time | What needs to happen to put it right?                                                                                                                                                  |                                                                                                   |                                                                                                      | <br>clean something       |
| <br>make a plan         | <br>practise                                                                                          | <br>fmish m work | <br>get energ out | <br>something different   |
| <br>sad               | <br>sorry                                                                                           | //<br>guilty                                                                                      | <br>ashamed     | <br>scared              |
| <br>good              | <div>   </div> |                                                                                                   |                                                                                                      | Ⓜ<br>worried                                                                                                 |
| @<br>happy                                                                                               | How do you feel now?                                                                                                                                                                   |                                                                                                   |                                                                                                      | <i>fi</i><br>unsure                                                                                          |
| <br>tired             | 8<br>calm                                                                                                                                                                              | i!<br>better                                                                                      | f9<br>okay                                                                                           | <br>something different |

|                                                                                                                 |                                                                                                             |                                                                                                              |                                                                                                          |                                                                                                                  |
|-----------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| <br>talk to an adult           | <br>ask to go outside      | <br>go to a calm space      | st<br>gofor a run                                                                                        | <br>get a fidget to           |
| <br>physical checklist         | <br>Next time I could...  |                                                                                                              |                                                                                                          | <br>1 2 3<br>count to 10      |
| <br>pla with someone else      |                                                                                                             |                                                                                                              |                                                                                                          | <br>walk away                 |
| <br>ask for h.elp              | <br>take deep breaths      | <br>tell someone how I feel | )o<br>h.ave a drink                                                                                      | 8X<br>something different                                                                                        |
| <br>to talk to an adult      | <br>to go outside        | <br>to go to a calm space | <br>to go for a run | <br>to get a fidget toy     |
| <br>m phsical checklist      | <br>I need...            |                                                                                                              |                                                                                                          | <br>1 2 3<br>to count to 10 |
| <br>to pla with someone else |                                                                                                             |                                                                                                              |                                                                                                          | <br>to walk awa             |
| <br>h.elp                    | <br>to take deep breaths | 0<br>to tell someone how I feel                                                                              | <br>to have a drink | 8X<br>something different                                                                                        |

## **E. Exclusions and Suspensions**

### **1. Grounds for suspension or exclusion**

The school will only suspend or exclude a student where it is necessary, and where all other possible disciplinary sanctions in line with this policy, have been unsuccessful.

The following examples of behaviour may underline the school's decision to suspend or exclude a student. The list is not exhaustive:

- Physical assault against a student or an adult
- Verbal abuse or threatening behaviour against a student or an adult
- Use, or threat of use, possession of an offensive weapon or prohibited item
- Bullying
- Discriminatory abuse, e.g. racist, homophobic, transphobic or ableist or other protected characteristics abuse
- Possession, use or supply of drugs, alcohol or other prohibited substances.
- Persistent failure to adhere to the school behaviour policy or a significant single act of misbehaviour

Students can be suspended on a fixed-period basis, i.e. for up to 45 school days within a year or excluded. Similarly, where further evidence is presented, students can be excluded following a suspension. The headteacher will decide whether a student will be subject to a suspension or an exclusion, depending on the circumstances.

### **2. The headteacher's power to exclude**

Only the headteacher has the power to suspend or exclude a student and decide whether a suspension or exclusion is appropriate. All suspensions and exclusions will only be issued on disciplinary grounds.

A suspension can also be for parts of the school day. For example, if a student's behaviour at lunchtime is disruptive, they may be suspended from the school premises for the duration of the lunchtime period. The legal requirements relating to the suspension, such as the headteacher's duty to notify parents, apply in all cases. Lunchtime suspensions are counted as half a school day. When sending a student home following any suspension or exclusion, the headteacher will ensure that they always exercise their duty of care and will always inform the parents.

Any decision made to suspend or exclude a student will be lawful, proportionate and fair, with respect to legislation relating directly to suspensions and exclusions and the school's wider legal duties. At all times, the headteacher will take into account their legal duties under the Equality Act 2010 and the 'Special educational needs and disability code of practice: 0 to 25 years', ensuring that they do not discriminate on any grounds, e.g. race, sex, or disability, and will not increase the severity of a student's suspension or exclusion on these grounds.

The headteacher will apply the civil standard of proof when responding to the facts relating to a suspension or exclusion, i.e. that 'on the balance of probabilities' it is more likely than not that

the facts are true. The headteacher may cancel or withdraw any suspension or exclusion that has already begun, or one that has not yet begun; however, this power will only be used if the suspension or exclusion has not already been reviewed by the LSC.

Where a suspension or exclusion is cancelled, the headteacher will notify the student's parents, the LSC, the LA, and, where relevant, the virtual school head (VSH) and the student's social worker, providing the reason for the cancellation. The headteacher will invite the student's parents to discuss the cancellation of the exclusion, and the student may return to school immediately. No reinstatement meeting is required.

Any days spent out of school for a suspension or exclusion, prior to it being cancelled, will count towards the maximum 45 school days in an academic year. An exclusion will not be cancelled if the student has already been suspended or excluded for more than 45 school days in an academic year, or will have been so by the time the cancellation takes effect.

The headteacher will report the number of cancelled suspensions and exclusions, including the circumstances and reasons, to the LSC each term, to allow trustees to have oversight.

The headteacher will not issue any 'informal' or 'unofficial' exclusions, e.g. sending a student home to 'cool-off', regardless of whether the parents have agreed to this. The headteacher will not use the threat of suspension or exclusion as a means of instructing parents to remove their child from the premises.

All suspensions and exclusions will be formally recorded on the school's information management system.

### **3. Factors to consider when excluding a student**

In this situation, the headteacher will:

- Allow the student the opportunity to present their case.
- Take into account any contributing factors that are identified after a case of poor behaviour has occurred.
- Take into consideration whether the student has received multiple suspensions or is approaching the legal limit of 45 excluded days per school year, and whether suspension is serving as an effective sanction.
- Consider early intervention to address underlying causes of disruptive behaviour, including liaising with external agencies.

The headteacher will consider what extra support may be available for vulnerable student groups whose suspension and exclusion rates are higher, including the following:

- CLA
- Students eligible for FSM
- Students with SEND
- Certain ethnic groups

The headteacher will consider avoiding excluding CLA, those with SEMH issues or students with an EHC plan. Where any member of staff has concerns about vulnerable student groups and their behaviour, they will report this to the headteacher, who will instigate a multi-agency assessment to determine whether the behavioural issues might be a result of educational, mental health or other needs and vulnerabilities.

Where SEND or SEMH issues are identified, an individual behaviour plan will be created using the graduated response. If the student continues to endanger the physical or

emotional wellbeing of other students or staff, despite exhausting the graduated response process, then suspension or exclusion may be considered. In accordance with the Equality Act 2010, under no circumstances will a student with identified SEND or SEMH issues be suspended or excluded before the graduated response process has been completed. Where a student with SEND or SEMH issues is excluded because of a SEND or SEMH-related need that could not be met at the school, detailed records will be kept highlighting that these students are closely tracked and showing that the school has a close relationship with the student's next destination.

The headteacher will work in conjunction with the parents of any student with additional needs to establish the most effective support mechanisms.

### **Off-rolling and unlawful exclusions**

The school will not use informal or unofficial exclusions. Where a student is required to leave the school site or is prohibited from attending school on disciplinary grounds, this will only take place through a formal suspension or exclusion process, including for part of the day.

All suspensions and exclusions will be formally recorded and communicated in writing.

The school **will not** suspend or permanently exclude a student for unlawful reasons, including because:

- The student has SEND that the school considers difficult to support.
- Of the student's academic attainment or ability.
- A parent or student has not complied with a condition that is not lawfully required for reinstatement following a suspension.
- A parent or student refuses to agree to a managed move.

The school will not engage in practices that could constitute off-rolling (i.e. removing a student from the school roll, or encouraging them to leave the school, without following appropriate legal processes and where this is primarily in the interests of the school rather than the student.

Examples of practices that the school **will not** use include:

- Pressuring or encouraging parents to remove their child from the school, including through elective home education, to avoid a suspension or exclusion.
- Directing a student to alternative provision where this is not in the student's best interests.
- Sending a student home without formally recording the absence as a suspension.
- Placing a student on a part-time timetable for disciplinary reasons without appropriate justification and oversight.
- Removing a student from the admission register other than in accordance with the relevant regulations.

Parents who believe that suspension or exclusion procedures have not been followed, or who feel they have been pressured to remove their child from the school, may raise their concerns through the school's Complaints Policy and Procedure.

#### **4. Separation of students for safeguarding purposes**

In exceptional circumstances, the school may temporarily prevent a student from attending the school site for safeguarding reasons. This may be necessary where allegations or concerns relating to the safety or welfare of students require one or more students to be separated while risks are assessed and managed.

Any decision to temporarily prevent a student from attending the school site for safeguarding reasons will not be treated as a suspension or permanent exclusion and will not be recorded as such.

Such decisions will be made on a case-by-case basis, led by the DSL or a deputy, and informed by professional judgement, relevant safeguarding guidance and, where appropriate, advice from external agencies such as children's social care or the police.

The school will inform parents of the reasons for the arrangement as soon as reasonably practicable and will notify the relevant trust executive leader without delay. The trust leader will ensure that this measure is used only in exceptional circumstances where separation is necessary and cannot reasonably be achieved while allowing all students to remain on the school site.

In making any decision to separate students for safeguarding purposes, the school will have regard to its duties under safeguarding legislation and guidance.

Where a student is unable to attend the school site for safeguarding reasons, the school will work with the LA, parents and other relevant agencies to ensure that suitable education is arranged in accordance with statutory requirements.

#### **5. Alternative measures**

Before taking a final decision to exclude, the headteacher will consider whether it is in the best interests of all parties to initiate off-site directions or managed moves as preventative measures to exclusion.

##### **Off-site direction**

The school will consider the use of off-site direction where interventions and targeted support have not been successful in improving a student's behaviour. Off-site direction will be used to arrange a time-limited placement at alternative provision or another mainstream school, with the aim of supporting behavioural improvement and successful reintegration. The school does not need parental consent to implement off-site direction.

Where a student attends another school under an off-site direction arrangement, the school will ensure that attendance is recorded in accordance with statutory requirements, including the appropriate code.

Where appropriate, the school will prioritise in-school interventions and targeted support, including support from alternative provision providers, to meet a student's individual behavioural, educational or SEND needs before considering an off-site placement.

Off-site direction may be arranged on a full-time basis or as part of a blended provision combining attendance at alternative provision with continued attendance at the school. Before any placement begins, the school will agree a proposed maximum duration and will consider future options, including reintegration arrangements or, where appropriate, a managed move following review of the placement.

Parents, carers, students aged 18 or over and, where applicable, the LA for students with an EHC Plan, will be notified in writing of the placement as soon as reasonably practicable and no later than two school days before the placement begins.

Written notification will include:

- The address where the educational provision will be delivered.
- The name of the person to whom the student will report on first attendance.
- The duration of the placement.
- The reasons for, and objectives of, imposing the requirement.
- Details of the daily timetable, including session times and breaks where applicable.

Parents, students aged 18 or over and, where applicable, the LA for students with an EHC Plan, will be entitled to request a review meeting in writing. The school will arrange such a meeting as soon as reasonably practicable unless a review has already taken place within the previous ten weeks.

The school will regularly review placement and reintegration arrangements throughout the off-site direction, with meeting frequency based on the student's needs. Parents, carers and, where relevant, the LA will receive at least six days' written notice of review meetings or be invited to submit written views, with efforts made to agree a convenient time.

After each review, the school will decide whether the placement should continue and for how long, recording this along with details of future reviews and participants. Meetings may involve the student, parents, school staff and relevant agencies such as social workers, CAMHS, MASH, Youth Justice Teams and the local authority. Written records will be kept, and reviews will occur often enough to assess progress.

The school will notify parents or students over 18 in writing of its decision within six days of each review, including whether the placement will continue, its duration and the reasons.

Throughout any period of off-site direction, the school will seek to ensure that the student continues to receive a broad and balanced curriculum while interventions are delivered to address behavioural concerns. Where a student has a disability or SEND, the school will continue to fulfil its legal duties, including making reasonable adjustments and providing appropriate support.

The duration of any off-site placement will be determined by the individual needs of the student and the extent to which the placement supports positive behavioural outcomes.

Before any off-site direction begins, the school and the receiving school will ensure that all relevant information is shared, including attainment information, assessment data, risk assessments, safeguarding information and effective support strategies. The LA will also be involved where appropriate.

The school will ensure it can demonstrate that appropriate early intervention and support have been implemented before an off-site direction is arranged. Effective information sharing between the school, the receiving school and other relevant agencies will take place before the placement begins.

## **6. Managed moves**

A managed move is a permanent transfer to another mainstream school as part of a planned intervention and will only be used where it is considered to be in the student's best interests.

In such cases, the headteacher or their designated representative, will discuss this with the parents of the student, and the LA if the student has an EHC plan. Managed moves will only go ahead with the voluntary agreement of all parties involved, including the parents and the admission authority of the new school.

The school will ensure that detailed records are kept of any decision to initiate a managed move, including evidence that appropriate initial intervention has been carried out, e.g. multi-agency support and any relevant statutory assessments.

The school will work with the student's new school to create an effective integration strategy, including information sharing, such as data on prior and current attainment, any risk management strategies, safeguarding information and advice on student support strategies.

We will not use trial managed moves and will not permanently exclude a student because a parent or student refuses to agree to a managed move. Where a temporary placement at another school is required to support a student's behaviour, this will be arranged through off-site direction.

Parents who have concerns that a managed move is being forced on them or who are unhappy with a managed move will be referred to the Complaints Policy and Procedure.

## **7. Duty to inform parents**

Following the headteacher's decision to suspend or exclude a student, they will immediately inform the parents, or the excluded student if they are 18 or older, in person or by telephone, supported by email communication, of the period of the suspension, or permanency of the exclusion, and the reasons behind it. This will be supported in writing (or electronically if written permission has been received from the parents for notices to be sent this way) of the following:

- The reason(s) for the suspension or exclusion
- The length of the fixed-period suspension or permanency of the exclusion

- Their right to raise any representations about the suspension or exclusion to the LSC, including how the student will be involved in this and how the representations will be made
- Their right to make a request to hold the meeting via remote access and how this request can be made
- Their right to attend a meeting where there is a legal requirement for the LSC to consider the suspension or exclusion, and the fact that they can bring an accompanying individual
- The arrangements that have been made for the student to continue their education prior to the organisation of any alternative provision, or the student's return to school
- Relevant sources of free, impartial information

For students of compulsory school age, the headteacher will inform parents on the day of the suspension or exclusion that, for the first five school days (or until alternative provision begins or the exclusion ends, if sooner), they must ensure their child is not in a public place during school hours without a valid reason, or they may face a fine.

Where the headteacher has arranged alternative provision, they will inform the parents of the following:

- The start and end date for any provision of full-time education
- The address at which the provision will take place
- Any information necessary for the student to identify the person they should report to on the starting date.

Where the headteacher is unable to provide information on alternative provision by the end of the afternoon session, they will provide the information in a subsequent written notice without further delay, and within 48 hours of the student beginning the provision. If the alternative provision is due to begin before the sixth day of the exclusion, the headteacher is able to give less than 48 hours of notice, with parental consent.

If the headteacher has decided to exclude the student for a further fixed period following their original exclusion, or to permanently exclude them, they will notify the parents without delay and issue a new exclusion notice to parents.

## **8. Duty to inform Governors and LA**

The headteacher will inform the Chair of the LSC and the trust executive leader for the phase (or CEO as appropriate) without delay, of the following:

- Any permanent exclusions (including where a suspension is followed by a decision to permanently exclude the student)
- Any suspensions which would result in the student being suspended or for more than five school days in a term (or more than 10 lunchtimes)
- Any suspensions which would result in the student being absent from an examination or national curriculum test

For any other suspensions and exclusions, the headteacher will notify the LSC once per term. All notifications to the LSC and LA will include the reasons for suspension or exclusion and the

duration of any suspension. If a student who is suspended or excluded lives outside the LA in which the school is located, the headteacher will notify the student's 'home authority'.

### **9. Duty to inform social workers and the virtual school head (VSH)**

When a looked-after child has been suspended or excluded, the headteacher will, without delay, notify the student's social worker, if they have one, and the VSH. The notification will include the duration and the reasons for suspension or exclusion. Social workers and/or the VSH will also be informed when a meeting of the LSC is taking place, and will be invited to attend the meeting should they wish to do so. Social workers and VSHs will be allowed to join an LSC meeting or independent review panel via the use of remote access, as long as the arranging authority is satisfied they will be able to participate effectively, they can hear and be heard throughout the meeting, and their remote participation will not prevent the meeting being fair and transparent.

### **10. Arranging education for excluded students**

For any suspensions of more than five school days, the headteacher will arrange suitable full-time education for the student, which will begin no later than the sixth day of suspension. Where a student receives consecutive suspensions, these will be regarded as cumulative, and full-time education will still have to be provided from the sixth day of suspension. For exclusions, full-time education will also be provided from the sixth day of exclusion.

The headteacher will not arrange full-time education for any student currently in their final year of compulsory education, and who does not have any further public examinations to sit.

It is generally beneficial to suspended or excluded students to begin their alternative education arrangements before the sixth day of suspension or exclusion; therefore, the school will always attempt to arrange alternative provision before the sixth day of suspension or exclusion. Where this is not possible, we will take reasonable steps to set and mark work for the student.

If a student with SEND has been suspended or excluded, the LSC will ensure that:

- Any alternative provision is arranged in consultation with the student's parents, who are able to request preferences.
- When identifying alternative provision, any EHC plan is reviewed or the student's needs are reassessed, in consultation with the student's parents.

### **11. Considering suspensions and exclusions**

The LSC will consider any representations made by parents. Parents, a friend or representative, the headteacher and a member of the LA will be invited to attend any consideration of suspensions and exclusions and can make representations.

Any meeting to consider reinstatement of a student will be arranged at a date and time convenient for all parties, and in compliance with any statutory time limits. Parents, and excluded students if they are over 18, will also be able to request that the meeting is held via remote access.

Where it is appropriate to their age and level of understanding, the student will attend any consideration meeting, and can make a representation on their own behalf if they wish.

The LSC will consider the reinstatement of a suspended or excluded student, in the event of:

- Exclusion.
- Suspension that would bring the student's total number of excluded school days to more than 15 in any given term.
- Suspension/exclusion that would result in the student missing a public examination.

In a case where the student's total number of suspended days is more than 5 but less than 16 school days (this includes suspensions that exceed 15 school days by less than a whole day, e.g. one that totals 15.5 days) within a term, if parents make representations, the LSC will consider suspensions within 50 school days of receiving the notice of suspension. In the absence of parental representations, the LSC will consider the reinstatement on their own.

Where a suspension will take a student's total number of school days out of school above five but less than 15 for the term, and parents have not requested a governors meeting, the LSC is not required to consider reinstatement, but has the power to do so if it deems it appropriate. Where a suspension will not bring a student's total number of days of suspension or exclusion to more than five in a term, the LSC considers all parental representations; however, it cannot direct reinstatement of the student and is not required to arrange a meeting with parents.

Where suspension or exclusion would result in a student missing a public examination, the LSC will consider the suspension or exclusion before the test to decide whether the student should be reinstated in time to take the examination. If it is not practicable for a sufficient number of governors to consider the decision before the examination, a smaller sub-committee will consider the case and decide whether or not to reinstate the student. In light of this, the LSC will also consider whether it would be appropriate to allow the suspended/excluded student to enter the premises to take the examination.

When considering the reinstatement of a student, the LSC will:

- Only discuss the exclusion with the parties present at the meeting.
- Ask for any written evidence prior to the meeting.
- Circulate any written evidence and information to all parties, at least five school days in advance of the meeting.
- Allow students and parents to be accompanied by a person of their choice to the meeting.
- Consider what reasonable adjustments need to be made to support the attendance and contribution of parties at the meeting.
- Identify the steps needed to enable and encourage the student to attend the meeting and speak on their behalf, or how they may contribute personal views by other means if attendance is not possible.
- Consider the interests and circumstances of the student, including the grounds for suspension or exclusion.

## **12. Reaching a decision**

After considering exclusions, the LSC will either:

- Decline to reinstate the student.
- Direct the reinstatement of the student immediately, or on a specified date.

If reinstatement would make no practical difference, e.g. if the student has already returned to school following a suspension or the parents do not want their child reinstated, the LSC will still consider whether the student should be officially reinstated, and whether the decision to exclude the student was fair, lawful and proportionate, based on the evidence presented.

The LSC will apply the civil standard of proof, i.e. that on the 'balance of probabilities' it is more likely than not that the facts are true.

To reach a decision, the LSC will:

- Identify the steps they intend to take to ensure that all parties involved will have the opportunity to participate and present their views.
- Ensure that minutes are taken as a record of the evidence that was considered.
- Ask all parties to withdraw from the meeting before concluding their decision.
- Consider whether the suspension or exclusion of the student was lawful, proportionate and fair, taking into account the headteacher's legal duties and any evidence that was presented to the LSC in relation to the decision.
- Record the outcome of the decision on the student's educational records, along with copies, which will be kept in line with our data protection policy.
- Make a note of their findings, where they have considered a suspension or exclusion but cannot reinstate the student.

## **13. Notification of considered suspensions and exclusions**

The LSC will notify the parents of the student, the headteacher and the LA of their decision following the consideration of a suspension or exclusion, in writing without delay.

In case of exclusion, if they decide not to reinstate the student, the LSC will notify the parents:

- That it is permanent
- Of their right for it to be reviewed by an independent review panel and the date by which an application for review must be made.
- Of the name and address of whom the review application should be submitted to.
- That a request to hold the meeting via remote access can be made and how to do this.
- That any application should set out the grounds on which it is being made and that, where appropriate, this should include reference to how a student's SEND is considered relevant to the exclusion.
- That, regardless of whether a student has been identified as having SEND, the parents have a right to require the LSC to ensure a SEND expert attends the review.
- Of the role of any SEND expert attending, and that there is no cost to parents for this.
- That they must make it clear if they wish for a SEND expert to attend the review.
- That they may appoint someone at their own expense to make representations to the panel.

The LSC will also notify parents that, if they believe a suspension or exclusion is as a result of discrimination, then they are required to make a claim under the Equality Act 2010 to the First-tier Tribunal (SEND), within six months of when the discrimination allegedly took place.

After any conclusion, the LSC will notify the parents, and all other parties involved, of the decision that was made and the reasoning for this.

#### **14. Removing excluded students from the school register**

The headteacher will remove students from the school register if:

- 15 school days have passed since the parents were notified of the decision not to reinstate and no application for an independent panel review has been received.
- The parents have stated in writing that they will not be applying for an independent panel review.

If an application for an independent panel review has been made within 15 school days, the headteacher will wait until the review has been determined, or abandoned, and until the LSC has completed any reconsideration that the panel recommended or directed it to carry out, before removing the student from the school register.

If a student's name is to be removed from the register, the headteacher will make a return to the LA, which will include:

- All the particulars which were entered in the register.
- The address of any parent with whom the student normally resides.
- The grounds upon which the student's name is to be removed from the register.

Any return to the LA will be made as soon as the grounds for removal are met and no later than the date in which the student's name was removed.

If a student's name has been removed from the register and a discrimination claim is made, the student may be reinstated following a decision made by the First-tier Tribunal (SEND) or County Court.

Whilst a student's name remains on the admissions register, the appropriate code will be used to mark the student's attendance:

- Code B: Education off-site
- Code D: Dual registration
- Code E: Absent and not attending alternative provision

#### **15. Independent review panel**

The LA will review the LSC's decision not to reinstate an excluded student if the parents submit their application for this within the required time frame.

The LA will constitute an independent review panel of three or five members that represent the following categories:

- A lay member to chair the panel. This individual will not have worked in any school in a paid capacity.
- A current or former school governor who has served for at least 12 consecutive months in the last 5 years.
- A headteacher or individual who has been a headteacher within the last 5 years.

Parents are required to submit their applications within:

- 15 school days of the LSC's notification of their decision.
- 15 school days of the final determination of a discriminatory claim made under the Equality Act 2010.

Any application made outside of the above timeframe will not be reviewed. Parents are able to request an independent panel review even if they did not make a case to, or attend, the LSC's initial consideration of the exclusion.

Parents can request that independent review panels take place via remote access.

The LA will adhere to all statutory guidelines when conducting an independent panel review, as outlined in the DfE's statutory guidance.

## **16. Appointing a SEND expert**

If requested by parents, the local authority will appoint a SEND expert to attend the independent review panel and cover the cost. Parents may request a SEND expert regardless of whether the school recognises that their child has SEND.

A SEND expert cannot take part if they have (or have had) any connection with the local authority, school, parents, student, or the incident that could reasonably affect impartiality, although being employed by the local authority alone does not count as such a connection. The SEND expert will be a professional with first-hand experience of the assessment and support of SEND, as well as an understanding of the legal requirements on schools in relation to SEND. Recently retired individuals may still act as SEND experts, but the LA will assess their knowledge during interview to ensure they understand current SEND practice and legal requirements for schools.

Employees or contractors of the LA are not automatically considered biased, but they must not have been involved in assessing or supporting the excluded student or their siblings. Prospective SEND experts must declare any conflicts of interest as early as possible.

The final decision on the appointment of a SEND expert is for the LA to make; it will take reasonable steps to ensure that parents have confidence in the impartiality and capability of the expert. Where possible, this will include offering parents a choice of SEND expert.

## **17. The role of a SEND expert**

The SEND expert's role is analogous to an expert witness, providing (orally and/or written) impartial advice to the panel on how SEND might be relevant to the exclusion. The SEND expert will base their advice on the evidence provided to the panel. The SEND expert's role does not include assessing the student's SEND.

The focus of the SEND expert's advice will be on whether the school's policies which relate to SEND, or the application of these policies in relation to the excluded student,

were legal, reasonable and procedurally fair.

If the SEND expert believes that this was not the case, they will, where possible, advise the panel on the possible contribution this could have made to the circumstances of the student's exclusion.

Where the school does not recognise that a student has SEND, the SEND expert will advise the panel on whether they believe the school acted in a legal, reasonable and procedurally fair way with respect to the identification of any SEND that the student may potentially have, and any contribution that this could have made to the circumstances of the student's exclusion. The SEND expert will not criticise a school's policies or actions simply because they believe a different approach should have been followed or because another school might have taken a different approach.

### **18. Appointing a clerk**

The LA will decide whether to appoint a clerk to the independent review panel, or to make alternative arrangements to administer the panel.

### **19. The duties of the independent review panel**

The panel's role is to review the LSC's decision not to reinstate an excluded student, considering the student's circumstances and the exclusion, as well as the interests of others at the school. It will use the civil standard of proof rather than the criminal standard of "beyond reasonable doubt."

Following the review, the panel will do one of the following:

- Uphold the decision
- Recommend that the LSC reconsiders reinstatement
- Quash the decision and direct that the LSC reconsiders reinstatement

### **20. Conducting governing board meetings or independent review panels via remote access**

Parents, or excluded students if they are 18 or older, will be able to request that governing board meetings or independent review panels are held via remote access; however, parents and students will be made aware that this is not the default option.

Where a parent or student makes a request correctly in line with instructions set out in the headteacher's or LSC's written notification, the LSC or LA will hold the meeting via the use of remote access. Remote meetings and panels will be held in accordance with timelines for face-to-face meetings.

Where a request for a meeting to be held via remote access is not made, or the parent or student does not state a preference, the meeting or panel will be held in person unless it is not practicable to do so. If there is a reason related to extraordinary events or unforeseen circumstances, e.g. an outbreak of an infectious illness, which means it is not reasonable for a meeting or panel to be held in person, it may be held via remote access.

Meetings will only be held via remote access if the LSC or LA is satisfied that the meeting can be held fairly and transparently. If this cannot be done, the LSC or LA will consult with the parent to discuss how a face-to-face meeting can be arranged that will

be convenient for them. If technical or internet issues prevent participants from being seen or heard and cannot be reasonably resolved, making the meeting unfair or non-transparent, the meeting will be held face-to-face instead.

Where the independent review panel instructs the LSC to reconsider their decision not to reinstate a student, they will do so within 10 school days of being given notice of the review panel's decision.

The trust is aware that if, following an instruction to reconsider, the LSC does not offer to reinstate the student, then the school concerned will be required to make a payment of £4,000 directly to the LA area in which the school is located.

Where the independent review panel recommends that the LSC should reconsider their decision not to reinstate a student, they will do so within 10 school days of being given notice of the review panel's decision. If, following reconsideration, the LSC offers to reinstate the student but the parents decline, no adjustment will be made to the school's budget.

Following reconsideration, the LSC will notify the parents, the headteacher and the LA of their reconsidered decision and the reasons.

## **21. Criminal investigations**

The headteacher will not postpone taking a decision to suspend or exclude a student due to a police investigation being underway, or any criminal proceedings that are in place.

Particular consideration will be given by the headteacher when deciding to suspend or exclude a student where evidence is limited by a police investigation, to ensure that any decision made is fair and reasonable.

If the LSC is required to consider the headteacher's decision in these circumstances, they will not postpone the meeting and will make a decision based on the evidence available.

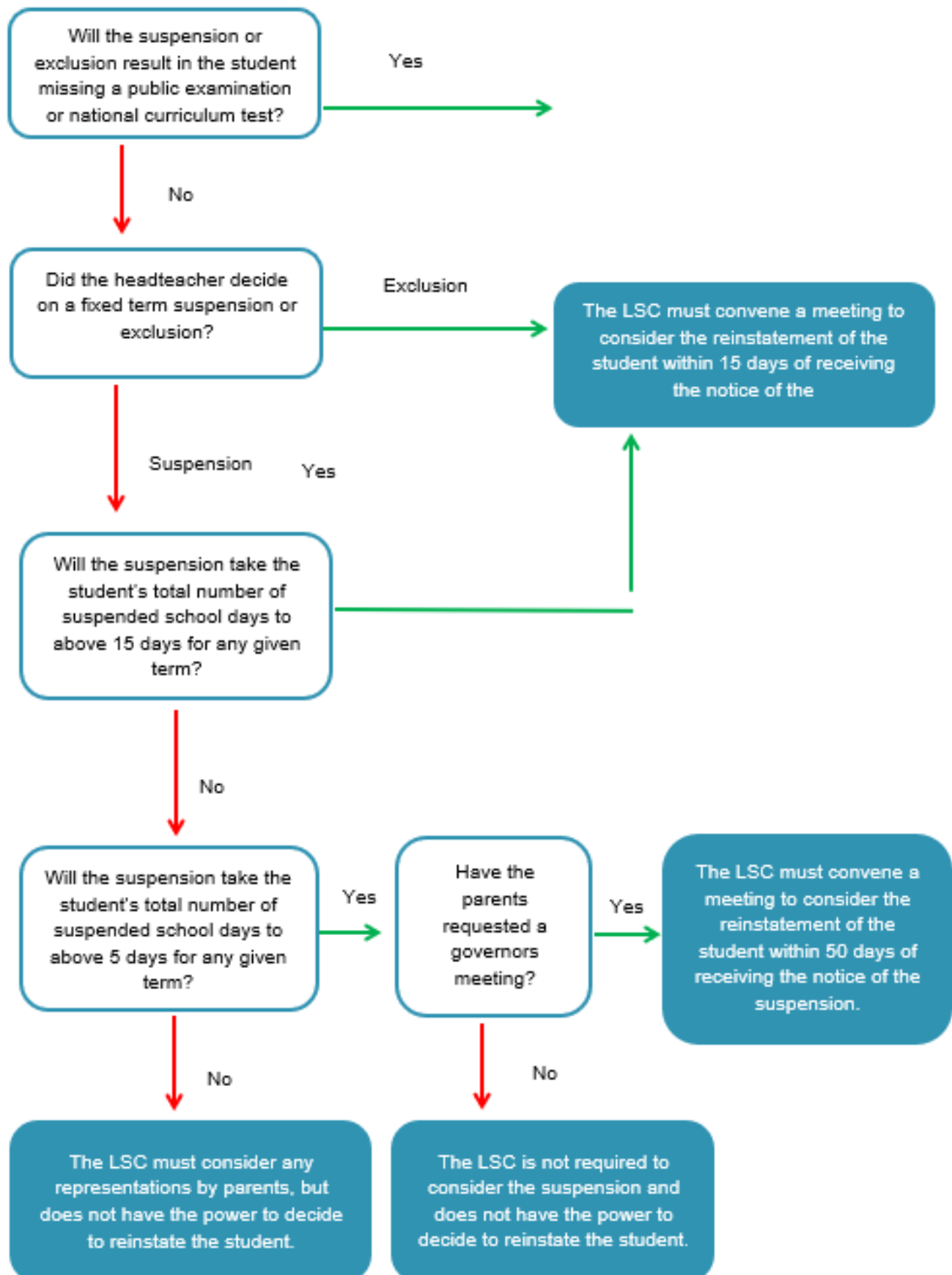
## **22. Using data**

The headteacher will ensure that all data regarding suspensions and exclusions is collected and provided to the LSC. The trust leaders and LSCs will review this data regularly in order to:

- Consider the level of student moves and the characteristics of students who are moving on any exclusions to ensure that this is only being used as a last resort.
- Gather information on students who are taken off the roll and those who are on the roll but attending education off-site.
- Determine whether there are any patterns across the trust.

- Understand the characteristics of suspended and excluded students and evaluate equality considerations.
- Gather information on where students are receiving repeat suspensions.
- Evaluate interventions in place to support students at risk of suspension and exclusion, including indicators that any policies or interventions are / are not working.
- Analysing whether the placements of students directed off-site into alternative provision are reviewed systematically to assure that objectives are being achieved.

## Reviewing the Headteacher's Suspension or Exclusion Decision



| Day<br>(school<br>days) | Action                                                                                                                                                                                                                                                                                                                                                                      |
|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1                       | The decision to exclude is made after the school has exhausted all other available strategies.                                                                                                                                                                                                                                                                              |
| 2                       | The headteacher notifies the CEO of the Trust, outlining the reasons for the exclusion. Local School Committee and the Local Authority of the exclusion immediately and without delay.                                                                                                                                                                                      |
|                         | Any appropriate referrals to support services or notifying key workers, such as a student's social worker, should also be considered.                                                                                                                                                                                                                                       |
|                         | The headteacher notifies parents of their child's exclusion in writing immediately and without delay.                                                                                                                                                                                                                                                                       |
|                         | The headteacher takes reasonable steps to ensure that work is set and marked for students during the first five school days where the student will not be attending alternative provision.                                                                                                                                                                                  |
|                         | The headteacher notifies the Trust Head of Governance about the exclusion, including the date and starts to prepare the headteacher reports for the student discipline committee.                                                                                                                                                                                           |
|                         | The headteacher collects any necessary witness statements to accompany the headteacher's report for the student discipline committee.                                                                                                                                                                                                                                       |
| 3                       | The headteacher continues to collect any necessary witness statements to accompany the headteacher's report for the student discipline committee.                                                                                                                                                                                                                           |
| 4                       | The headteacher continues to collect any necessary witness statements to accompany the headteacher's report for the student discipline committee.                                                                                                                                                                                                                           |
| 5                       | Verify that the Local Authority have arranged suitable full-time education for the student to begin from the sixth school day after the first day the exclusion took place.                                                                                                                                                                                                 |
|                         | All paperwork including: <ul style="list-style-type: none"> <li>• Headteacher's report</li> <li>• Photographs of any evidence</li> <li>• Redacted witness statements</li> </ul> Sent to Head of Governance for organisation of student discipline committee.                                                                                                                |
|                         | Student starts with full time education from today (organised by the Local Authority)                                                                                                                                                                                                                                                                                       |
|                         | Parents are made aware that they can request in writing to have a copy of their child's school records and SEN record.                                                                                                                                                                                                                                                      |
| 6                       | Head of Governance to check through received headteacher's report/photographs of any evidence/redacted witness statements and organise with headteacher when the student discipline committee may meet. <i>The agreed date must allow for all parties to receive the paperwork for the meeting five school days in advance of the student discipline committee meeting.</i> |
|                         | Head of Governance to contact three independent (no pecuniary interests) governors to form the student discipline committee and ensure they are available to hear the meeting. <i>The agreed date must allow for all parties to receive the paperwork for the meeting five school days in advance of the student discipline committee meeting</i>                           |
| 7 - 15                  | The Student Discipline Committee must meet before the 15 <sup>th</sup> school day, and paperwork must be circulated and received by all parties five school days in advance of the hearing taking place.                                                                                                                                                                    |

|        |                                                                                                                                                                                                                                                                                                                                                                             |
|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2      | The headteacher notifies the CEO of the Trust, outlining the reasons for the exclusion. Local School Committee and the Local Authority of the exclusion immediately and without delay.                                                                                                                                                                                      |
|        | Any appropriate referrals to support services or notifying key workers, such as a student's social worker, should also be considered.                                                                                                                                                                                                                                       |
|        | The headteacher notifies parents of their child's exclusion in writing immediately and without delay.                                                                                                                                                                                                                                                                       |
|        | The headteacher takes reasonable steps to ensure that work is set and marked for students during the first five school days where the student will not be attending alternative provision.                                                                                                                                                                                  |
|        | The headteacher notifies the Trust Head of Governance about the exclusion, including the date and starts to prepare the headteacher reports for the student discipline committee.                                                                                                                                                                                           |
|        | The headteacher collects any necessary witness statements to accompany the headteacher's report for the student discipline committee.                                                                                                                                                                                                                                       |
| 3      | The headteacher continues to collect any necessary witness statements to accompany the headteacher's report for the student discipline committee.                                                                                                                                                                                                                           |
| 4      | The headteacher continues to collect any necessary witness statements to accompany the headteacher's report for the student discipline committee.                                                                                                                                                                                                                           |
| 5      | Verify that the Local Authority have arranged suitable full-time education for the student to begin from the sixth school day after the first day the exclusion took place.                                                                                                                                                                                                 |
|        | All paperwork including: <ul style="list-style-type: none"> <li>• Headteacher's report</li> <li>• Photographs of any evidence</li> <li>• Redacted witness statements</li> </ul> Sent to Head of Governance for organisation of student discipline committee.                                                                                                                |
|        | Student starts with full time education from today (organised by the Local Authority)                                                                                                                                                                                                                                                                                       |
| 6      | Parents are made aware that they can request in writing to have a copy of their child's school records and SEN record.                                                                                                                                                                                                                                                      |
|        | Head of Governance to check through received headteacher's report/photographs of any evidence/redacted witness statements and organise with headteacher when the student discipline committee may meet. <i>The agreed date must allow for all parties to receive the paperwork for the meeting five school days in advance of the student discipline committee meeting.</i> |
|        | Head of Governance to contact three independent (no pecuniary interests) governors to form the student discipline committee and ensure they are available to hear the meeting. <i>The agreed date must allow for all parties to receive the paperwork for the meeting five school days in advance of the student discipline committee meeting</i>                           |
| 7 - 15 | The Student Discipline Committee must meet before the 15 <sup>th</sup> school day, and paperwork must be circulated and received by all parties five school days in advance of the hearing taking place.                                                                                                                                                                    |

## F. Restrictive Physical Intervention

### 1. Definitions

**Restrictive intervention:** An action or measure used to prevent, limit, or control the movement of a student's body, or part of their body. We use this as an umbrella term encompassing both physical and non-physical interventions intended to restrict a student's movement or behaviour.

**Reasonable force:** A legal term used in legislation which includes physical restrictive interventions. All members of school staff have the statutory power to use reasonable force in limited circumstances. Reasonable force refers to the minimum level of force necessary, applied for the shortest possible duration, and proportionate to the specific circumstances of the incident.

**Significant incident:** Any incident in which the use of force exceeds appropriate physical contact between students and staff. This includes situations where physical force is used to carry out or support a non-physical restrictive intervention.

**Seclusion:** A non-disciplinary intervention involving the confinement of a student to a space away from others, with their freedom to leave restricted. This may be achieved through physical obstruction, blocking exits, or actions that lead the student to believe they will face negative consequences if they attempt to leave.

**Restraint:** A term used in legislation to describe a non-disciplinary intervention that immobilises a student or restricts their movement. Restraint may involve direct physical contact or indirect actions. Examples include holding a student's arms to their sides or removing an item that enables mobility, such as crutches.

### 2. Avoiding physical intervention and reducing risk

The school will expect staff to assess whether the incident requiring a response can be resolved without physical intervention.

Where possible, the school implements an approach of prevention, where staff will be trained in recognising warning signs of severe pain or distress and/or aggressive behaviour, communicating empathetically with students displaying such signs to aid them in regulating their emotions, and altering their environment to minimise distressing stimuli. Teaching staff will be aware of the behavioural patterns, medical conditions and levels of need of students in their class and will ensure that incidents of disruptive or aggressive behaviour in the classroom are handled in line with individual students' needs.

Staff will not generally resort to physical contact or reasonable force immediately without first questioning whether there is a need to use physical intervention. Staff will question whether:

- **It is necessary:**
  - Are there are other more effective, less restrictive ways to manage a situation?
  - Is a restrictive intervention is likely to successfully reduce the relevant risks, or would it escalate the situation further or cause more harm than the behaviour itself?

- Where possible, communicate with other staff members to understand any broader risks in the environment.
- **It is proportionate:**
  - Use the least amount of force or least restrictive intervention necessary for the least amount of time required to reduce relevant risks.
  - If the intervention itself is escalating the situation, reconsider their approach and attempt an alternative strategy.
  - Consider the personal circumstances of the student, e.g. medical conditions, SEND or other vulnerabilities, their characteristics, e.g. age and size, and relevant equality implications under the Equality Act 2010.
- **The student's welfare:**
  - Balance the impact on the student's overall welfare against any actions taken.
  - Maintain respect for a student's dignity.
  - Clearly and calmly communicate to the student what is happening, why, and explain what the student needs to do.
  - For students with communication difficulties or EAL, verbal and/or non-verbal strategies will be used to ensure the student understands what is happening and has adequate time to process information and respond.
  - Seek to understand the student's feelings to determine whether the restrictive intervention should be, or continue to be, applied, reduced or stopped.

Reasonable force will only be used to prevent harm, criminal behaviour, property damage, or serious disorder. In non-urgent situations, it will only be used once other options have been tried and if the situation is escalating.

In urgent situations, such as a student running into a busy road or a violent fight, staff may need to act immediately to prevent harm, including using reasonable force. Staff will not be penalised for justified physical intervention taken to protect people or property.

Positive handling will be applied with the intention of re-establishing verbal control as soon as possible and allowing the student to regain self-control. Reasonable force is not used as a method of behaviour management or discipline – only as a last resort in situations that require de-escalation to prevent harm.

### **3. Seclusion**

Seclusion is a non-disciplinary measure that may be used, in exceptional circumstances, to reduce risk and avoid the need for physical intervention when a student is experiencing high levels of emotional or behavioural dysregulation and is not acting with intent. Seclusion is used only as a safety measure to protect the student or others from harm and will not use seclusion as a consequence or through the threat of punishment.

Where seclusion is used, the school will ensure that:

- The space used will be safe, suitable, and not intimidating or threatening to the student.

**Appropriate places in school, identified by the headteacher, are:**

- The student will be appropriately supervised at all times.
- The restriction will last only for as long as the immediate risk of harm remains.
- The student will be allowed to leave as soon as it is safe to do so.

The school will record and report any incident involving seclusion in accordance with the procedures set out later in this policy. Seclusion will not be used as a disciplinary response to deliberate or wilful misbehaviour. The school will use appropriate disciplinary measures, such as removal from the classroom.

#### **4. Students with SEND**

We consider that students with SEND may respond to distressing or confusing situations with behaviour that could harm themselves or others. Staff will be trained to recognise triggers and understand how communication difficulties may be expressed through behaviour. We minimise the potential disproportionate use of restrictive interventions used on students with SEND by understanding triggers of challenging behaviour and providing proactive support.

The SENCO will ensure that the stipulations of the Equality Act 2010 are adhered to in relation to reasonable adjustments, non-discrimination and the Public Sector Equality Duty, and will ensure that staff that come into regular contact with students with SEND are aware of the ways in which their needs can be met without reasonable force.

Staff who know individual students well should help identify and manage risk such as trigger points when challenging behaviour is more likely to occur and develop proactive strategies to reduce the likelihood of restrictive interventions being used.

We will also work with the student, parents and other professionals to develop prevention and de-escalation strategies.

De-escalation strategies may include:

- Removing stimuli that may be causing distress.
- Changing body language, facial expression, or tone of voice.
- Supporting the student to express their emotions before they become overwhelmed.
- Engaging the student in an activity which can help them manage their feelings of anxiety.
- Distracting the student in something that interests them or by introducing familiar objects and activities to redirect their attention.

We will not assume that a technique employed for one student with SEND will necessarily be applicable to other students with SEND.

Where appropriate, staff will co-produce behaviour support plans with students with SEND and their parents. These plans will set out any necessary adjustments, communication methods, and when increased physical contact may be appropriate. They will be reviewed periodically and after any significant incident.

Where there is an identified risk, e.g. an increased likelihood in the need to use reasonable force and other physical interventions, the school will put risk assessments in place and mitigate these risks through training and prevention strategies.

## **5. Post-incident support**

The school will review all incidents involving restrictive intervention as soon as possible to assess why it was used, its impact, any emerging patterns, and how future use can be avoided.

If appropriate, the student and staff member involved will receive a medical assessment and treatment for any injuries as soon as possible.

Follow-up conversations will support reflection, learning, and wellbeing for both students and staff, forming part of the debrief process. They will explore what happened and why, based on separate accounts from those involved, and will be led by a staff member not involved in the incident, with additional input to ensure impartiality and support.

The school will continue to monitor student and staff wellbeing and provide additional support if needed. Additionally, any student who witnesses an incident of restrictive intervention can also gain appropriate support if necessary.

## **6. Reporting incidents**

A detailed written report will be kept of **all** incidents where reasonable force is used, distinguishing between planned interventions, i.e. those in line with approved strategies for the behaviour of specific students, and unplanned or emergency interventions.

Incidents will be recorded as soon as practicable by the staff members involved and they will aim to do this no later than the same day. The requirement to record will apply even if the use of restrictive interventions in certain circumstances is agreed with parents as part of a student's behaviour support plan. This will be done by recording the incident on CPOMS.

The written report will include as a minimum:

- Names of students and staff directly involved.
- Any relevant needs or circumstances of the student, including whether the student involved has SEND, and their SEN status code.
- The time, date, location, and approximate duration of the intervention.
- A brief account of the incident, including what led up to the incident, identified or potential triggers if known, any preventative or de-escalation strategies used, and what type of reasonable force was applied, the degree of force, and details of any physical injuries sustained.
- A brief account of why the use of force was assessed as necessary in that instance.
- Any post-incident support, e.g. details of any medical treatment for injuries or other adverse impacts.

The school may also record details such as witness accounts, how and when parents were notified, and what follow-up action has taken place.

Records should be retained and analysed by the headteacher, and SENCO where physical intervention was used on a student with SEND, on a termly basis to ensure that such interventions are being used appropriately, and to identify patterns of behaviour and responses to that behaviour that may require changes to school practice, e.g. increased staff training or further behavioural or emotional support.

**A template for a log is shown below.** Staff members who do not record an instance of reasonable force where it has occurred may be disciplined in line with the Disciplinary Policy and Procedures.

Where reasonable force or physical restraint has been used, the student's parents will be informed as long as this would not place the student at greater risk. If the decision is made that the parents cannot be informed as this would place the child at greater risk, a safeguarding referral will be made in line with the Child Protection and Safeguarding Policy.

A report of the incident made to parents will include the following details as a minimum:

- The time, date, location and approximate duration of the intervention.
- A brief account of why the intervention was assessed as necessary.
- A brief account of what type of force was applied, and the degree of force.
- The details of any physical injuries sustained, if applicable.

Parents will also be invited to have a follow-up discussion about the incident where appropriate. This may include a discussion about:

- Behavioural triggers or warning signs of an impending incident.
- Whether any agreed behaviour support plans were followed.
- What de-escalation strategies were used and how effective they were.
- What might be done differently in the future.

The headteacher will be responsible for conducting a thorough investigation to find out the correct details of what occurred; this may include talking to other students about the incident, for instance those who witnessed the event.

### **Recording and reporting the use of seclusion and non-force related restraint**

A record will be made of any incident involving seclusion or non-physical restrictive intervention, whether or not physical force has been used. This duty applies even where such interventions are agreed with parents as part of a student's behaviour support plan.

Incidents involving seclusion or non-physical restrictive intervention will be recorded as soon as practicable after the event by the staff members involved no later than the same day.

For the purposes of this policy, non-physical restrictive interventions include actions that restrict a student's movement without direct physical contact, such as preventing a student from leaving a space or removing an item that enables mobility.

The school will record the following details as a minimum:

- Names of the student and staff directly involved.
- The time, date, location, and approximate duration of the intervention.
- Any relevant needs or circumstances of the student, including SEND where applicable.
- A brief account of why the intervention was assessed as necessary in that instance.
- Any post-incident support provided, including medical or emotional support where relevant.

Parents will be informed of incidents involving seclusion or non-physical restrictive intervention as soon as practicable, and no later than the same day, unless it appears that doing so would be

likely to result in serious harm to the student. Where parents cannot be informed for this reason, the incident will be reported to the local authority.

Where an incident involving seclusion or non-physical restrictive intervention also constitutes a significant use of force, the school will follow the reporting procedure for significant use of force only, and information will not be duplicated.

Records of seclusion and non-physical restrictive interventions will be retained, monitored, and reviewed alongside records of physical intervention to support oversight, identify patterns or trends, and inform any necessary changes to school practice or student support.

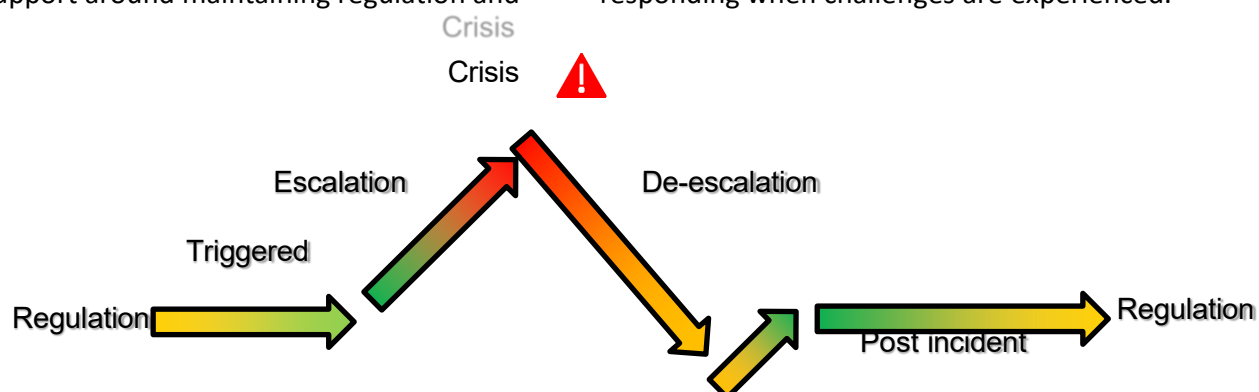
## **7. Complaints**

Any complaints regarding the use of restrictive interventions will be dealt with in accordance with the school's Complaints Procedures Policy. If an allegation regarding inappropriate use of force or other restrictive interventions is made against a staff member, the procedures in Keeping children safe in education will be followed, including the provisions regarding suspension of staff.

## Risk Assessment and Regulation Plan

|                                                                                                                                                                                                                                                                                                                              |                      |                                   |                         |                              |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------------------------|-------------------------|------------------------------|
| <b>Name</b>                                                                                                                                                                                                                                                                                                                  |                      | <b>Date of birth</b>              |                         |                              |
| <b>SEND status</b>                                                                                                                                                                                                                                                                                                           |                      | <b>Class/year group</b>           |                         |                              |
| <b>Assessor</b>                                                                                                                                                                                                                                                                                                              |                      | <b>Date of initial assessment</b> |                         |                              |
| <b>Behaviours of concern: Each child is individual, with individual strengths and needs. Please use below to list main behaviours which are causing concern. Please list known behaviours which pose risk. These should be specific to the child subject to the risk assessment based on observations and known factors.</b> |                      |                                   |                         |                              |
| <b>Behaviour</b>                                                                                                                                                                                                                                                                                                             | <b>Risk to staff</b> | <b>Risk rating</b>                | <b>Risk to children</b> | <b>Risk rating</b>           |
|                                                                                                                                                                                                                                                                                                                              | Y/N                  |                                   | Y/N                     |                              |
|                                                                                                                                                                                                                                                                                                                              | Y/N                  |                                   | Y/N                     |                              |
|                                                                                                                                                                                                                                                                                                                              | Y/N                  |                                   | Y/N                     |                              |
|                                                                                                                                                                                                                                                                                                                              | Y/N                  |                                   | Y/N                     |                              |
|                                                                                                                                                                                                                                                                                                                              | Y/N                  |                                   | Y/N                     |                              |
|                                                                                                                                                                                                                                                                                                                              | Y/N                  |                                   | Y/N                     |                              |
| <b>What measures in place to reduce the risk? Please use this space to outline what steps have been taken to reduce risk.</b>                                                                                                                                                                                                |                      |                                   |                         |                              |
|                                                                                                                                                                                                                                                                                                                              |                      |                                   |                         |                              |
| <b>What further measures are required? Who will be responsible for implementing these measures?</b>                                                                                                                                                                                                                          |                      |                                   |                         |                              |
|                                                                                                                                                                                                                                                                                                                              |                      |                                   |                         |                              |
|                                                                                                                                                                                                                                                                                                                              |                      |                                   |                         |                              |
| <b>Are there any activities/situations that CANNOT be safely managed despite measures in place? (This means where risk rating is high/severe and measures are not successful in reducing risk)</b>                                                                                                                           |                      |                                   |                         |                              |
|                                                                                                                                                                                                                                                                                                                              |                      |                                   |                         |                              |
| <b>Child voice (if applicable)</b>                                                                                                                                                                                                                                                                                           |                      |                                   |                         |                              |
| <b>Any other information</b>                                                                                                                                                                                                                                                                                                 |                      |                                   |                         |                              |
| <b>Next review date</b>                                                                                                                                                                                                                                                                                                      |                      |                                   |                         |                              |
| <b>Family informed</b>                                                                                                                                                                                                                                                                                                       | Y/N                  | <b>Date</b>                       |                         | <b>Method of sharing</b><br> |
| <b>Staff informed</b>                                                                                                                                                                                                                                                                                                        | Y/N                  | <b>Date</b>                       |                         | <b>Method of sharing</b><br> |

This regulation plan is designed to help support focusing on preventing a crisis, planning support around maintaining regulation and responding when challenges are experienced.



|                                                                                                                |                   |                         |              |
|----------------------------------------------------------------------------------------------------------------|-------------------|-------------------------|--------------|
| <b>Name</b>                                                                                                    |                   | <b>Date of birth</b>    |              |
| <b>SEND status</b>                                                                                             |                   | <b>Class/year group</b> |              |
| <b>Plan author</b>                                                                                             |                   | <b>Date of plan</b>     |              |
| <b>Important information (e.g. known triggers, times of day/week, contextual information)</b>                  |                   |                         |              |
|                                                                                                                |                   |                         |              |
| <b>Child voice (What helps them? When do they feel calmest? What do they need from adults when triggered?)</b> |                   |                         |              |
|                                                                                                                |                   |                         |              |
| <b>Regulation strategies – preventative support.</b>                                                           |                   |                         | <b>Staff</b> |
|                                                                                                                |                   |                         |              |
| <b>Triggered behaviours</b>                                                                                    | <b>Strategies</b> | <b>Staff</b>            |              |
| •                                                                                                              |                   |                         |              |
| <b>Escalation behaviours</b>                                                                                   | <b>Strategies</b> | <b>Staff</b>            |              |
| •                                                                                                              |                   |                         |              |
| <b>Crisis behaviours</b>                                                                                       | <b>Strategies</b> | <b>Staff</b>            |              |
| •                                                                                                              |                   |                         |              |
| •                                                                                                              |                   |                         |              |
| <b>De-escalation behaviours</b>                                                                                | <b>Strategies</b> | <b>Staff</b>            |              |
| •                                                                                                              |                   |                         |              |
| <b>Post-incident support</b>                                                                                   | <b>Strategies</b> | <b>Staff</b>            |              |
| •                                                                                                              |                   |                         |              |

## **G. Searching Screening and Confiscation**

### **1. Screening**

Under the school's statutory power to make rules on student behaviour and the duty to manage the safety of staff, students and visitors, the school can impose a requirement that students undergo screening. All members of staff will have the authority to screen students.

Before the installation of any technology for the purpose of screening students, the headteacher will consult with the local police about whether the devices are appropriate. This includes wand metal detectors.

### **2. Authorising members of staff**

Only the headteacher and authorised members of staff have the authority to search students without their consent; these staff members are:

- **Chloe Whitaker – Headteacher**
- **Amber Thwaite – Assistant Headteacher**
- **Kerry Towers – Assistant Headteacher**
- **Michelle Iddon – SENCO**

Staff members, other than security staff, will be permitted to refuse to undertake a search. The headteacher will make clear which items each authorised staff member is permitted to search for, e.g. a member of staff could be authorised to search for stolen property, but not for weapons. When deciding which members of staff will be authorised to undertake searches, the headteacher will consider whether each member of staff requires any additional training to enable them to carry out their responsibilities safely and lawfully.

### **3. List of prohibited and banned items**

#### **Prohibited items**

- Knives or weapons
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco and cigarette papers and vapes of any kind
- Fireworks
- Pornographic images
- Any item that a 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 the property of, any person (including themselves)

#### **Banned items**

- Legal highs

- Aerosol cans
- Paint thinners
- Non-prescribed hypodermic needles

#### **4. Searching with consent**

Any member of staff will have the authority to search students for any item, **if the student consents**. Formal written consent is not required for this sort of search, but informed and informed verbal consent will suffice. All staff members will ensure that any student subject to a search with consent understands the reason for the search and how it will be conducted.

Searches with consent will be undertaken on the basis that a student is, or is suspected to be, in possession of a prohibited or banned item. Searches with consent will always be implemented consistently, proportionately, fairly, and in line with this policy. If a member of staff suspects a student is in possession of a banned item, the student will be instructed to turn out their pockets, desk and/or bag.

When exercising their authority to search with consent, staff members will assess and consider the age and needs of the student being searched. Where required, reasonable adjustments will be put in place where a student has additional needs or a disability.

#### **5. Searching without consent**

The headteacher and authorised staff have the statutory power to search students or their possessions, without consent, where they have reasonable grounds for suspecting that the student may be in possession of a prohibited item. The staff member will decide what constitutes reasonable grounds for suspicion on a case-by-case basis. An item banned by the school rules will only be searched for without consent if it is identified in this policy and/or the Behaviour Policy that it is an item that can be searched for.

Staff members who are not authorised by the headteacher to implement searches without consent will not do so. Where a search is required, and the student does not give consent to be searched, unauthorised staff members will contact an authorised member of staff immediately. Authorised members of staff will assess whether a search without consent is needed urgently, considering the risk to staff and other students if a search is not conducted.

Before a search is conducted, the authorised member of staff will explain to the student why they are being searched and how the search will take place. They will also provide opportunities to ask any questions. Where possible, the staff member will seek the co-operation of the student prior to the commencement of the search. The student may be sanctioned in line with the Behaviour Policy if they refuse to co-operate.

Students will only be searched by a staff member of the same sex, witnessed where possible by another staff member of the same sex. If the staff member present is not the same sex as the student, they will, where practicable, arrange for a same-sex staff member to conduct the search.

A search will only be conducted by a person who is not the same sex as the student being searched, or without a witness, where:

- The staff member reasonably believes that there is a risk of serious harm if the search is not conducted immediately **and**;
- It is not reasonably practicable to summon another member of staff.

In exceptional circumstances, staff will consider a student's increasing expectation of privacy as they get older. Any search conducted without a witness must be reported immediately to another staff member and formally recorded.

The school may use CCTV footage to inform decisions about conducting a search, in accordance with its Surveillance and CCTV Policy. Searches will be carried out in a suitable, private location where possible and will only take place off-site when an authorised staff member has lawful control of the student, such as during a school trip.

## **7. During the search**

Definitions:

- **"Outer clothing"** – clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear, e.g. hats, shoes, gloves.
- **"Possessions"** – any goods over which the student has or appears to have control, including desks, lockers and bags.

Students' possessions, lockers and desks will normally only be searched in their presence and with another staff member present, unless immediate action is needed to prevent serious harm. Staff will always remain aware that the power to search without consent **only** enables a personal search involving the removal of outer clothing and the searching of pockets, desks, lockers, etc. Staff will never conduct an intimate search and remain aware that only a person with more extensive powers, i.e. a police officer, can conduct an intimate search. If a student does not consent to a search or withdraws their consent, then they may be subject to a search without consent, but only for prohibited items.

## **8. Physical intervention**

Physical intervention may be used when conducting a search for prohibited items but will not use force to search for items banned only under school rules. Physical intervention will be used on a case-by-case basis only and will be conducted in line with the Physical Intervention Policy.

## 9. Strip searches

The definition of a **“strip search”** is a search that involves the removal of more than outer clothing. Staff members will never conduct a strip search on a student – strip searches will only be conducted by police officers.

During a strip search, members of staff will maintain their duty of care to the student and will advocate for their wellbeing at all times. Strip searches will be conducted in a private area of the school, away from others.

Before requesting a police strip search, staff will carefully weigh the potential impact on the student’s physical and mental wellbeing against the risk of not recovering the suspected item.

Strip searches will only be considered where:

- It is absolutely necessary to undertake this type of search, **and**;
- Where other, less invasive approaches cannot be conducted or have already been exhausted, **and**;
- It is deemed necessary by a police officer to recover an item related to a criminal offence and they have reasonable grounds to suspect the student has concealed the item.

Where a strip search involves exposure of intimate body parts, the school will ensure that at least two people are present, other than the student, where one of whom will be an appropriate adult. The school will facilitate parental involvement as the appropriate adult where possible. These requirements may be waived in urgent situations or where there is a risk of serious harm.

Except in urgent or high-risk situations, a strip search involving exposure of intimate body parts will only proceed without an appropriate adult if the student clearly states, in the appropriate adult’s presence, that they do not want them present. The student’s decision will be recorded. Records of all strip searches will be kept and monitored by the school.

## 10. After the search

Staff members will use their discretion to confiscate, retain and/or destroy any item found, so long as it is reasonable in the circumstances. An item which is reasonably suspected to be an offensive weapon will be passed to the police.

Staff members will be legally protected from liability in any proceedings brought against them for any loss of, or damage to, any item they have confiscated, provided they acted lawfully.

### **Confiscation, retention and disposal of prohibited items**

Staff conducting a search may seize any item they reasonably suspect to be a prohibited item or evidence of an offence.

When a staff member conducting a search finds:

- **Alcohol**, they will retain or dispose of the item as they see appropriate; the alcohol will not be returned to the student.

- **Controlled drugs**, they will deliver them to the police as soon as possible; however, they may also be disposed of if the staff member thinks there is a good reason to do so.
- **Other substances** which are not believed to be controlled drugs, they will confiscate them if they believe them to be detrimental to behaviour, discipline and safety.
- **Stolen items**, they will deliver these to the police as soon as possible or return them to the owner if they think there is a good reason to do so.
- **Tobacco, cigarette papers and vapes**, they will retain or dispose of them; they will not be returned to the student.
- **Fireworks**, they will be retained or disposed of but not returned to the student.
- A **pornographic image**, they will dispose of the image unless there are reasonable grounds to suspect that its possession constitutes a specified offence, i.e. the image is extreme or child pornography; in these cases, the staff member will deliver the image to the police as soon as possible.
- An item that has been, or is likely to be, **used to commit an offence or to cause personal injury or damage to property**, they will deliver the item to the police, return the item to the owner, or retain or dispose of the item.
- **Weapons or items which are evidence of an offence**, they will pass the item to the police as soon as possible.

It is at the discretion of authorised staff to decide whether there is a 'good reason' not to deliver stolen items or controlled drugs to the police. In determining what a good reason is, the member of staff will take into account all relevant circumstances and use their professional judgement to determine whether they can safely dispose of the item. Where the member of staff is unsure of the legal status of a substance and has reason to believe it may be a controlled drug, the item will be treated as such.

In relation to stolen items, the police will not be involved in dealing with low-value items, e.g. pencil cases; however, it may be appropriate for the school to contact the police if high-value items, e.g. laptops, or illegal items, e.g. fireworks, are involved.

### **Aftercare following a strip search**

Students subject to a strip search will be provided with appropriate support, regardless of whether a prohibited item is found. Safeguarding processes will be followed where necessary and will involve the DSL, giving attention to the student's wellbeing. Following the search Students will always be given the opportunity to ask questions and express their views following it.

Staff will give particular consideration to the wellbeing and safeguarding of any students and/or groups of students who have been subject to a strip search with unusual frequency. Where required, preventative approaches will be put in place in order to avoid harm to the identified student, or group of students', wellbeing.

## **11. Recording a search**

**All searches for prohibited items, including those conducted by police, will be recorded on the school's safeguarding system. Records will include:**

- The date, time and location of the search.
- The name of the student subject to the search.
- The name of the individual who conducted the search.
- The name of any other adults or students present during the search.
- The item being searched for.
- The reason for the search.
- Whether the item was found.
- Any other items found.
- What follow-up actions were taken as a consequence of the search.

## **12. Informing parents**

The student's parents will be informed when a search of their child is conducted in order to recover prohibited items. The student's parents will be informed when a search of their child is conducted in order to recover banned items. In some circumstances, the school may need to inform the student's parents about the search for a banned item, e.g. in the interests of safeguarding the student.

Where a strip search is requested, the school will inform the student's parents of the search before it is conducted, unless there is an immediate risk of harm. Where there is an immediate risk of harm, the student's parents will be informed about the strip search as soon as possible.

Complaints about searching, screening or confiscation will be managed via the school's complaints procedure, in line with the Complaints Procedures Policy.

## **13. Electronic devices**

If a prohibited electronic device is found, or one suspected of being used to commit an offence or cause harm or damage, staff may examine its data or files where there is good reason to do so. Parental consent is not required to search a student's electronic device if it has been seized in a search without consent.

Staff will consider whether an appropriate safeguarding response is required if they reasonably believe that any images, data or files found on a student's electronic device is likely to put others at risk. The staff member will involve the DSL immediately where this is the case.

Staff members have the authority to delete data or files if they believe there is a good reason to do so, unless the device is suspected to be relevant to an offence, or contains a pornographic image of a child or an extreme pornographic image. In these cases, files and data will not be deleted and the device will be given to the police.

It will be considered a good reason if the staff member reasonably suspects that the data or files on the device have been, or could be, used to cause harm, disrupt teaching or break the

school rules. Any electronic device that has been seized which is prohibited by the school rules, and there are reasonable grounds to suspect that it contains evidence relating to an offence, will be given to the police as soon as possible.

If no evidence of an offence is found and the device is not passed to the police, staff may decide whether to delete any relevant files or retain the device as evidence of a school rule breach.

### **Indecent images of students**

Staff will be aware that creating, possessing, and distributing indecent imagery of children is a criminal offence, regardless of whether the imagery is created, possessed, and distributed by the individual depicted; however, staff will ensure that students are not unnecessarily criminalised.

Where a member of staff becomes aware that an electronic device they are searching involves indecent images of a child, they will refer this to the DSL as soon as possible and will:

- Refrain from viewing, copying, printing, sharing, storing or saving the imagery.
- Confiscate the device and ensure it is securely stored.
- Inform the DSL immediately if they accidentally view an indecent image and seek support.
- Explain to the student being searched that the incident will need to be reported.
- Not blame or shame anyone involved, and reassure the student being searched that they can receive support from the DSL.
- Report the incident to the DSL.

The DSL will attempt to understand what the image contains **without viewing it** and the context surrounding its creation and distribution. They will categorise the incident into one of two categories:

- **“Aggravated”** – incidents which involve additional or abusive elements beyond the creation and distribution of indecent images of children, including where there is an adult involved, where there is an intent to harm the child depicted, or where the images are used recklessly.
- **“Experimental”** – incidents involving the creation and distribution of indecent images of children where there is no adult involvement or apparent intent to cause harm or embarrassment to the child.

For there to be a good and clear reason to view indecent imagery, the DSL will need to be satisfied that this action is:

- The only way to make a decision about whether to involve other agencies because it is not possible to establish the facts, e.g. the contents of the imagery, from the student(s) involved.
- Necessary to report it to a website, app or suitable reporting agency to have the image taken down, or to support the student or their parent in making a report.
- Unavoidable because the student has presented the image directly to a staff member or the image has been found on a school device or your school’s network.

Where it is necessary to view the imagery, e.g. if this is the only way to make a decision about whether to inform other agencies, the DSL will:

- Never copy, print, share, store or save them as this is illegal – if this has already happened, they will contact the local police for advice and to explain the circumstances.
- Discuss the decision with the headteacher or a member of the SLT.
- Make sure viewing is undertaken by them (or a deputy) or another member of the safeguarding team with delegated authority from the headteacher or a member of the SLT.
- Make sure viewing takes place with another member of staff present in the room, ideally the headteacher or a member of the SLT. This staff member does not need to view the images.
- Wherever possible, make sure viewing takes place on the school premises, ideally in the headteacher's office or a member of the SLT's office.
- Make sure, wherever possible, that they are viewed by a staff member of the same sex as the student in the images.
- Record how and why the decision was made to view the imagery in the safeguarding or child protection records, including who was present, why the imagery was viewed and any subsequent actions.

Where the incident is categorised as 'aggravated', it will be managed in line with the school's Child Protection and Safeguarding Policy, and the police will be involved.

Where the incident is categorised as 'experimental', any students involved are supported to understand the implications of sharing indecent imagery and to move forward from the incident.

Where there is reason to believe that indecent imagery being circulated will cause harm to a student, the DSL will escalate to the appropriate children's social care services. Where indecent imagery of a student has been shared publicly, the DSL will work with the student to report the imagery to websites on which it has been shared and will reassure them of the support available.

## **14. Staff conduct**

Staff must consider students' age, needs and wellbeing during all searching and screening procedures. All staff are expected to follow this policy, and any breaches will be dealt with under the school's Disciplinary Policy and Procedure. Under no circumstances will staff conduct strip searches of students.