

## Behaviour and Discipline Policy

### Statutory policy for those with legal responsibilities in relation to behaviour and discipline

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Owner	Director of Education
Applies to	All Trust schools, all Trust staff

Version	Date	Reason
1.0	September 2018	To establish a Trustwide policy
2.0	January 2020	To respond to new DfE guidance
3.0	March 2021	To respond to updated guidance
3.1	March 2022	Periodic review - no changes
4.0	March 2023	To respond to updated guidance from DfE
4.1	March 2023	Update with appendix

## **About this policy**

This policy applies to the Trust as a whole and to all the schools in the Trust, in accordance with the Equalities Policy, vision, values and strategic outcomes of Initio Learning Trust. Initio Learning Trust, including all the schools within the Trust, their Trustees, academy committee members and staff, must abide by this Policy.

This Policy describes Initio Learning Trust's provision for Behaviour and Discipline and has been produced in accordance with DfE guidance, the Articles of Association and Scheme of Delegation. If there is any ambiguity or conflict then the Scheme of Delegation takes precedence. If there is any question or doubt about the interpretation or implementation of this Policy, the Trust clerk must be consulted.

Herein:

'The Trust' means Initio Learning Trust.

- 'School' means a school (academy) in Initio Learning Trust.
- 'Trustee' means a Trustee of the Trust and member of the Board of Trustees, which is the legal governing board of the Trust; a Trustee is also a Director of the Trust.
- 'Academy committee' and 'AC' means a local academy committee that is a committee of the Board.
- 'Head teacher' can mean the head of school or executive head teacher of the school. 'CEO' means the chief executive officer of the Trust (or an executive officer to whom they have delegated specific authority to act on their behalf). 'Parent' should be read as inclusive of carers and any other person with parental responsibility.

## **Expiry or review date**

This policy will be kept under review and updated at least annually.

## **Introduction**

Good behaviour in schools is central to a good education. Schools need to manage behaviour well so they can provide calm, safe and supportive environments which children and young people want to attend and where they can learn and thrive. Being taught how to behave well and appropriately within the context they're in is vital for all pupils to succeed personally.

Where behaviour is poor, pupils can suffer from issues as diverse as lost learning time, child-on-child abuse, anxiety, bullying, violence, and distress. It can cause some children to stay away from school, missing vital learning time. Similarly, continually dealing with misbehaviour negatively affects the wellbeing of teachers and, for some, it is a reason why they leave the profession.

When pupils do misbehave, schools should be able to respond promptly, predictably and with confidence to maintain a calm, safe learning environment, and then consider how such behaviour can be prevented from recurring.

In some cases, particularly when a pupil is persistently disruptive and support or sanctions are not deterring misbehaviour, further action may be needed. In serious instances, a pupil may need to be suspended or excluded (please see EXCLUSION POLICY for further information).

This policy is designed to provide clarity around behaviour and discipline in Initio Learning Trust schools.

## **Key points**

- Teachers have power to discipline pupils for misbehaviour which occurs in school and, in some circumstances, outside of school.
- The power to discipline also applies to all paid staff (unless the head teacher says otherwise) with responsibility for pupils, such as teaching assistants.
- Head teachers, Trust Boards and academy committees must ensure they have strong behaviour procedures to support staff in managing behaviour, including the use of rewards and sanctions.
- The Trust Board of Initio Learning Trust has a duty requiring them to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children. They must ensure that arrangements are made to safeguard and promote the welfare of pupils.

## **The school behaviour procedure; what the law says**

1. The Trust Board of Initio Learning Trust is required to ensure that a written procedure to promote good behaviour among pupils is drawn up and effectively implemented. The procedure must set out the disciplinary sanctions to be adopted if a pupil misbehaves. The Trust Board is also required to ensure that an effective anti-bullying strategy is drawn up and implemented. Information about the school's behaviour procedure must be made available to parents on request. For schools in Initio Learning Trust, this is known as the School's Behaviour Guidance

## **Creating and maintaining high standards of behaviour**

2. Creating a culture that promotes excellent behaviour requires a clear vision of what good behaviour looks like. Schools in Initio Learning Trust ensure pupils can learn in a calm, safe, and supportive environment and work to protect them from disruption. Schools are clear about which behaviours are permitted and prohibited; the values, attitudes, and beliefs they promote and the social norms and routines that should be encouraged throughout the school community (please see school specific behaviour guidance - available on school websites - for further information).
3. This behaviour policy is the starting point for laying out this vision and is one of the important ways the school culture is communicated to our pupils, staff, and parents and carers. It is equally important that this behaviour policy is implemented effectively to create a positive behaviour culture in which pupils are encouraged to reflect the values of the school.
4. Headteachers will take responsibility for implementing measures to secure acceptable standards of behaviour. Headteachers ensure the school's approach to behaviour meets the following national minimum expectations<sup>1</sup> :
  - having high expectations of pupils' conduct and behaviour, which is commonly understood by staff and pupils and applied consistently and fairly to help create a calm and safe environment;
  - visibly and consistently providing support to all staff in managing pupil behaviour through following the behaviour policy;
  - ensuring that measures are in place and both general and targeted interventions are used to improve pupil behaviour and support is provided to all pupils to help them meet behaviour standards, making reasonable adjustments for pupils with a disability as required;
  - ensuring that pupil behaviour does not normally disrupt teaching, learning or school routines. Disruption is not tolerated, and proportionate action is taken to restore acceptable standards of behaviour;
  - ensuring that all members of the school community create a positive, safe environment in which bullying, physical threats or abuse and intimidation are not tolerated, in which pupils are safe and feel safe and everyone is treated respectfully; and
  - that any incidents of bullying, discrimination, aggression, and derogatory language (including name calling) are dealt with quickly and effectively.

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<sup>1</sup> *The national minimum expectation of behaviour is aligned with the Ofsted 'good' grade descriptor for assessing Behaviour and Attitudes.*

5. It is essential that all staff are aware of their safeguarding responsibilities, as set out in statutory guidance Part 1 of Keeping Children Safe in education (KCSiE)<sup>2</sup>. KCSiE is clear that all school staff have a responsibility to provide a safe environment in which pupils can learn.
6. Where circumstances arise that endanger the safety of a pupil or staff member, the school will act swiftly and decisively to remove the threat and reduce the likelihood of its reoccurrence.

#### **Developing the school's behaviour guidance**

7. A school's culture and values are manifested through the behaviour of all its members. High standards and clear rules reflect the values of the school and outline the expectations and consequences of behaviour for everyone. The school's behaviour guidance provides details on how staff will support pupils to meet these expectations.
8. The headteacher determines measures which aim to:
  - encourage good behaviour and respect for others;
  - secure an acceptable standard of behaviour of pupils;
  - promote, among pupils, self-discipline and proper regard for authority;
  - prevent all forms of bullying (including cyberbullying, prejudice-based and discriminatory bullying);
  - ensure that pupils complete any tasks reasonably assigned to them in connection with their education; and
  - otherwise regulate the conduct of pupils.
9. The School Behaviour Guidance sets out what is expected of staff, senior leaders, pupils and parents and forms part of staff induction.

#### **Communicating the behaviour policy and guidance**

10. Communicating the school policy and guidance to all members of the community is an important way of building and maintaining the school's culture. It helps make behaviour expectations transparent to all pupils, parents and staff members, and provides reassurance that expectations of, and responses to, behaviour are consistent, fair, proportionate, and predictable.
11. This behaviour policy will be published on school's websites alongside the School Specific Behaviour Guidance and is available in hard copy on request.

#### **A whole-school approach to behaviour**

12. The school's approach to behaviour will be easily apparent to anyone joining or visiting the school. Everyone should treat one another with dignity, kindness and respect and schools will teach and adhere to the three Trust behaviour expectations which are:
  - Readiness to Learn
  - Respectful Relationships
  - Engagement

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<sup>2</sup> *Other systems all staff should be aware of include the school's child protection policy, the staff behaviour policy/code of conduct, the safeguarding response to children who go missing from education and the role and identity of the designated safeguarding lead and any deputies.*

13. Some pupils may require additional support to meet school's behaviour expectations and this support will be given consistently and predictably, applied fairly and only where necessary.

#### **The school behaviour guidance**

14. The behaviour guidance defines the expected behaviours in school. It is centred on what successful behaviour looks like and defines it clearly for all parties.
15. The expected behaviours should be taught to all pupils, so that they understand what behaviour is expected and what is prohibited.
16. Adjustments can be made for pupils with additional needs, where appropriate and reasonable, to ensure all pupils can meet behavioural expectations. These adjustments may be temporary. The adjustments needed for those pupils with Special Educational Needs and/or Disability (SEND), whose condition may at times affect their behaviour, are set out in the section 'Behaviour expectations and pupils with Special Educational Needs and/or Disability (SEND)'. Schools should be mindful that not all pupils requiring support with behaviour will have identified special educational needs or disabilities.
17. The Behaviour Guidance uses the language of pro Social, unsocial, anti social and dangerous behaviours and gives examples of each to describe social expectations in school
18. School systems define the rewards and consequences for behaviour.

#### **The role of school leaders, staff, pupils and parents**

19. The role of school leaders, staff and pupils are set out clearly in the school's behaviour guidance. There is also clarity provided for what schools would like from pupils' parents. New staff and pupils will be inducted into the expectations set out in the guidance.

#### **Behaviour expectations and pupils with Special Educational Needs and/or Disability (SEND)**

20. Schools consider how a whole-school approach meets the needs of all pupils in the school, including pupils with SEND, so that everyone can feel they belong in the school community and high expectations are maintained for all pupils.
21. Some behaviours are more likely to be associated with particular types of SEND. Behaviour will often need to be considered in relation to a pupil's SEND, although it does not follow that every incident of misbehaviour will be connected to their SEND.
22. Schools need to manage pupil behaviour effectively, whether or not the pupil has underlying needs. Where a pupil is identified as having SEND, the graduated approach should be used to assess, plan, deliver and then review the impact of the support being provided. This can be part of the individual plan or as part of a behaviour or pastoral support plan,
23. The law also requires schools to balance a number of duties which will have bearing on their behaviour policy and practice, particularly where a pupil has SEND that at times affects their behaviour. In particular:
  - schools have duties under the Equality Act 2010 to take such steps as is reasonable to avoid any substantial disadvantage to a disabled pupil caused by the school's policies or practices;

- under the Children and Families Act 2014, relevant settings have a duty to use their 'best endeavours' to meet the needs of those with SEND; and
- If a pupil has an Education, Health and Care plan, the provisions set out in that plan must be secured and the school must cooperate with the local authority and other bodies detailed in the plan.

24. As part of meeting any of these duties, schools should, as far as possible, anticipate likely triggers of misbehaviour and put in place support to prevent these. Schools will use the 'Roadmap of Support' to help identify any unmet needs. Any preventative measure should take into account the specific circumstances and requirements of the pupil concerned.

### **Responding to behaviour**

25. Schools should positively reinforce the behaviour which reflects the values of the school and prepares pupils to engage in their learning. Sometimes a pupil's behaviour will be unacceptable, and pupils need to understand that there are consequences for their behaviour. Often this will involve the use of reasonable and proportionate sanctions.

### **Responding to good behaviour**

26. Acknowledging good behaviour encourages repetition and communicates the school community's expectations and values to all pupils. Schools will detail their reward systems in their behaviour guidance. These rewards should be applied clearly and fairly to reinforce the routines, expectations, and norms of the school's behaviour culture.

### **Responding to misbehaviour**

27. When a member of school staff becomes aware of misbehaviour, they should respond predictably, promptly, and assertively in accordance with the school behaviour policy and guidance. The first priority should be to ensure the safety of pupils and staff and to restore a calm environment.

28. The school will detail their response to unsocial, antisocial and dangerous behaviours in their behaviour guidance. The response to unsocial, antisocial or dangerous behaviour is designed to maintain the culture of the school, restore a calm and safe environment in which all pupils can learn and thrive, and prevent the recurrence of the behaviour

29. Schools should take account of any contributing factors that are identified after a behaviour incident has occurred: for example, if the pupil has suffered bereavement, experienced abuse or neglect, has mental health needs, has been subject to bullying, has needs including SEND (including any not previously identified), has been subject to criminal exploitation, or is experiencing significant challenges at home. Please see the 'Roadmap of Support' for further information.

### **Acceptable forms of sanction**

30. The behaviour guidance includes a range of possible sanctions which should be clearly communicated to and understood by pupils, staff and parents.
31. For some behaviours, suspension or exclusion may be necessary.
32. Schools should consider whether the misbehaviour gives cause to suspect that a pupil is suffering, or is likely to suffer, harm. Where this may be the case as set out in Part 1 of KCSiE, school staff should follow the school's child protection policy and speak to the designated safeguarding lead (or deputy). They will consider if pastoral support, an early help intervention or a referral to children's social care is appropriate.
33. If a pupil in these circumstances has SEND that has affected their behaviour, the school will need to consider what the law requires.

### **What the law allows**

34. Teachers can sanction pupils whose conduct falls below the standard which could reasonably be expected of them. This means that if a pupil misbehaves, breaks a rule or fails to follow a reasonable instruction, the teacher can apply a sanction on that pupil.
35. Staff can issue sanctions any time pupils are in school or elsewhere under the charge of a member of staff, including on school visits. This also applies in certain circumstances when a pupil's misbehaviour occurs outside of school.
36. A sanction will be lawful if it satisfies the following three conditions:
  - a) The decision to sanction a pupil is made by a paid member of school staff (but not one who the headteacher has decided should not do so) or an unpaid member of staff authorised by the headteacher;
  - b) The decision to sanction the pupil and the sanction itself are made on the school premises or while the pupil is under the lawful charge of the member of staff; and
  - c) It does not breach any other legislation (for example in respect of equality, special educational needs and human rights) and it is reasonable in all the circumstances.
37. In considering whether a sanction is reasonable in all circumstances, one must consider whether it is proportionate in the circumstances of the case and consider any special circumstances relevant to its imposition including the pupil's age, any special educational needs or disability they may have, and any religious requirements affecting them.
38. The headteacher may limit the power to apply particular sanctions, or to sanction particular pupils or types of pupils, to certain staff and/or extend the power to discipline to adult volunteers, for example to parents who have volunteered to help on a school trip.
39. Corporal punishment by school staff is illegal in all circumstances.



### **Responding to the behaviour of pupils with Special Educational Needs and/or Disability (SEND)**

40. Schools should consistently and fairly promote high standards of behaviour for all pupils and provide additional support where needed to ensure pupils can achieve and learn as well as possible.
41. Schools should not assume that because a pupil has SEND, it must have affected their behaviour on a particular occasion – this is a question of judgement for the school on the facts of the situation.
42. Schools will consider whether a pupil's SEND has contributed to the misbehaviour and if so, whether it is appropriate and lawful to sanction the pupil. In considering this, schools should refer to the Equality Act 2010 and schools guidance.
43. The school will also consider whether any reasonable adjustments need to be made to the sanction in response to any disability the pupil may have. It is also important for the schools to seek to try and understand the underlying causes of behaviour and whether additional support is needed.

### **Supporting pupils following a sanction**

44. Following a sanction, strategies should be considered to help all pupils to understand how to improve their behaviour and meet the behaviour expectations of the school.
45. Designated staff should be appropriately trained to deliver these strategies. These strategies are often part of a wider approach that involves the wellbeing and mental health of the pupil.

### **Detentions**

46. A detention is a commonly used sanction, often used as a deterrent to future misbehaviour. It is typically a short period where the pupil is required to remain under supervision of school staff when their peers have been allowed to go home or to break.
47. When used, it should be done so consistently and fairly by staff. This process should be well known to all pupils and staff.

### **What the law allows**

48. Teachers have authority to issue detention to pupils, including same-day detentions. Detentions can take place during or after the school day and this is a possible sanction for pupils in Intiio Learning Trust schools
49. A detention outside normal school hours will be lawful if it meets the following conditions:
  - With lunchtime detentions, staff should allow reasonable time for the pupil to eat, drink and use the toilet;
  - the pupil is under 18 (unless the detention is during lunch break);
  - the headteacher has communicated to pupils and parents that detentions outside school sessions may be used in the behaviour guidance; and
  - the detention is held at any of the following times:

- a) *any school day where the pupil does not have permission to be absent;*
- b) *weekends during term - except a weekend during, preceding or following the half term break; or*
- c) *non-teaching days – usually referred to as ‘training days’, ‘INSET days’ or ‘CPD days’, except if it falls on a public holiday, on a day which precedes the first day of term, during the half-term break, or after the last school day of the term.<sup>25</sup>*

50. The headteacher decides which members of staff can issue detentions. Usually this is all staff working in a school.

#### **Matters schools will consider when imposing detentions**

51. Parental consent is not required for detentions that satisfy the conditions mentioned in paragraphs 47-49. However, it is good practice to inform parents and work with them to support the pupil to mitigate the behaviour happening again.
52. With lunchtime detentions, staff must allow reasonable time for the pupil to eat, drink and use the toilet.
53. School staff should not issue a detention where there is any reasonable concern that doing so would compromise a pupil's safety. When ensuring that a detention outside school hours is reasonable, staff issuing the detention should consider the following points:
- whether the detention is likely to put the pupil at increased risk;
  - whether the pupil has known caring responsibilities;
  - whether the detention timing conflicts with a medical appointment;
  - whether parents ought to be informed of the detention. In many cases it will be necessary to do so, but this will depend on the circumstances. For instance, notice may not be necessary for a short after-school detention where the pupil can get home safely; and
  - whether suitable travel arrangements can reasonably be made by the parent for the pupil. It does not matter if making these arrangements is inconvenient for the parent.

#### **The use of reasonable force**

54. Detailed advice is available in Use of Reasonable Force – advice for school leaders, staff and governing bodies. Headteachers and all school staff should read this guidance.
55. There are some circumstances when it is appropriate for staff in schools to use reasonable force to safeguard children. The term ‘reasonable force’ covers the broad range of actions used by staff that involve a degree of physical contact to control or restrain children. ‘Reasonable’ in these circumstances means ‘using no more force than is needed’.
56. Members of staff have the power to use reasonable force to prevent pupils committing an offence, injuring themselves or others, or damaging property and to maintain good order and discipline at the school or among pupils.
57. Headteachers and authorised school staff may also use such force as is reasonable given the circumstances when conducting a search for prohibited items detailed below. Force may not be used to search for other items banned under the school rules.

**Prohibited** items for pupils to be in possession of across all schools are:

- Knives and weapons
- Alcohol
- Illegal drugs
- Stolen items
- Any article that the member of staff reasonably suspects has been, or is likely to be used:
  - to commit an offence, or
  - to cause personal injury to, or damage to property of; any person (including the pupil).
- An article specified in [regulations](#):
  - tobacco and cigarette papers
  - fireworks
  - pornographic images (either on electronic devices or hard copies)

**Banned** items for pupils to be in possession of across all schools are:

- Vapes and e-cigarettes
- Medicines (unless agreed with the school that the pupil is to carry the medication with them, otherwise, all medication should be stored and administered using the school's systems and processes).

58. When considering using reasonable force, staff should, in considering the risks, carefully recognise any specific vulnerabilities of the pupil, including SEND, mental health needs or medical conditions.

### **Searching, screening and confiscation**

59. Detailed guidance for schools can be found in following DfE guidance: [Searching, Screening and Confiscation, Advice for Schools](#). Headteachers and school staff should read this guidance. Guidance on the use of screening in our schools can be found at **Appendix 1**.
60. School staff can confiscate, retain or dispose of a pupil's property as a disciplinary penalty in the same circumstances as other disciplinary penalties. The law protects staff from liability in any proceedings brought against them for any loss or damage to items they have confiscated, provided they acted lawfully. Staff should consider whether the confiscation is proportionate and consider any special circumstances relevant to the case.

### **Removal from classrooms**

61. Removal is where a pupil, for serious disciplinary reasons, is required to spend a limited time out of the classroom at the instruction of a member of staff. This is to be differentiated from circumstances in which a pupil is asked to step outside of the classroom briefly for a conversation with a staff member and asked to return following this. Removal will allow for continuation of the pupil's education and will be supervised by a trained member of staff although the continuous education provided may differ to the mainstream curriculum.
62. Schools may use removal of pupils to maintain and restore stability. The length of time a pupil is removed from the classroom will be dependent on the nature and severity of the incident leading to the removal. All removed pupils will have opportunities to eat, drink and use the toilet at appropriate

times. Pupils will not be locked in the room of their removal. There may be exceptional situations in which it is necessary to physically prevent a pupil from leaving a room in order to protect the safety of pupils and staff from immediate risk, but this would be a safety measure.

63. Removal from the classroom is considered a serious sanction. It should only be used when necessary and once other behavioural strategies in the classroom have been attempted, unless the behaviour is so extreme as to warrant immediate removal. Parents should be informed on the same day if their child has been removed from the classroom. Schools will consider whether there are special considerations relevant to its imposition.
64. Removal should be used for the following reasons:
  - to maintain the safety of all pupils and to restore stability following an unreasonably high level of disruption;
  - to enable disruptive pupils to be taken to a place where education can be continued in a managed environment; and
  - to allow the pupil to regain calm in a safe space.

Examples of times where removal may be used are detailed in the school's behaviour guidance.

65. Removal will be distinguished from the use of separation spaces (sometimes known as sensory or nurture rooms) for non-disciplinary reasons. For instance, where a pupil is taken out of the classroom to regulate their emotions because of identified sensory overload as part of a planned response.
66. Pupils who are removed will be reintegrated into the classroom when it is safe and appropriate to do so. This will be overseen by a trained member of staff and will take into account the needs of the pupil and the nature of the incident that preceded the removal.
67. Schools will collect, monitor and analyse removal data internally to ensure the effective use of removal and to determine any repeating patterns and whether any alternative approaches may be required. This data should also be analysed to identify any patterns relating to pupils sharing any of the protected characteristics and to ensure that removal is not having a disproportionate effect on these pupils.
68. Where a removed pupil has a social worker or are looked after, the social worker and / or virtual schools will be notified at the next meeting.
69. Schools will ensure that the Children and Families Act 2014, the Equality Act 2010 and regulations under those Acts are being complied with at all times.

### **Suspension and permanent exclusion**

70. Headteachers can use suspension and permanent exclusion in response to serious incidents or in response to persistent poor behaviour which has not improved following in-school sanctions and interventions. Please see exclusion policy for further information.

### **Managed moves**

71. A managed move is used to initiate a process which leads to the transfer of a pupil to another mainstream school permanently. If a temporary move needs to occur to improve a pupil's behaviour, then off-site direction should be used. Managed moves should only occur when it is in the pupil's best interests.

### **Behaviour outside of school premises**

72. Schools have the power to sanction pupils for misbehaviour outside of the school premises to such an extent as is reasonable.
73. The school's response to non-criminal poor behaviour and bullying which occurs off the school premises or online and which is witnessed by a staff member or reported to the school will be proportional and reasonable. Please see paragraphs 105-106 for the school's response to suspected criminal behaviour.
74. Conduct outside the school premises, including online conduct, that schools might sanction pupils for include misbehaviour:
- when taking part in any school-organised or school-related activity;
  - when travelling to or from school;
  - when wearing school uniform;
  - when in some other way identifiable as a pupil at the school;
  - that could have repercussions for the orderly running of the school;
  - that poses a threat to another pupil; or
  - that could adversely affect the reputation of the school.
75. The decision to sanction a pupil will be lawful if it is made on the school premises or elsewhere at a time when the pupil is under the control or charge of a member of staff of the school.

### **Preventing recurrence of misbehaviour**

#### **Initial intervention following behavioural incidents**

76. Schools should adopt a range of initial intervention strategies to help pupils manage their behaviour and to reduce the likelihood of suspension and permanent exclusion.
77. Schools have systems in place to ensure relevant members of staff are aware of any pupil persistently misbehaving, whose behaviour is not improving following low-level sanctions, or whose behaviour reflects a sudden change from previous patterns of behaviour.

78. Initial intervention to address underlying factors leading to misbehaviour can include an assessment of whether appropriate provision is in place to support any SEND that a pupil may have. See 'Roadmap of Support' for further information.
79. Where a school has serious concerns about a pupil's behaviour, it will consider whether a multi-agency assessment such as an early help assessment or statutory assessment that goes beyond the pupil's educational needs is required (see guidance 'Working together to safeguard children').

### **Pupil support units**

80. A pupil support unit is a planned intervention occurring in small groups and in place of mainstream lessons. Where this is used, it may have a different name but is still considered a pupil support unit. The purpose of this unit can be two-fold:
  - as a planned intervention for behavioural or pastoral reasons
  - as a final preventative measure to support pupils at risk of exclusion.

In both circumstances, the underlying ambition is to improve behaviour and maintain learning with the goal to successfully reintegrate the pupil into mainstream lessons. If pupil support units are used, the approach in the unit will be aligned to the culture of the whole school and compatible with the school's behaviour guidance.

81. If an in-school pupil support unit is used, a broad and balanced curriculum that aligns to the mainstream curriculum will be offered although it may be personalised for the pupil's context. The unit will be an integral part of the school offer and, as such, will have a visible presence from school staff.. Staff deployed to the unit will have the appropriate skill set to support pupils with their behaviour and learning needs to ensure effective impact and progress.
82. Pupils using a pupil support unit will have regular reviews for reintegration and these reviews will actively involve parents and the pupil.
83. If an off-site pupil support unit is used, the home school will use the centralised system and processes to ensure quality of education and safeguarding and to ensure regular contact with the host school.

### **Reintegration**

84. Schools will have a strategy for reintegrating pupils following removal from the classroom, time spent in a pupil support unit, in another setting under off-site direction or following suspension.

### **Monitoring and evaluating school behaviour**

85. Schools have strong and effective systems for data capture, including all components of the behaviour culture. This is monitored and objectively analysed regularly by skilled staff. This is also analysed at trust level and reported to trustees.
86. Data will be analysed at multiple levels to identify possible factors contributing to the behaviour and by protected characteristic to inform policy and practice and to ensure that the school is meeting its duties under the Equality Act, 2010

### **Guidance on specific behaviour issues**

#### **Child-on-child sexual violence and sexual harassment**

87. Following any report of child-on-child sexual violence or sexual harassment offline or online, schools will follow the general safeguarding principles set out in Keeping children safe in education (KCSIE) especially the principles outlined in Part 5. The designated safeguarding lead (or deputy) is the most appropriate person to advise on the school's initial response and each incident will be considered on a case-by-case basis.
88. Schools will be clear in every aspect of their culture that sexual violence and sexual harassment are never acceptable, will not be tolerated and that pupils whose behaviour falls below expectations will be sanctioned. Staff are aware of the importance of challenging all inappropriate language and behaviour between pupils and advocate strenuously for high standards of conduct between pupils and staff.
89. Pupils who fall short of these behaviour expectations may be sanctioned whilst other investigations by the police and/or children's social care are ongoing (see paragraphs 105-106 for suspected criminal behaviour).
90. Victims of child on child sexual violence and / or sexual harassment will be reassured they will be supported, kept safe, and are being taken seriously, regardless of how long it has taken them to come forward. Abuse that occurs online or outside of the school will not be downplayed and will be treated equally seriously.
91. In instances where reports of sexual abuse or harassment are proven to be deliberately invented or malicious, the school will consider whether any disciplinary action is appropriate for the individual who made it. At all times, there will be due regard to Keeping Children Safe in education (KCSiE) and the designated safeguarding lead will be engaged and will make referrals into support services where appropriate.

#### **Behaviour incidents online**

92. The same standards of behaviour are expected online as apply offline in school.
93. Inappropriate online behaviour including bullying, the use of inappropriate language, the soliciting and sharing of nude or semi-nude images and videos and sexual harassment will be addressed in accordance with the same principles as offline behaviour, including following the child protection

policy and speaking to the designated safeguarding lead (or deputy) when an incident raises a safeguarding concern. In cases where there is suspicion of criminal behaviour online by a pupil, schools will follow the guidance in paragraphs 105-106..

94. When an incident involves nude or semi-nude images and/or videos, the member of staff should refer the incident to the designated safeguarding lead (or deputy) as the most appropriate person to advise on the school's response. Schools will follow the principles as set out in Keeping children safe in education.
95. Many online behaviour incidents amongst young people occur outside the school day and off the school premises. Parents are responsible for this behaviour. However, often incidents that occur online will affect the school culture. Schools may sanction pupils when their behaviour online poses a threat or causes harm to another pupil, and/or could have repercussions for the orderly running of the school, when the pupil is identifiable as a member of the school or if the behaviour could adversely affect the reputation of the school.

### **Mobile phones**

96. Headteachers should decide if mobile phones can be used during the school day and this will be communicated clearly to pupils and parents. If restrictions are imposed upon the use of mobile phones, this will be communicated clearly to pupils and parents, including the possible consequences / sanctions involved.

### **Suspected criminal behaviour**

97. In cases when a member of staff or headteacher suspects criminal behaviour, the school will make an initial assessment of whether an incident should be reported to the police only by gathering enough information to establish the facts of the case. These initial investigations will be fully documented, and schools will make every effort to preserve any relevant evidence. Once a decision is made to report the incident to police, schools will ensure any further action they take does not interfere with any police action taken. However, schools retain the discretion to continue investigations and enforce their own sanctions so long as it does not conflict with police action.
98. When making a report to the police, it will often be appropriate to make in tandem a report to local children's social care. In this instance, the designated safeguarding lead (or deputy) should take the lead. In all instances, staff will have due regard to Keeping Children Safe in Education (KCSiE).



## Appendix 1: Screening

Please see:

[Searching, Screening and Confiscation, advice for schools, 2022](#)

[Keeping Children Safe In Education, 2022](#)

### Introduction

Ensuring school staff and pupils feel safe and secure is vital to establishing calm and supportive environments conducive to learning. Using searching, screening and confiscation powers appropriately is an important way to ensure pupil and staff welfare is protected and helps schools establish an environment where everyone is safe.

Schools and their staff are an important part of the wider safeguarding system for children. This system is described in the statutory guidance Working together to safeguard children. Keeping Children Safe in Education (KCSIE) makes clear that all school staff have a responsibility to provide a safe environment in which pupils can learn.

Before screening or conducting a search of a pupil, we will consider our obligations under the European Convention on Human Rights. Under Article 8, pupils have a right to respect for their private life. In the context of these rights and obligations, this means that pupils have the right to expect a reasonable level of personal privacy. The right under Article 8 is not absolute; it can be interfered with, but any interference with this right by our schools must be justified and proportionate.

### 1. Screening

- 1.1 We follow **all** advice set out in [Searching, Screening and Confiscation; Advice for Schools, 2022](#).
- 1.2 At some schools, we operate a screening system, either via an arch or using a hand held wand. This is permitted as a preventative measure even if it is not suspected that the pupil is in possession of a prohibited item (*for prohibited items, please see the Intio Behaviour Policy*)

### 2. The use of screening wands

- 2.1 If a screening wand is used, we follow the advice for searching in that:
  - The member of staff conducting the screening must be of the same sex as the pupil being screened
  - There must be another member of staff present as a witness to the screening
  - The use of the wand for screening should take place away from their peers
- 2.2 There is a limited exception to this rule; this is that a member of staff can screen a pupil of the opposite sex and/or without a witness present only:
  - if the member of staff carrying out the screening reasonably believes there is risk that serious harm will be caused to a person if the screening is not carried out as a matter of urgency; and, in the time available, it is not reasonably practicable for the screening to be carried out by a member of staff who is the same sex as the pupil or it is not reasonably practicable for the screening to be carried out in the presence of another member of staff.

- 2.3 If a member of staff conducts a screen without a witness they should immediately report this to a member of the senior leadership team and ensure a record of the search is kept as well as recording it on MyConcern.
- 2.4 Where a school uses a screening wand, this will be kept in the headteacher's office. We also require the use of the wand to be recorded including the date, time and location of the screening, the pupil name, the staff members' names and the reason and outcome of the screening. Any search by a member of staff for a prohibited item (*see list below*) should be recorded on MyConcern, including whether or not an item is found. This will allow the designated safeguarding lead (or deputy) to identify possible risks and initiate a safeguarding response if required

### **3. Screening and adjustments**

- 3.1 At all times, the pupil's age, safeguarding history, SEN and any other contextual information will be considered to ensure that any reasonable adjustments are made to the process, if necessary.

### **4. Screening and consent**

- 4.1 Screening is used as a preventative measure so if a pupil refuses to be screened, staff will need to consider whether it will be necessary to conduct a search. *Please see Searching, screening and confiscation; advice for schools for further information on searches.*
- 4.2 Pupils who refuse to be screened will not be stopped from entering the school but may, after considering all information available to the school, have alternative arrangements for their learning made to keep them and others safe.
- 4.3 Pupils who refuse to be screened may be sanctioned in line with the school's behaviour guidance.

### **5. After Screening**

- 5.1 Whether or not any items have been found as a result of any screening, the school will consider whether the reasons for the screening, the screening itself, or the outcome of the screening give cause to suspect that the pupil is suffering, or is likely to suffer harm, and/or whether any specific support is needed.
- 5.2 Where this may be the case, school staff will follow the school's child protection policy and speak to the designated safeguarding lead (or deputy) as set out in Part 1 of Keeping Children Safe in Education (KCSiE). They will consider if pastoral support, an early help intervention or a referral to children's social care is appropriate.
- 5.3 If any prohibited items are found during the screening, the member of staff should follow the guidance set out in paragraphs 57-81 in ***Searching, Screening and Confiscation, Advice for Schools*** for confiscation. If a pupil is found to be in possession of a prohibited item listed below and in the Initio Behaviour policy, then the staff member should alert the designated safeguarding lead (or deputy) and the pupil should be sanctioned in line with the school's behaviour policy to ensure consistency of approach.

## 6. Informing Parents

- 6.1 Schools will reinforce the whole-school approach by building and maintaining positive relationships with parents. Parents should always be informed of any screening for a prohibited item listed below and in the Initio Behaviour Policy that has taken place, and the outcome of the screening as soon as is practicable.
- 6.2 A member of staff should inform the parents of what, if anything, has been confiscated and the resulting action the school has taken, including any sanctions applied.
- 6.3 Schools will also inform parents of a screening for an item banned by the school policy but not prohibited (*please see below or in the Initio Behaviour policy for a list of prohibited and banned items*).
- 6.4 Any complaints about searching, screening or confiscation should be dealt with through the normal school complaints procedure

## 7. Prohibited and Banned Items:

**Prohibited** items for pupils to be in possession of across all schools are:

- Knives and weapons
- Alcohol
- Illegal drugs
- Stolen items
- Any article that the member of staff reasonably suspects has been, or is likely to be used:
  - to commit an offence, or
  - to cause personal injury to, or damage to property of; any person (including the pupil).
- An article specified in [regulations](#):
  - tobacco and cigarette papers
  - fireworks
  - pornographic images (either on electronic devices or hard copies)

**Banned** items for pupils to be in possession of across all schools are:

- Vapes and e-cigarettes
- Medicines (unless agreed with the school that the pupil is to carry the medication with them, otherwise, all medication should be stored and administered using the school's systems and processes).