



# Heath Mount School

## **Behaviour and Discipline Policy**

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**Heath Mount School, Hertfordshire**

**Independent Co-Educational Day and Boarding  
School**

September 2024

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## 1 **Aims**

- 1.1 This is the behaviour and discipline policy of Heath Mount School (**the School**).
- 1.2 The aims of this policy are as follows:
- 1.2.1 to actively promote the School's aims, values, and expectations (Appendix 1);
  - 1.2.2 to create a calm, safe and supportive environment free from disruption in which pupils can thrive and flourish both in and out of the classroom and reach their full potential;
  - 1.2.3 to create, promote and maintain high standards of behaviour amongst pupils;
  - 1.2.4 to actively promote and safeguard the welfare of pupils at the School and to protect all who come into contact with the School from harm;
  - 1.2.5 to ensure, so far as possible, that every pupil in the School is able to benefit from and make their full contribution to the life of the School, consistent always with the needs of the School community;
  - 1.2.6 to set out a clear and fair process for the proper investigation of allegations of poor behaviour and / or breaches of discipline;
  - 1.2.7 to encourage pupils to accept responsibility for their behaviour;
  - 1.2.8 to consider how negative behaviours can be prevented or prevented from recurring;
  - 1.2.9 to enable staff to respond to incidents of misbehaviour promptly, predictably and with confidence;
  - 1.2.10 to set out the sanctions available to the School in the event of pupil misbehaviour;
  - 1.2.11 to help to promote a whole school culture of safety, equality, inclusion and protection.
- 1.3 This policy forms part of the School's whole school approach to promoting child safeguarding and wellbeing, which seeks to involve everyone at the School to ensure that the best interests of pupils underpins and is at the heart of all decisions, systems, processes, and policies.
- 1.4 Although this policy is necessarily detailed, it is important to the School that our policies and procedures are transparent, clear, and easy to understand for staff, pupils, parents and carers. The School welcomes feedback on how we can continue to improve our policies.

## 2 **Scope and application**

- 2.1 This policy applies to the whole School including the Early Years Foundation Stage (**EYFS**).
- 2.2 This policy (together with the School's aims, values, and expectations) and all School policies on behaviour and discipline) applies to all pupils at the School and at all times when a pupil is:
- 2.2.1 in or at School (to include any period of remote provision);

- 2.2.2 representing the School or wearing School uniform;
  - 2.2.3 travelling to or from School;
  - 2.2.4 on School-organised trips; or
  - 2.2.5 associated with the School at any time.
- 2.3 This policy shall also apply to pupils at all times and places including out of school hours and off-school premises in circumstances where failing to apply this policy may:
- 2.3.1 affect the health, safety, or wellbeing of a member of the School community or a member of the public;
  - 2.3.2 have repercussions for the orderly running of the School; or
  - 2.3.3 bring the School into disrepute.

### 3 **Regulatory framework**

- 3.1 This policy has been prepared to meet the School's responsibilities under:
- 3.1.1 Education (Independent School Standards) Regulations 2014;
  - 3.1.2 *National minimum standards for boarding schools* (Department for Education (DfE), September 2022);
  - 3.1.3 *Statutory framework for the Early Years Foundation Stage* (DfE, September 2021);
  - 3.1.4 Education and Skills Act 2008;
  - 3.1.5 Children Act 1989;
  - 3.1.6 Childcare Act 2006;
  - 3.1.7 Data Protection Act 2018 and UK General Data Protection Regulation (**UK GDPR**);
  - 3.1.8 Human Rights Act 1998; and
  - 3.1.9 Equality Act 2010.
- 3.2 This policy has regard to the following guidance and advice:
- 3.2.1 **Keeping Children Safe in Education 2024** (DfE, updated September 2024) (**KCSIE**);
  - 3.2.2 **Working Together to Safeguard Children 2023** (DfE, updated in February 2024);
  - 3.2.3 **Information sharing advice for safeguarding practitioners** (HM Government, May 2024);
  - 3.2.4 **Behaviour in schools: advice for headteachers and school staff** (DfE, February 2024);
  - 3.2.5 **Use of reasonable force** (DfE, July 2013);
  - 3.2.6 **Searching, screening and confiscation: advice for schools** (DfE, September 2022);

- 3.2.7 **Sharing nudes and semi-nudes: advice for education settings working with children and young people** (UKCIS, March 2024);
  - 3.2.8 **Mental health and behaviour in schools** (DfE, November 2018);
  - 3.2.9 **Equality Act 2010: advice for schools** (DfE, June 2018);
  - 3.2.10 **Police and Criminal Evidence Act 1984 and Code of Practice PACE Code C 2019** (Home Office, December 2023)
  - 3.2.11 **Guidance for appropriate adults** (Home Office, April 2003); and
  - 3.2.12 **Relationships education, relationships and sex education and health education** (DfE, September 2021).
- 3.3 The following School policies, procedures and resource materials are relevant to this policy:
- 3.3.1 Acceptable use policy for pupils;
  - 3.3.2 Anti-bullying policy;
  - 3.3.3 Policy on smoking, alcohol and the misuse of drugs and substances;
  - 3.3.4 Online safety policy;
  - 3.3.5 Child protection and safeguarding policy and procedures;
  - 3.3.6 Risk assessment policy for pupil welfare;
  - 3.3.7 Policy on special educational needs and learning difficulties;
  - 3.3.8 Inclusion, equality, and diversity policy;
  - 3.3.9 Expulsion removal and review policy;
  - 3.3.10 Staff code of conduct;
  - 3.3.11 School aims, values and expectations;
  - 3.3.12 Relationships education policy (including sex education policy).

#### 4 **Publication and availability**

- 4.1 This policy is published on the School website and is available in hard copy on request. It can be made available in large print or other accessible format if required.

#### 5 **Definitions**

- 5.1 Where the following words or phrases are used in this policy:
  - 5.1.1 References to the **Board of Governors** are references to the Proprietor of the School.
  - 5.1.2 References to **working days** mean Monday to Friday when the School is open during term time. The dates of terms are published on the School's website. In the event that the application of this definition is likely to introduce excessive delays, due to intervening School holidays, the School's approach is to take sensible and reasonable steps so as to minimise any hardship or unfairness arising from such delays.

- 5.1.3 References to the **Head** may include deputies.
- 5.1.4 References to **Parent** or **Parents** includes one or both of the parents, or those with parental responsibility, or care of a child e.g., legal guardian or education guardian. Communications or instructions from one of the Parents, or any person with parental responsibility, shall be deemed by the School to be received from both Parents unless there is clear evidence of a contrary view. This requirement does not apply to the giving of notice for cancellation of a place or the withdrawal of a pupil from the School. The persons required to consent or give notice of cancellation or withdrawal are set out in the parent contract.
- 5.1.5 References to a **Review** are to the review by a panel of the Head's decision in accordance with the expulsion and removal: review procedure.

## 6 **Responsibility statement and allocation of tasks**

- 6.1 The Board of Governors has overall responsibility for all matters which are the subject of this policy.
- 6.2 In discharging its responsibilities under this policy, the Board of Governors expect school leaders and staff to undertake the following roles:
- 6.3 School leaders will:
  - 6.3.1 be highly visible, routinely engage with pupils, parents and staff on setting and maintaining the behaviour, culture, and an environment where everyone feels safe and supported;
  - 6.3.2 play a crucial role in making sure all staff understand behavioural expectations and the importance of maintaining them;
  - 6.3.3 make sure all new staff are inducted clearly into the School's behaviour culture to ensure they understand its rules and routines and how best to support all pupils to participate in creating the culture of the School;
  - 6.3.4 consider any appropriate training which is required for staff to meet their duties and functions within the Behaviour Policy;
  - 6.3.5 ensure staff have adequate training on matters such as: how certain special educational needs, disabilities or mental health needs may at times affect a pupil's behaviour; and
  - 6.3.6 encourage engagement with experts e.g., education psychologists, counsellors, and mental health support teams to inform effective implementation and design of behaviour policies and how this links to the whole school approach to mental health and wellbeing.
- 6.4 School staff will:
  - 6.4.1 play an important role in developing a calm and safe environment for pupils and establish clear boundaries of acceptable pupil behaviour;
  - 6.4.2 uphold the whole school approach to behaviour by teaching and modelling expected behaviour and positive relationships, as defined in this policy, so pupils can see examples of good habits and be confident to ask for help when needed;
  - 6.4.3 challenge pupils to meet the school expectations and maintain boundaries of acceptable conduct;

6.4.4 communicate school expectations, routines, values, and standards (set out in Appendix 1, the School’s website, staff intranet, pupil planners and displayed in classrooms. This is done) both explicitly through teaching behaviour and in every interaction with pupils; and

6.4.5 consider the impact of their own behaviour on school culture and how they can uphold the school rules and expectations in addition to those set out in the staff code of conduct.

6.5 In order to achieve this, the Board of Governors has allocated the following tasks:

<b>Task</b>	<b>Allocated to</b>	<b>When / frequency of review</b>
Keeping the policy up to date and compliant with the law and best practice	Deputy Head (pastoral)	As required, and at least termly
Reviewing induction and ongoing training for staff	Deputy Head (pastoral)	As required, and at least termly
Monitoring the implementation of the policy, relevant risk assessments and any action taken in response and evaluating effectiveness	Deputy Head (pastoral)	As required, and at least termly
Seeking input from interested groups (such as pupils, staff, Parents) to consider improvements to the School's processes under the policy	Deputy Head (pastoral) and Head of Pre-Prep	As required, and at least annually
Formal annual review including effectiveness of policy and procedures in promoting good behaviour and review of patterns and trends relating to disciplinary measures taken	Board of Governors	Annually

## 7 Promoting high standards of behaviour

7.1 Pupils are expected to act with responsibility and show consideration at all times. They must adhere to the School’s aims, values, and expectations (Appendix 1).

7.2 Pupils are educated about good behaviour through the operation of the School's curriculum, PSHE, relationships education / relationships and sex education programme(s) and the School's pastoral support systems. Pupils are encouraged to act responsibly and, through the operation of this policy, to accept responsibility for their behaviour. This includes teaching pupils explicitly what good behaviour looks like (for example, through explicitly teaching the School’s values and expectations, and practising good habits and routines).

- 7.3 Specifically, all pupils of the School are expected to:
- 7.3.1 Act with honesty and integrity and treat all members of the school community and the public with respect, courtesy and kindness both in actual and virtual (online) interactions;
  - 7.3.2 Contribute positively to the school community;
  - 7.3.3 Contribute to the high quality of learning by ensuring that they;
    - (a) Arrive calmly, punctually, and correctly equipped for each lesson
    - (b) Listen carefully and use their time in class appropriately and effectively
    - (c) Do not disturb teaching or the learning of others and
    - (d) Write down any homework to be undertaken, complete it and hand it in on time.
  - 7.3.4 Take responsibility for their own safety and that of others to the best of their ability and commensurate with their age and maturity. Behave calmly and sensibly when moving around the School, when waiting for lessons and when not directly supervised;
  - 7.3.5 Take care of the school environment, ensuring everybody's property is respected and safeguarded;
  - 7.3.6 Take pride in their appearance, wearing uniform correctly and smartly.
- 7.4 Parents are expected to work with the School to ensure their children understand (in an age-appropriate manner) this policy and the School's aims, values, and expectations. This policy and the School's aims, values and expectations will be reinforced periodically at assemblies and at other times.
- 7.5 The School understands that rewards can be more effective than punishment in motivating pupils. The ways in which the School may reward good behaviour are set out at Appendix 2.
- 7.6 The School recognises that where challenging behaviour is related to a pupil's disability, use of positive discipline and reward methods may enable the School to manage the pupil's behaviour more effectively and improve their educational outcomes.
- 7.7 Where appropriate, staff should also take account of any contributing factors that are identified after a behaviour incident has occurred e.g., if the pupil has suffered a 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.
- 7.8 Responding to unacceptable behaviour:
- 7.8.1 When a member of school staff becomes aware of unacceptable behaviour, they should respond in a consistent, fair, proportionate, and timely manner in accordance with this policy.
  - 7.8.2 The first priority will be to ensure the safety of pupils and de-escalation techniques can be used to prevent further behaviour issues arising.



7.8.3 The School recognises that taking disciplinary action and providing appropriate support are not mutually exclusive actions. They can and should be used at the same time if necessary.

## **8 Minor breaches of discipline**

- 8.1 The School adopts a culture of openness and transparency and, where there are any concerns regarding breaches of discipline, contact should be made with the School at the earliest opportunity. All concerns are taken seriously including scenarios where suspicions or breaches of discipline appear minor.
- 8.2 The School has pastoral support systems in place to assist pupils in managing their behaviour. A range of sanctions are available for those who breach the School rules and policies for behaviour and discipline (these are detailed in Appendix 3).
- 8.3 Allegations, complaints, or rumours of minor breaches of discipline are dealt with by staff as they occur. Staff may carry out informal investigations and / or interviews with the pupils involved. Low level sanctions may be given following such processes (see Appendix 3 for details of possible sanctions).
- 8.4 A minor breach of discipline may be referred to a senior member of staff and external agencies (where appropriate) prior to, during or following an informal investigation.
- 8.5 When considering the appropriate sanction, the risks posed to pupil welfare by an individual's behaviour will be assessed. This may include consideration of how any action taken, sanctions applied, or inaction may affect that individual's welfare and, where appropriate, how it may affect other pupils' welfare and / or the School community as a whole.

## **9 Serious breaches of discipline**

- 9.1 Allegations, complaints or rumours of serious breaches of discipline should be referred to the Deputy Head (pastoral), who may then consult with the Head.
- 9.2 The main categories of misconduct which are likely to be considered to be serious breaches of discipline and which may therefore result in expulsion or a requirement to leave the School include but are not limited to:
- 9.2.1 supply which means providing or sharing (whether or not for money or other consideration) or facilitation of supply e.g., sale, exchange or sharing (which includes promotion / advertisement or facilitating supply) / possession / use of drugs and solvents, or their paraphernalia or substances intended to resemble them, or alcohol or tobacco as prohibited by the School policy on smoking, drugs and substances;
- 9.2.2 actual or attempted theft, blackmail, intimidation, cyber-based bullying, prejudice-based bullying, discriminatory-based bullying, or other potentially criminal offences including being an accessory or conspirator;
- 9.2.3 physical violence and / or abuse (which may include but is not limited to hitting, kicking, shaking, biting and hair pulling);
- 9.2.4 physical or emotional abuse or harassment (to include behaviour that may be categorised as 'banter', 'just having a laugh', 'part of growing up' or 'boys being boys');

- 9.2.5 initiation / hazing type violence and rituals (which may include but is not limited to activities involving harassment, abuse or humiliation used as a way of initiating a person into a group);
  - 9.2.6 abuse in intimate personal relationships between peers (teenage relationship abuse);
  - 9.2.7 sexual violence, sexual harassment and upskirting and other harmful / inappropriate sexual behaviour;
  - 9.2.8 consensual and non-consensual sharing of nudes and semi-nude images and / or videos;
  - 9.2.9 behaviour in contravention of the School's policies on the acceptable use of technologies or online safety;
  - 9.2.10 supply or possession of pornography;
  - 9.2.11 behaviour which may constitute a criminal offence, such as:
    - (a) possession or use of firearms, knives, or other weapons;
    - (b) vandalism, defacement and / or destruction of school property.
  - 9.2.12 Deliberate leaving or attempting to leave the school premises or the supervision of a member of staff when on an educational visit;
  - 9.2.13 persistent minor breaches of discipline or attitudes or behaviour which are inconsistent with the School's ethos;
  - 9.2.14 other misconduct which affects the welfare of a member or members of the School community, or which brings the School into disrepute (single or repeated episodes); and
  - 9.2.15 other misconduct specifically provided for in the School's parent contract and the school's aims, values and expectations.
- 9.3 Sanctions for serious breaches of discipline include:
- 9.3.1 **Suspension:** a pupil may be sent or released home for a limited period as a neutral act pending the outcome of an investigation or a Governors' review and for a further ten school days as a disciplinary sanction in its own right.
  - 9.3.2 **Removal:** the Parents may be required to remove a pupil from the School if, after consultation with one or more of the Parents and if appropriate, the Head is of the opinion that:
    - (a) the pupil has committed a breach or breaches of School rules or discipline for which removal is the appropriate sanction; or
    - (b) by reason of the pupil's conduct or behaviour, the pupil is unwilling or unable to benefit sufficiently from the educational opportunities and / or the community life offered by the School; or
    - (c) one or more of the Parents have treated the School or members of its staff or any member of the School community unreasonably.

In these circumstances, and at the sole discretion of the Head, the Parents may be permitted to withdraw the pupil as an alternative to removal being required.

- 9.3.3 **Exclusion:** a pupil may be excluded from the School for a serious breach of discipline as defined in 9.2, suspected, criminal offences and for the avoidance of doubt, for persistent lower-level breaches.
- 9.3.4 Removal or exclusion sanctions will form part of the pupil's school permanent disciplinary record but will not normally be used in references.
- 9.4 An allegation, complaint, or rumour of a serious breach of discipline will be investigated in accordance with the procedures set out in Appendix 4.
- 9.5 Complainants will be taken seriously, and the School will carefully discharge its duty of care to both complainants and those pupil(s) accused. Reporting concerns is encouraged by the School. A complainant is not creating a problem by reporting an allegation, complaint or rumour and should not feel ashamed or embarrassed for making a report.
- 9.6 If the findings of the investigation, on the balance of probabilities, support the allegation, complaint, or rumour of a serious breach of discipline, a disciplinary meeting will be held in accordance with the procedures set out in Appendix 5.
- 9.7 The School will act fairly and in accordance with the principles of natural justice and will ensure that where a pupil's place at the School is at risk, the Parents and the pupil are provided with sufficient information about the allegations to understand them and the factual findings made in the investigation, and will have an opportunity to make representations about:
- 9.7.1 the factual findings made;
- 9.7.2 whether or not they constitute serious misconduct; and
- 9.7.3 the sanctions under consideration.
- 9.8 Sanctions imposed will be fair and proportionate to the breach.
- 9.9 If a pupil is withdrawn from the School before the conclusion of disciplinary procedures, the School reserves the right to complete the procedures, in the absence of the pupil and the Parents if necessary, and to make appropriate findings. The School reserves the right to report these findings to regulators and / or local authorities / police and / or refer to disciplinary procedures and findings in references provided for the pupil.
- 9.10 The School's aim is to deal with disciplinary matters sensitively and with due respect for the privacy of any individuals involved. Pupils and their parents must treat as confidential any information communicated to them in connection with an investigation or disciplinary matter.
- 9.11 A pupil and/or their parents must not make electronic recordings of any meeting conducted under this procedure and doing so may be treated as a separate disciplinary matter. The School may take steps to protect the identity of witnesses if it believes their identity should remain confidential.
- 10 **Intervention, support, and reintegration**
- 10.1 The School will, as far as practicable, adopt a range of initial intervention strategies to help pupils manage their behaviour and reduce the likelihood of suspension and permanent exclusion. The School has a system in place to ensure leaders are aware of pupils whose behaviour is a cause for concern.

- 10.2 The range of intervention strategies that the School may put in place include as appropriate but are not limited to:
- 10.2.1 frequent and open engagement with parents;
  - 10.2.2 providing mentoring and coaching;
  - 10.2.3 short-term behaviour report cards or longer-term behaviour plans; and
  - 10.2.4 engaging with local partners and agencies to address specific challenges such as poor anger management, a lack of resilience and difficulties with peer relationships and social skills.
- 10.3 Where the School has serious concerns about a pupil's behaviour it will consider appropriate interventions, including but not limited to, whether an assessment of a pupil's SEND is appropriate; where a pupil has an Education, Care and Health Plan, whether an emergency review is appropriate and / or whether a multi-agency assessment is appropriate.
- 10.4 Following a sanction, the School will consider appropriate strategies to help the pupil(s) involved understand how to improve their behaviour and meet the behaviour expectations of the School. As far as reasonably practicable, this support will be delivered by appropriately trained designated staff.
- 10.5 The School will consider and apply appropriate strategies for the reintegration of a pupil, for example, following removal from the classroom or suspension.

## 11 **The role of parents**

- 11.1 The School seeks to work in partnership with Parents over matters of discipline, and it is part of the Parents' obligations to the School to support the School conventions and rules and this policy.
- 11.2 Parents will normally be informed as soon as reasonably practicable of any suspicion that their child has been involved in serious misconduct but may be prevented from doing so immediately e.g., by the police if they are involved.
- 11.3 All Parents will be notified of any pending disciplinary hearing in accordance with paragraph 9.7.
- 11.4 Parents will be notified of disciplinary sanctions:
- 11.4.1 imposed for significant minor breaches of discipline (i.e., Headmaster's detention or more serious sanctions or persistent minor breaches such as demerits); and those
  - 11.4.2 imposed for serious breaches of discipline and any rights of review;
- as required and / or within school reports.
- 11.5 Parents will be consulted about the child's conduct and the application of this policy to their child where the School considers, in its professional judgement, that these give rise to significant concern about pupil welfare.

## 12 **The role of pupils**

- 12.1 Every pupil will be made aware of the School's behaviour standards, expectations, pastoral support and the school's approach to a failure to meet required standards. Pupils will be taught they have a duty to follow the school behaviour policy and uphold the school rules and should contribute to the school culture.

12.2 Pupils should be asked about their experience of behaviour and asked to provide feedback on the School's behaviour culture. Every pupil will be supported to achieve the behaviour standards, including an induction process that familiarises them with the School's behaviour culture.

### 13 **Additional needs**

13.1 In respect of a pupil with a disability as defined by the Equality Act 2010, the School will make such adjustments to this policy and its implementation as it is reasonable to have to make to avoid substantial disadvantage to a pupil. In making such adjustments and considering the action to be taken under this policy (as adjusted), the School will have regard to the following:

13.1.1 whether reasonable steps have been taken to understand and address the pupil's educational and or other needs or vulnerabilities;

13.1.2 whether all reasonable adjustments have been made to try to manage the behaviour(s) which are under consideration;

13.1.3 whether in the light of conclusions reached in respect of 13.1.1 and 13.1.2, the action to be taken under this policy is a proportionate means of achieving one or more of the School's legitimate aims, which include:

(a) ensuring that education, benefits, facilities and services are targeted at those who most need them;

(b) the fair exercise of powers;

(c) ensuring the health and safety of pupils and staff, in light of clearly identified risks (with due attention to the potential need to refer concerns arising externally as required under the School's Child Protection and Safeguarding Policy and Procedures);

(d) maintaining academic and behaviour standards; and

(e) ensuring the wellbeing and dignity of pupils.

13.2 If there is a concern that a pupil's behaviour is as a result of unmet educational or other needs, advice should be sought from the Head / Head of Learning Support and further action in accordance with the School's Learning Support Policy will be considered.

13.3 The School recognises that it may be difficult for pupils to make a transition into the School and immediately adopt the School's values. The School pays special attention to ensure that new pupils are supported in the early days after joining.

13.4 In the Early Years, particularly in Nursery, it is recognised that extreme poor behaviour may be due to excessive tiredness. In the event of repeated behaviour issues, children's hours may be reviewed with parents and reduced hours or a temporary break from school may be encouraged.

### 14 **Safeguarding and child-on-child abuse**

14.1 Some behaviour by a pupil towards another may be of such a nature that safeguarding concerns are raised. The School will adopt a zero-tolerance approach to abuse in order to prevent harm to pupils. Safeguarding issues can manifest themselves via child-on-child abuse. This includes, but is not limited to:

- 14.1.1 bullying (including cyber-bullying, prejudice-based and discriminatory-based bullying);
  - 14.1.2 physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (which may include an online element which facilitates, threatens and / or encourages physical abuse);
  - 14.1.3 sexual violence and / or sexual harassment (which may include an online element which encourages sexual violence);
  - 14.1.4 causing somebody to engage in sexual activity without consent;
  - 14.1.5 upskirting and / or attempts to commit upskirting;
  - 14.1.6 consensual and non-consensual sharing nudes and semi-nudes images and or videos (also known as sexting or youth produced sexual imagery); and
  - 14.1.7 initiation / hazing type violence and rituals (which may include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element).
- 14.2 Child-on-child abuse can occur both inside and outside of School and may be taking place whilst not being reported. A one size fits all approach is not appropriate for all pupils, and a contextualised approach for more vulnerable pupils, victims of abuse and pupils with special educational needs and disabilities may be required. Certain behaviours, for example dismissing sexual harassment as "just banter", "just having a laugh", "part of growing up" or "boys being boys" can lead to a culture of unacceptable behaviours and create an unsafe environment for pupils. In worst case scenarios, dismissing sexual harassment can lead to a culture that normalises abuse and pupils accepting it as normal and not coming forward to report it.
- 14.3 Technology is a significant component in many safeguarding and well-being issues. Pupils are at risk of abuse online as well as face to face. This can take the form of abusive, harassing, and misogynistic messages, the non-consensual sharing of indecent images, especially around chat groups, and the sharing of abusive images and pornography.
- 14.4 In line with the School's aims and culture of openness and encouragement to report, the School's policy and procedures with regard to child-on-child abuse are set out in child School's child protection and safeguarding policy and procedures. If behaviour and discipline matters give rise to a safeguarding and child protection concern, either in relation to the alleged victim(s) or perpetrator(s) or, more widely, in relation to ensuring the safety and welfare of pupils and / or staff, the DSL (or a deputy) should take a leading role in decision making and the procedures in the child protection and safeguarding policy and procedures will take priority.

## 15 **Malicious allegations**

- 15.1 Where a pupil makes an allegation which is determined to be unsubstantiated, unfounded, false or malicious, the DSL will consider whether the pupil is in need of help or may have been abused by someone else and this is a cry for help. A referral to external agencies may be appropriate in these circumstances. The Head will also consider whether to take disciplinary action against the pupil in accordance with this policy.
- 15.2 Where a Parent has made a deliberately invented or malicious allegation, the Head will consider whether to require that Parent to remove their child or children from

the School on the basis that they have treated the School or a member of staff unreasonably and compromised the requirement for mutual trust and confidence.

- 15.3 The School will consider a malicious allegation to be one where there is sufficient evidence on the balance of probabilities to disprove the allegation and that, by the same test there is sufficient evidence that there has been a deliberate act to deceive.

## 16 **Use of reasonable force**

- 16.1 Corporal punishment is not used at the School and force must never be used as a form of punishment.

- 16.2 Any use of force by staff will be reasonable, proportionate and lawful. Reasonable force will be used as set out within the DFE guidance 0 (DFE, 2013) More detailed guidance about the use of reasonable force is provided to staff in the Staff code of conduct.

## 17 **Searching pupils**

- 17.1 School staff may search a pupil or their possessions and boarding or trip accommodation for any item if the pupil agrees. If a member of staff suspects that a pupil has a banned item in their possession, they can instruct the pupil to turn out their pockets or bag. If the pupil refuses, sanctions will be applied in accordance with this policy. The School recognises that it must take into consideration the age of the pupil, particularly whether they are of sufficient age and understanding to agree to a search. In most cases, it will be appropriate for the School to obtain parental permission if the pupil is under 10 years old.

- 17.2 If a pupil refuses to co-operate with a search the Head, and staff authorised by the Head, may use reasonable force to search a pupil or a pupils' possessions, where they have reasonable grounds for suspecting that a pupil has a certain type of "prohibited item" in their possession. Please see Appendix 7 for the School's policy on searching and confiscation and the definition of "prohibited items" for which force may be used.

## 18 **Staff training**

- 18.1 The School ensures that regular guidance and training is arranged on induction and at regular intervals thereafter so that staff and volunteers understand what is expected of them by this policy and have the necessary knowledge and skills to carry out their roles. This includes:

18.1.1 how staff can support pupils in meeting high standards of behaviour;

18.1.2 how staff can ensure that this policy and sanctions is applied in a way that is consistent, fair, proportionate and predictable way; and

18.1.3 where applicable to reflect the needs of particular pupils.

- 18.2 The level and frequency of training depends on the role of the individual member of staff.

- 18.3 The School maintains written records of all staff training.

## 19 **Risk assessment**

- 19.1 Where a concern about a pupil's welfare is identified, the risks to that pupil's welfare will be assessed and appropriate action will be taken to reduce the risks identified.

- 19.2 The format of risk assessment may vary and may be included as part of the School's overall response to a welfare issue, including the use of individual pupil welfare plans (including Education Health and Care plans, as appropriate). Regardless of the form used, the School's approach to promoting pupil welfare will be systematic and pupil focused.
- 19.3 The Head has overall responsibility for ensuring that matters which affect pupil welfare are adequately assessed and for ensuring that the plans are implemented, monitored and evaluated as required.
- 19.4 Day to day responsibility to carry out risk assessments under this policy will be delegated to The Deputy Head (pastoral), Head of Upper School, Head of Middle School, Head of Lower School or Head of Pre-Prep who have been properly trained in, and tasked with, carrying out the particular assessment. (See also: risk Assessment for Pupil Welfare Policy).
- 20 **Record keeping**
- 20.1 All records created in accordance with this policy are managed in accordance with the School's policies that apply to the retention and destruction of records.
- 20.2 The School will establish and maintain a strong and effective system for data recording including all parts of behaviour culture that is collected from a range of sources and that is regularly objectively analysed and monitored by appropriate skilled staff.
- 20.3 The School will keep a separate record for:
- 20.3.1 allegations and concerns reported in respect of:
- (a) sexual harassment or sexual violence;
  - (b) bullying, discriminatory and prejudiced behaviour, either directly or indirectly, including racist, sexist, disability and homophobic / biphobic / transphobic bullying, use of derogatory language and racist incidents.
  - (c) exclusions and suspensions, pupils taken off roll, incidents of poor behaviour, use of internal isolation and sanctions imposed for serious misbehaviour.
- 20.3.2 The record will be held on the School's Management Information System and within the serious disciplinary offences file held by the Deputy Head (pastoral). The record will include:
- (a) the name and year group of the pupil concerned;
  - (b) the nature and date of the offence;
  - (c) the sanction imposed and reason for it;
  - (d) the name of the person imposing the sanction; and
  - (e) identifying whether these are relating to boarding.
- 20.4 The School will keep a record of any search by a member of staff for a "prohibited item" and all searches conducted by police officers. This will be recorded in the School's safeguarding reporting system.



- 20.5 This record is reviewed regularly by the Deputy Head (pastoral) so that patterns in behaviour can be identified and managed appropriately. This will also help if / when responding to any complaints about the way a case has been handled by the School.
- 20.6 The records created in accordance with this policy may contain personal data. The School's use of this personal data will be in accordance with data protection law. The School has published on its website privacy notices which explain how the School will use personal data.
- 20.7 Overall statistics are made available to the Independent School's Inspectorate (ISI) on an annual basis and are monitored by Governors.

## 21 **Monitoring and review**

<b>Date of adoption of this policy</b>	September 2024
<b>Date for next review of this policy</b>	September 2025
<b>Person responsible for monitoring and implementation</b>	Head Deputy Head (pastoral)

## Appendix 1: School aims, values and expectations

The aims, values and expectations of the School are set out on the School website, staff intranet, in the pupil planners and displayed in classrooms.

### 1 Aims

- 1.1 The School aims to provide a friendly and nurturing environment which promotes well-being. It seeks to uncover and develop potential, whilst maintaining a balance with traditional childhood experiences. The school wishes its pupils to develop self-confidence, self-discipline, and a strong values system.

### 2 Values

- 2.1 We show **integrity** through our honesty and strong moral character. We stand up for what is right, even when that is difficult.
- 2.2 We show **industry** by drawing on our attitudes to learning, collaborating, reflecting, and striving to achieve the highest possible standards in everything we do.
- 2.3 We show **resilience** by having a positive mindset, learning from our mistakes, and persevering when we face a challenge.
- 2.4 We show **respect** for our environment, ourselves, and everyone in our community, by being safe, supportive, and inclusive.
- 2.5 Everyone belongs here. We celebrate diversity and show understanding and **acceptance** of different beliefs. We stand against any form of prejudice or discrimination.

### 3 Expectations

- 3.1 As a **community**, we aim to live up to these values by following the expectations below:
- 3.1.1 doing the right thing, even when no one is watching;
- 3.1.2 taking responsibility for, and being proud of, the school buildings, and facilities;
- 3.1.3 wearing our uniform smartly and with pride;
- 3.1.4 looking after our equipment, and respecting the property of others;
- 3.1.5 being on time for lessons, with the correct equipment, always ready to give our very best in all that we do;
- 3.1.6 greeting people with eye contact, being courteous, saying 'please', and 'thank you', and aiming for the highest standards of manners;
- 3.1.7 standing to one side to let an adult pass, and standing up when an adult enters the room;
- 3.1.8 respecting other people, and understanding that it is okay to have different opinions, and celebrate our differences;
- 3.1.9 being willing and ready to make mistakes, to learn from them, and bounce back quickly;

- 3.1.10 move around the school safely and respectfully, using the paths and crossings provided, and queueing for lessons and lunch in a safe and dignified manner.

## **Appendix 2: Rewards**

1. The School encourages all staff to positively reinforce good behaviour, good deeds, and achievements. The School's rewards system enables pupils to gain recognition for their unique skills and abilities and for their personal and social growth

### **2. Prep School Awards**

#### **2.1. Recognition of good behaviour and celebration of achievements**

- 2.1.1. All staff are encouraged to use praise as a prompt response to positive behaviour or achievement;
- 2.1.2. Pupils also have 'acts of kindness' recognised by having their photo, and the reason why they are being celebrated, on the acts of kindness board, in the corridor of the Main House. They will also feature in the School's weekly Newsletter;
- 2.1.3. Class and subject teachers will, from time to time, want to incentivise pupils by offering their own rewards. This is acceptable but must not detract from the House points system.

#### **2.2. The House system**

- 2.2.1. The House system encourages every pupil to do their very best in every aspect of school life and by doing so, earn points for their House. House points are awarded by any member of staff to reward:
  - 2.2.2. above average effort or attainment for that individual;
  - 2.2.3. contribution to the community;
  - 2.2.4. courtesy, good manners, kindness, and consideration for others;
  - 2.2.5. to reinforce behaviour that is seen to set a good example.
- 2.3. House points are recorded in the pupils' 'Planners' (years 3-6), collated each week by form teachers and recorded on the School's management Information System. House points awarded to pupils in Years 7-8 are recorded directly onto the School's Management Information System. House point totals are announced in Assembly every fortnight, with the pupil from each year group winning the most House points receiving a Headmaster's commendation (see paragraph 4, below). The winning House each fortnight earns the right to go into lunch first on that Friday. Screens around the School show the winning pupil names and the current winning house.
- 2.4. In Year 2 children collect house point tokens. These are kept collectively in a house jar in each classroom. Each week a member of each house counts the class total and records this as a tally in the classroom. The tokens are then transferred to the year group house boxes in the entrance corridor. Year 2 house points are included in the school totals each fortnight.

2.5. Each House has their own trophy and after each House event, a small plaque is added to the winning house trophy. Trophies are displayed in the Pre-Prep, Lower School and Main School receptions.

## **2.6. Headmaster's Commendations**

2.6.1. Headmaster's Commendations are awarded when a pupil's attainment, effort, or behaviour is, by their personal standards, outstanding. They are also awarded to one pupil from each year group every fortnight for winning the most House Points for their House.

2.6.2. The teacher or Head of House will complete a Headmaster's Commendation bookmark and hand it to the pupil. The pupil will then take this to the Main School reception. Pupils who achieve a Headmaster's Commendation are invited to a Thursday morning tea with the Headmaster.

## **2.7. End of Term Assemblies and Speech Day**

2.7.1. At the end of term, assemblies take place in section groups and children are awarded certificates for excellence, effort and for consistently upholding the school values.

2.7.2. At the end of the Summer Term, Speech Day is held to celebrate the achievements of the Year 8 pupils. Department cups, prizes and other prizes are awarded with an emphasis on the Year 8 leavers. These are awarded to pupils who have shown consistent levels of effort and performance in academic, sporting, and other extracurricular areas. Pupil receiving these awards win a trophy and a book.

## **2.8. Leadership Award Schemes**

2.8.1. Year 8 pupils have the opportunity to take on leadership roles. They must earn this right by setting a good example to others, responsibly and reliably undertaking duties, and supporting the school's aim values and expectations. All Year 8 'senior leaders' are expected to set a good example to the other children around them and act as role models for younger children in the school and their peers. Senior Leaders undertake mediation training, so that they will have the skills necessary to resolve minor disputes between other children.

2.8.2. Leadership positions will be selected both based on their leadership skills and the application that they submit to the Head of the Upper School. If children aspire to be in a position of responsibility at the end of Year 7, they need to have demonstrated appropriate behaviour throughout the year, as well as some evidence of leadership qualities. The decision regarding their suitability for leadership status will be made by the Head of the Upper School, in consultation with other teachers and the Senior Management Team. Pupils will need to have demonstrated that they have undertaken

duties in Year 7 with a good level of commitment, common sense and leadership potential. Senior Leaders need to prove that they are accountable for their actions and behaviour and that they are aware that with rights come responsibilities.

2.8.3. It is considered a privilege to be selected for a senior position and the behaviour of children who are in a position of responsibility is expected to reflect this after their selection, even more so than prior to it.

### 3. Pre-Prep Awards

3.1. Children ranging from rising 3 to 7 years old in the Pre-Prep. This is where staff help children to lay the foundations for good behaviour throughout the School. Pre-Prep teachers aim to promote positive and considerate behaviour through a range of different strategies. The School understands that young children can be diverted from inappropriate behaviour if given focussed attention or simply by being encouraged to turn their attention to something else. Through observation and assessment, teachers build a clear picture of the children in their class, developing a greater understanding of individual needs and interests. This helps staff to understand the best way to encourage appropriate behaviour in individual classrooms whilst also adopting a consistent approach.

3.2. Children discuss school rules (known as the 'Golden Rules') at the beginning of every term. These are then referred to regularly during the week in order to reinforce 'good' behaviour. The Golden rules are:

3.2.1. Do be gentle. Do not hurt anybody;

3.2.2. Do be kind and helpful. Do not hurt people's feelings;

3.2.3. Do work hard. Do not waste your or other people's time;

3.2.4. Do look after property. Do not waste or damage things;

3.2.5. Do be honest. Do not cover up the truth.

3.3. Pre-Prep staff reward good behaviour to help to develop an ethos of kindness and co-operation. Praise and reward are the main strategies for promoting good behaviour. An outline of the rewards given in the Pre-Prep is as follows:

3.3.1. **Verbal Praise:** positive comments offered throughout the day to all children.

3.3.2. **Award Stickers:** class teacher's award stickers for following the Golden Rules and for improved and excellent work.

3.3.3. **Record of Achievement:** each week, the class teacher recommends pupils (Year 1 to Year 2) who have been particularly helpful or produced an

excellent piece of work to receive a certificate from the Head of Pre-Prep in assembly.

- 3.3.4. **Headmaster's Commendations:** for outstanding work or behaviour, a Headmaster's Commendation bookmark may be awarded. Children are invited to a Headmaster's Tea as a reward and in recognition of their achievement. All children from Reception to Year 2 are recognised with this award at least once an academic year.

### **Appendix 3: Sanctions**

- 1 In addition to the sanctions set out in this Appendix 3, the Head may prescribe and authorise the use of such other sanctions as comply with good education practice and promote good behaviour and compliance with the School values and expectations. Staff also use sanctions as a consequence of inappropriate behaviour that may occur in the classroom or in the playground.
- 2 The School aims to resolve and address poor behaviour directly to deter repeated behaviours, to protect all members of the community and to help pupils improve in order to meet behavioural expectations. The School's values and expectations are revisited regularly during assemblies and form-times.
- 3 Taking disciplinary action and providing appropriate support are no mutually exclusive actions. They can and should happen at the same time if necessary.
  - 3.1 Examples of sanctions may include:
    - 3.1.1 a verbal reprimand and reminder of the expectations of behaviour;
    - 3.1.2 the setting of written tasks such as an account of their behaviour;
    - 3.1.3 loss of privileges e.g., the loss of prized responsibility;
    - 3.1.4 detention;
    - 3.1.5 removal from the classroom
    - 3.1.6 school based community service, such as tidying a classroom;
    - 3.1.7 being placed on a 'support card' for behaviour monitoring;
    - 3.1.8 suspension; and
    - 3.1.9 in the most serious of circumstances, expulsion.
- 4 Alternative arrangements for sanctions can be considered on a case-by-case basis for any pupil where the school believes an alternative arrangement would be more effective for that particular pupil, based on their knowledge of that pupil's personal circumstances.
- 5 The school will have regards to the impact on consistency and perceived fairness overall when considering alternative arrangements.
- 6 In considering whether a sanction is reasonable in all circumstances, the school will consider whether it is proportionate in the circumstances of the case. It will also consider any special circumstances relevant to its imposition including;
  - 6.1 the pupil's age;
  - 6.2 any special educational needs or disability they may have; and
  - 6.3 any religious requirements affecting them.
- 7 **Prep School sanctions**
  - 7.1 Children who do not adhere to our high expectations in Year 5 and above will receive a letter mark in their 'student planner'. The letter mark serves a dual purpose. Firstly, it allows a simple form of communication between staff member and parents. Secondly, it allows the Form Teacher to keep track of the pupil and tutor accordingly (e.g., if a child is constantly calling



out in class or is consistently late for lessons without good reason, his/her Form Teacher needs to be aware of this, so that they can put in place suitable strategies to support and monitor the child).

- 7.2 **Letter marks:** The following letter marks can be given out:
- 7.2.1 L-for lateness;
  - 7.2.2 B-for inappropriate behaviour inside or outside the classroom;
  - 7.2.3 U - uniform
  - 7.2.4 D-for disruption to lessons;
  - 7.2.5 E-for equipment missing;
  - 7.2.6 W-for producing little or no work (this can include prep).
- 7.3 Letter marks L, U, E and W are given as communication tools to alert the Form Teacher to follow up with the pupil and provide support. If there are persistent issues, Form Teachers will get in touch with parents. Letter marks B and D are given when poor choices are made by pupils and support is provided so that they can get it right. These letter marks are communicated to parents by the Form Teacher.
- 7.4 In Years 3 and 4, where minor breaches of discipline occur, the Form Teacher will speak to the pupil to explain the importance of upholding high standards.
- 7.5 **Minor Sanctions**
- 7.5.1 **Form Teacher Tutorial:** if pupils in Year 5 and above receive 3 letter marks for Behaviour or Disruption in a week or if a pupil (in Years 3 – 8), in isolation, fails to uphold the School's values and expectations or causes upset then they will receive a Form Teacher Tutorial. These tutorials are primarily a way to help correct behaviour and recalibrate.
  - 7.5.2 **Mid – Level Sanctions - Head of Section Tutorial:** if a pupil receives 3 Form Tutor Tutorials in a term, then the next stage is to escalate the sanction to a Head of Section Tutorial. These tutorials take place during a break or lunch and will usually last 30 minutes. During the tutorial the Head of Section will work with the pupil to find strategies to help correct any poor choices of behaviour.
  - 7.5.3 Pupils may also skip the Form Tutor Tutorial and go straight to the Head of Section Tutorial if an incident is deemed serious enough. Fights, poor choice of language or breaking the school rules might all constitute going straight to a Head of Section detention.
- 7.6 **Higher Level Sanctions**
- 7.6.1 **Deputy Head Detention:** pupils receive a Deputy Head Detention if they receive 3 Head of Section Tutorials in a term or if they have broken school rules of a more serious nature. Isolated incidents that can also warrant a Deputy Head Detention are:
    - (a) Poor attitude in relation to academic work
    - (b) Unacceptable behaviour

- (c) Direct disobedience
- (d) Intentionally hurting others
- (e) Foul Language or inappropriate comments
- (f) A clear breach of expected sensible behaviour
- (g) Defacing property or belongings

7.6.2 **Headmaster's Detention:** pupils are given a Headmaster's detention if their behaviour after a Deputy Head detention continues to fall short of the School's expectations or a more significant breach of the rules occurs than those listed above. These take place after school on a Friday and parents are given a minimum of 24 hours' notice.

7.7 **Creative Sanctions:** it is important that poor behaviour be seen in the context of an individual's personal circumstances. Additional sanctions may include loss of Golden Time, Community Service or loss of privileges. These must always be devised with the relevant members of staff (Form Teacher, Head of Section, Deputy Head Pastoral and/or the Headmaster).

7.8 **Sanctions will be accompanied by support:**

7.8.1 Interaction with Form Teacher or Tutor (Why did the incident/behaviour happen? How can we prevent it from happening again?);

7.8.2 Restorative Circle (Who was affected by the behaviour? What can be done to make the situation right?);

7.8.3 Conflict resolution (involving mediation);

7.8.4 Heads of Year (Tutorial, Behavioural Report card);

7.8.5 Deputy Head (mentoring, counselling, mediation, involving parents);

7.8.6 School Counsellor;

7.8.7 Head (any of the above, referral to outside agencies).

7.9 All consequences, together with details of the circumstances, should be entered onto the School Management Information System, in the Incident Log, and emailed to relevant staff.

7.10 It is not considered appropriate for punishments to be deferred until after a holiday period and every attempt should be made to resolve issues before a holiday begins. In doing so, pupils' safety, well-being and emotional development are carefully balanced with the needs of the community.

## 8 **Pre-Prep School (including EYFS) Sanctions**

8.1 Excellent classroom management is key to good discipline with younger pupils. Teachers are expected to socialise pupils into acceptable behaviour, by having clear expectations and boundaries, and by modelling appropriate behaviour. Every effort is made to help pupils make the right choices of behaviour.

- 8.2 Such boundaries should be consistent, and in maintaining these boundaries, staff will be familiar with the School's underlying principles on behaviour and the climate of praise.
  - 8.3 In circumstances where teachers are unable to progress a situation through usual class-management strategies, a pupil may:
    - 8.3.1 Be given a verbal warning: this is given as an immediate response to inappropriate behaviour;
    - 8.3.2 Be Moved away from a group: a child may be moved away from children to lessen the distractions;
    - 8.3.3 Be given warnings: children are reminded that their inappropriate behaviour may result in a timeout;
    - 8.3.4 Receive a Timeout: a child may miss a set amount of time from their playtime, golden time, or a special activity.
  - 8.4 A discussion is always held with pupils when a sanction is used to help pupils understand the situation and move forward positively. Where appropriate, an apology to the appropriate person would be issued. Parents are involved at an early stage.
  - 8.5 If inappropriate behaviour continues, children will be sent for a tutorial with the Head of Pre-Prep or the Nursery Lead (as appropriate). If the behaviour persists, parents will be informed and meet with child's teachers to establish a behaviour programme to help the children conform to the School's behavioural expectations. On rare occasions the Headmaster or Deputy Head (Pastoral) may also become involved if a child is not responding to all other behavioural strategies. If the Deputy Head or Head do need to become involved, then a Deputy Head Tutorial or Headmaster's Tutorial would be the expected next step. The School wants to help children take responsibility for their behaviour, repair any harm, and restore good relationships.
  - 8.6 Pre-Prep Assembly themes are planned to encourage good behaviour, respect, friendship, and manners. We talk to children in regular circle times about feelings and about how to treat others. If an incident occurs which results in children being hurt, all parties are given time to reflect and talk about how they feel and what they could do to ensure it does not happen again.
  - 8.7 All incidents involving children hurting others are recorded on the School's Management Information System. This allows the School to keep a log of incidents that have occurred over time and track patterns of behaviour.
- 9 **Creative Sanctions:** It is important that poor behaviour be seen in the context of an individual's personal circumstances. Additional sanctions may include loss of Golden Time, Community Service or loss of privileges. These must always be devised with the relevant members of staff (Form Teacher, Head of Pre-Prep, Deputy Head (Pastoral) and/or the Head)

#### **Appendix 4: Investigations into serious breaches of discipline**

- 1 The Head will generally appoint a senior member of staff to carry out an investigation of an allegation, complaint, or rumour of serious breaches of discipline, but if appropriate, the Head may investigate matters themselves or instruct a third party to undertake the investigation. The purpose of such an investigation is to make findings on the balance of probabilities, where possible, as to what has happened. The investigator should not have had any prior involvement in the management of any of the matters under investigation.
- 2 If the pupil is to be interviewed as part of the investigation, consideration will be given as to whether the pupil should be accompanied by a Parent or member of staff and in any event a note of the interview will be made by the interviewing member of staff.
- 3 Arrangements may be made for a pupil to be taught outside of their normal cohort or may be suspended from the School as a neutral act pending the outcome of a disciplinary process. Should a suspension continue for a period of more than five School days, the School will take reasonable steps to put in place arrangements to ensure the continuing education of the pupil and will keep the terms of the suspension under regular review. Parents should note that there may be a delay in providing work whilst teaching staff are given the opportunity to determine what work should be set. Alternatively, and at the discretion of the Head, the pupil may be offered a segregated regime on School premises.
- 4 A pupil's space or following appropriate risk assessment belongings may be searched during the course of the investigation. See Appendix 7 of this policy for the School's policy on searching and confiscation.
- 5 It may be necessary to delay the School's investigation or put it on hold, for example where external agencies such as the police or social services are involved and have recommended this. A decision to suspend an investigation will take into account advice from appropriate external agencies and will be subject to periodic review. In relation to alleged sexual violence or sexual harassment, the School will have regard to KCSIE, and the School's DSL (or a deputy) will take a leading role on decisions.
- 6 If considered necessary, the School may make arrangements for legal representation for the pupil to be funded entirely at the Parents' expense. Regardless of delays caused by a police or other external agency investigation, the School will provide appropriate pastoral and other support for all pupils (including the victim and / or the perpetrator(s)) affected by the allegations under investigation while they remain on the School roll.
- 7 Where the pupil is the subject of a police investigation the DSL will liaise with the Head to inform them of issues relating to the police investigations and the statutory requirements for children to have an appropriate adult. The role of the appropriate adult is to safeguard the rights, entitlements and welfare of juveniles to whom the provisions of PACE code C and any other code of practice apply.
- 8 The outcome of the investigation, where delegated to a member of staff or other third party, will be reported to the Head. If the findings of the investigation appear to support the allegation, complaint or rumour, a disciplinary meeting will then be convened in accordance with the procedures in Appendix 5 of this policy.
- 9 Considerations when there is suspected criminal behaviour:

- 9.1 Before investigating a behaviour incident, the School will consider whether a criminal offence may have been committed and should be reported to the Police.
- 9.2 The School will carry out the minimum investigation required to be able to establish this, and before making a decision, will consider its duty to safeguard the pupils of the School (including any victims or alleged perpetrators) by assessing and balancing the risk of reporting the matter to the Police on the mental health and wellbeing of the pupil and others, as well as the risk of not making a report to the Police.
- 9.3 Where a report is made to the Police, the School will not act in a way which could prejudice a criminal investigation.
- 9.4 Depending on the individual circumstances of the case, and usually having liaised with the Police, the School may decide to continue its investigation and impose sanctions.
- 9.5 The School will follow its Child Protection and Safeguarding policy and procedures at all times, and when making a report to the Police it may also be appropriate to make a report to Children's Social Care Services, usually led by the DSL.

## **Appendix 5: Disciplinary meeting with the Head**

1 Where the findings of the investigation into an allegation, complaint or rumour of a serious breach of discipline appear to support the allegation, complaint or rumour, a disciplinary meeting with the Head will take place.

### **2 Attendance**

2.1 The pupil and their Parents (if available) will be invited to attend the disciplinary meeting with the Head. Where the complaint concerns the behaviour of the Parents, the pupil will not generally be entitled to attend the meeting and this procedure applies to the Parents only.

2.2 The person who undertook the investigation will be in attendance to explain the circumstances of the complaint, their investigation and findings and an additional member of staff will be present to minute the meeting.

2.3 If the Parents or the pupil have any special needs or disability which call for additional facilities or adjustments (e.g., parking or the provision of documents in large print or other accessible format) those requirements should be made known to the Head as soon as reasonably practicable so that appropriate arrangements can be made.

2.4 If a Parent is unable to attend because of, for example, travel and working commitments, the School will make reasonable alternative arrangements to ensure the Parent can be involved, remotely, if necessary, with the disciplinary process and their child's education.

### **3 Meeting**

3.1 Documents available at the disciplinary meeting with the Head may include:

3.1.1 a statement setting out the allegations regarding the pupil or, where applicable, the Parents;

3.1.2 relevant documents including:

(a) the investigation report;

(b) the pupil's conduct record;

(c) the relevant School policies and procedures.

3.2 The Head will inform the pupil and their Parents of the range of disciplinary sanctions which the Head considers are open to them.

3.3 The pupil and their Parents will have an opportunity to make representations on:

3.3.1 the investigator's findings;

3.3.2 whether they constitute serious misconduct;

3.3.3 the appropriate sanction to be imposed.

3.4 Unless the Head considers that further investigation is needed, he will close the meeting and inform the pupil and the Parents that they will be notified of their decision in writing or verbally inform them.

#### 4 **Decision**

- 4.1 The Head will consider:
  - 4.1.1 whether the allegation, complaint or rumour has been sufficiently proved. The standard of proof shall be the civil standard, i.e., the balance of probabilities;
  - 4.1.2 whether the findings constitute serious misconduct; and
  - 4.1.3 the appropriate sanction to be imposed (and the pupil's disciplinary record will be taken into account where the complaint concerns the conduct of the pupil).
- 4.2 The Head may expel or remove a pupil or impose any other sanction they consider to be appropriate in accordance with this policy.
- 4.3 The Head will notify the Parents of their decision in writing, with reasons, within three working days of the disciplinary meeting.
- 4.4 A decision to expel or remove a pupil shall take effect within five working days of the date of the Head's letter confirming their decision. Until then, the pupil may remain suspended and away from School premises.

#### 5 **Review**

- 5.1 The Parents or the pupil may request a Review of the Head's decision:
  - 5.1.1 to expel or remove a pupil from the School ;or
  - 5.1.2 where the pupil is suspended from the School for 11 working days or more; or
  - 5.1.3 where suspension would result in the pupil missing a public examination].
- 5.2 A request for a Review must be made in writing within five working days of the date of the Head's letter confirming their decision.
- 5.3 If such a request is made, the pupil shall remain suspended until the Review has taken place and either the sanction is upheld, or a reconsidered decision made.
- 5.4 See the **Expulsion and Removal: review procedure** for further information about requesting a Review and the detail of the procedure.

#### 6 **Leaving status**

- 6.1 If a pupil is expelled or removed, their leaving status will be one of the following: expelled, removed or, if the offer is made by the Head and accepted by the Parents, withdrawn by parents.
- 6.2 Additional points of leaving status to be considered may include:
  - 6.2.1 the form of letter which will be written to the Parents and the form of announcement in the School;
  - 6.2.2 the form of reference which will be supplied for the pupil;
  - 6.2.3 the entry which will be made on the School record and the pupil's status as a leaver;

- 6.2.4 arrangements for transfer of any course and project work to the pupil, their Parents, or another school;
- 6.2.5 whether (if relevant) the pupil will be permitted to return to School premises to sit public examinations;
- 6.2.6 whether (if relevant) the School can offer assistance in finding an alternative placement for the pupil;
- 6.2.7 whether the pupil will be entitled to leavers' privileges;
- 6.2.8 the conditions under which the pupil may re-enter School premises in the future; and
- 6.2.9 **financial aspects:** payment of any outstanding fees and extras; whether the deposit will be returned or credited; refund of prepaid fees.



## **Appendix 6: Use of reasonable force**

- 1 There are circumstances when it is appropriate for staff to use reasonable force to safeguard pupils. Any use of reasonable force will be in accordance with the DfE guidance *Use of reasonable force* (DfE, July 2013).
- 2 Reasonable force may be used to prevent a pupil from doing or continuing to do any of the following:
  - 2.1 committing a criminal offence;
  - 2.2 injuring themselves or others;
  - 2.3 causing damage to property, including their own;
  - 2.4 engaging in any behaviour prejudicial to good order and discipline at the School or among any of its pupils, whether that behaviour occurs in a classroom or elsewhere.
- 3 In these circumstances, force will be used for two main purposes: to control pupils or to restrain them. Reasonable force may be used, for example, to restrain a pupil at risk of harming themselves or another individual or to prevent a pupil leaving a classroom where allowing them to do so would risk their safety or lead to behaviour that disrupts the behaviour of others.
- 4 In addition, reasonable force may be used to conduct a search for certain "prohibited items" (see Appendix 7 below).
- 5 In these circumstances, "reasonable" means using no more force than is needed.
- 6 In deciding whether reasonable force is required, the needs and particular vulnerabilities of individual pupils will be considered, and reasonable adjustments will be made for pupils with special educational needs or disabilities. The School will establish proactive and positive behaviour support strategies for pupils with particular needs, in consultation with their Parents, to reduce the occurrence of challenging behaviour and the need to use reasonable force.
- 7 Where reasonable force is used by a member of staff, the Deputy Head (pastoral) must be informed of the incident, and it will be recorded in writing. The pupil's Parents will be informed about serious incidents involving the use of force. In the EYFS setting, the pupil's Parents will be informed about any use of force on the day of the incident or as soon as reasonably practicable.

## Appendix 7: Searching and confiscation

- 1 All schools have a general power to impose reasonable and proportionate disciplinary measures (Education and Inspections Act 2006). This enables a member of staff to confiscate, retain or dispose of a pupil's property as a disciplinary penalty where it is reasonable to do so.
- 2 The School's policy on searching and confiscation has regard to the DfE guidance *Searching, screening and confiscation: advice for schools* (DfE, September 2022).

### 3 **Prohibited items**

3.1 The following are "prohibited items"

3.1.1 under Section 550ZA(3) of the Education Act 1996 and Regulation 3 of the Schools (Specification and Disposal of Articles) Regulations (SI 2012 / 951):

- (a) knives or weapons, alcohol, illegal drugs, and stolen items;
- (b) tobacco and cigarette papers, vaping devices and the paraphernalia of smoking;
- (c) fireworks, and pornographic images;
- (d) any article that a member of staff reasonably suspects has been, or is likely to be used:
  - (i) to commit an offence; or
  - (ii) to cause personal injury to, or damage to the property of, any person (including the pupil); and

3.1.2 any item banned by the School rules that are identified as being items which may be searched for. (Note that the School will never use force to search for these items: see paragraph 4.3 below).

3.2 The School has banned these items as they reasonably believe them to be likely to cause harm or disruption. Pupils must not have these items in their possession on School premises or at any time when they are in the lawful charge and control of the School

### 4 **Searching pupils**

4.1 Under common law, school staff have the power to search for any item if a pupil agrees. Searches will only be carried out by a member of staff who has been authorised to do so by the Head, or by the Head themselves. The member of staff undertaking the search should ensure the pupil understands the reason for the search and how it will be conducted so their agreement is informed.

4.2 When exercising these powers, the school must consider the age and needs to pupils being searched or screened. This includes the individual needs to learning difficulties of pupils with Special Educational Needs (SEN) and making reasonable adjustments that may be required where a pupil has a disability.

4.3 If a pupil refuses to co-operate with a search for a "prohibited item" as listed in section 3.1.1 above, a member of staff should assess whether it is appropriate to use such force as is reasonable to conduct the search. Force

will never be used to search for other items banned under the School rules, as set out in section 3.1.2 above.

- 4.4 The decision to use reasonable force should be made on a case-by-case basis. Consideration will be given as to whether conducting the search will prevent the pupil harming themselves or others, damaging property or causing disorder.
- 4.5 Where a pupil is not willing to co-operate with a search and is not deemed to have sufficient maturity or understanding of the situation then a parent's co-operation will be sought.
- 4.6 If a pupil refuses to co-operate with a search for items that are not "prohibited items" as listed in section 3 above, disciplinary action may be taken in accordance with the School's behaviour and discipline policy.
- 4.7 If a search is considered necessary, but not required urgently, the advice of the Head / DSL and /or pastoral member staff should be sought. During this time the pupil should be supervised and kept away from other pupils.
- 4.8 Searches will be carried out on School premises or, if elsewhere, where the member of staff has lawful control or charge of the pupil, for example on an educational visit in England or in training settings. When on a trip outside England, the law of that country will apply.
- 4.9 If it is believed that a pupil has a prohibited item, it may be appropriate for a member of staff to carry out:
  - 4.9.1 a search of outer clothing; and / or
  - 4.9.2 a search of School property (e.g., pupils' lockers or desks, bed, studies, or dormitories); and / or
  - 4.9.3 a search of personal property (e.g., bag or pencil case).
- 4.10 Staff will be the same sex as the pupil being searched and there will be a witness (also a staff member) who, if possible, will be the same sex as the pupil being searched. As a limited exception to this rule, staff can carry out a search of a pupil of the opposite sex and / or without a witness present, but only where staff reasonably believe that there is a risk that serious harm will be caused to a person if a search is not carried out as a matter of urgency and in the time available it is not reasonably practicable to summon another member of staff.
- 4.11 A pupil's possessions can only be searched in the presence of the pupil and another member of staff, except where there is a risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.
- 4.12 Where the Head, or staff authorised by the Head, find anything which they have reasonable grounds for suspecting is a prohibited item, they may seize, retain and dispose of that item in accordance with this policy. The staff member should also alert the designated safeguarding lead (**DSL**), or deputy and the pupil will be sanctioned in line with the school's behaviour policy to ensure consistency of approach.

## 5 **Strip searching**

- 5.1 A strip search involving the removal of more than outer clothing and can only be carried out on school premises by police officers under the Police

and Criminal Evidence Act 1984 (**PACE**) Code A and in accordance with PACE Code C. More information is contained within the DfE advice to schools on Searching, Screening and Confiscation (July 2022).

- 5.2 While the decision to undertake a strip search itself and its conduct are police matters, school staff retain a duty of care to the pupil(s) involved and should advocate for pupil wellbeing at all times.
- 5.3 School staff will always consider whether introducing the potential for a strip search through police involvement is absolutely necessary and should always ensure that other appropriate, less invasive approaches have been exhausted.
- 5.4 In order to ensure pupil's wellbeing, the school may wish to involve an appropriate adult as a matter of course during all searches and conducted by police in school.

## 6 **After a search**

- 6.1 Whether or not any items have been found as a result of any search the school will consider whether the reasons for the search or outcome give cause to suspect whether a pupil is suffering or likely to suffer harm and whether any specific support is needed.
- 6.2 Where appropriate school staff will follow the School's Child Protection and Safeguarding Policy and procedures and speak to the DSL about possible pastoral support, early help intervention or a referral to children's social care.

## 7 **Recording searches**

- 7.1 Any search by a member of staff for a prohibited item listed in section 3 above, items banned by the school rules and all searches conducted by police officers will be recorded in the school's safeguarding reporting system, including whether or not an item is found. This will allow the DSL or deputy to identify possible risks and initiate a safeguarding response if required.
- 7.2 Records of the search will include
  - 7.2.1 the date, time and location of the search;
  - 7.2.2 which pupil was searched;
  - 7.2.3 who conducted the search, and any other adults or pupils present;
  - 7.2.4 what was being searched for;
  - 7.2.5 the reason for searching;
  - 7.2.6 what items if any were found; and
  - 7.2.7 what follow up action was taken as a consequence of the search.
- 7.3 The school will analyse any data gathered to consider whether searching falls disproportionately on any group / or groups and whether any actions should be taken to prevent this.

## 8 **Confiscation**

- 8.1 Under the School's general power to discipline, a member of staff may confiscate, retain or dispose of a pupil's property as a disciplinary penalty where it is reasonable to do so.
- 8.2 Confiscation of an item may take place following a lawful search, as set out above, or however the item is found if the member of staff considers it to be harmful or detrimental to School discipline.

## 9 **Searching electronic devices**

- 9.1 An electronic device such as a mobile phone, tablet computer (including a school-owned device) may be confiscated in appropriate circumstances in accordance with this policy. If there is good reason to suspect that the device has been, or could be used to cause harm, to disrupt teaching or break School rules, any data or files on the device may be searched and, where appropriate, data or files may be erased before the device is returned to its owner. Any decision to search a pupil's device should be based on the professional judgment of the DSL and should comply with the School's Child Protection and Safeguarding Policy and Procedures. Any search of an electronic device should be conducted in the presence of the DSL / DDSL and / or a member of the IT staff. Parental consent to search an electronic device is not required but they will be informed after the event unless to do so presents a further risk to a pupil.
- 9.2 Any data or files will only be erased, if there is good reason to suspect that the data or files have been, or could be used to cause harm, to disrupt teaching or break School rules.
- 9.3 Subject to 9.5 below and the requirements set out in KCSIE 2023, if inappropriate material is found on an electronic device, the member of staff may delete the material, retain it as evidence of a breach of School discipline or criminal offence or hand it over to the police if the material is suspected to be evidence relevant to an offence.
- 9.4 Staff should consider the appropriate safeguarding response if they find images, data or files on an electronic device that they reasonably suspect will put a person at risk.
- 9.5 Staff should not view or forward illegal images of a child. When viewing an image is unavoidable staff should follow the School's policy on sharing nudes and semi-nudes images or videos as set out in Appendix 2 of the Safeguarding and Child Protection Policy / consult the advice set out in the *Searching, screening and confiscation advice* (for schools) and UKCIS guidance *Sharing nudes and semi-nudes: advice for education settings working with children and young people*.
- 9.6 The school will comply with data protection law in relation to any search of any electronic device.

## 10 **Disposal of confiscated items**

- 10.1 **Alcohol:** alcohol which has been confiscated will be destroyed.
- 10.2 **Controlled drugs:** controlled drugs will usually be delivered to the police as soon as possible. In exceptional circumstances and at the discretion of the Head or authorised member of staff, the drugs may be destroyed without the involvement of the police if there is good reason to do so. All

relevant circumstances will be taken into account and staff will use professional judgement to determine whether the items can be safely disposed of. They will not be returned to the pupil.

- 10.3 **Other substances:** substances which are not believed to be controlled drugs, but which are harmful or detrimental to good order and discipline may be confiscated and destroyed. Where it is not clear whether or not the substance seized is a controlled drug, it will be treated as such and disposed of as above.
- 10.4 **Stolen items:** stolen items will usually be delivered to the police as soon as possible. However, if, in the opinion of the Head or authorised member of staff, there is good reason to do so, stolen items may be returned to the owner without the involvement of the police. In taking into account the relevant circumstances, the member of staff should consider: the value of the item; whether the item is banned by the school; whether retaining or returning the item may place any person at risk of harm; and whether the item can be disposed of safely.
- 10.5 **Tobacco or cigarette papers:** tobacco, cigarette papers, vapes or the paraphernalia of smoking or vaping will be destroyed.
- 10.6 **Fireworks:** fireworks will not be returned to the pupil. They will be disposed of safely at the discretion of the Head or other authorised member of staff.
- 10.7 **Pornographic images:** pornographic images involving children or images that constitute "extreme pornography" under section 63 of the Criminal Justice and Immigration Act 2008 will be handed to the police as soon as practicable. As possession of such images may indicate that the pupil is at risk of harm, the Designated Safeguarding Lead will also be notified and will decide whether to make a referral to children's social care.
- 10.8 Other pornographic images will also be discussed with the DSL. The images may then be passed to children's social care for consideration of any further action. If no action is to be taken by the local authority the images will be erased after a note has been made for disciplinary purposes, confirming the nature of the material.
- 10.9 **Article used to commit an offence or to cause personal injury or damage to property:** such articles may, at the discretion of the Head or authorised member of staff taking all the circumstances into account, be delivered to the police, returned to the owner, retained or disposed of. In taking into account all relevant circumstances the member of staff should consider: whether it is safe to dispose of the item; and whether and when it is safe to return the item.
- 10.10 **Weapons or items which are evidence of an offence:** such items will be passed to the police as soon as possible.
- 10.11 **An item banned under School rules:** such items may, at the discretion of the School or authorised member of staff taking all the circumstances into account, be returned to its owner, retained or disposed of. In taking into account all relevant circumstances, the member of staff should consider: the value of the item; whether it is appropriate to return the item to the pupil or parent; whether the item is likely to disrupt learning or the calm, safe and supportive environment of the school.
- 10.12 Where staff confiscate a mobile electronic device that has been used in breach of School rules to disrupt teaching, the device will be kept safely

until the end of the school day when it can be claimed by its owner, unless the Head considers it necessary to retain the device for evidence in disciplinary proceedings in accordance with 10.13 below. If a pupil persists in using a mobile electronic device in breach of School rules, the device will be confiscated and must be collected by a Parent.

- 10.13 **Electronic devices:** if it is found that a mobile phone, laptop or tablet computer or any other electronic device has been used to cause harm, disrupt teaching or break School rules, including carrying out cyber-bullying, the device will be confiscated and may be used as evidence in disciplinary proceedings. Once the proceedings have been concluded the device must be collected by a Parent and the pupil may be prohibited from bringing such a device onto School premises or on educational visits. In serious cases, the device may be handed to the police for investigation.

## 11 **Communication with Parents**

- 11.1 There is no legal requirement for the School to inform Parents before a search for banned or prohibited items takes place or to seek their consent to search their child and it will not generally be practicable to do so.
- 11.2 Parents should always be informed of any search for a prohibited item listed in paragraph 3 that has taken place and the outcome of the search as soon as practicable. A member of staff should inform parents of what, if anything, has been confiscated and the resulting action the school has taken, including any sanction applied.
- 11.3 In some circumstances it might also be necessary to inform parents of a search for an item banned by the school policy.
- 11.4 We will keep a record of all searches carried out, in accordance with paragraph 7 above.
- 11.5 Complaints about searching or confiscation will be dealt with through the School's parental Complaints policy and procedures.

The School will take reasonable care of any items confiscated from pupils. However, unless negligent or guilty of some other wrongdoing causing injury, loss or damage, the School does not accept responsibility for loss or damage to property.