BEP Group: Policy Pack

staff, volunteers, learners & consultants

BEP GROUP

Student Behaviour
Policy and Procedure

V3. Reviewed: August 2022. Next review: August 2023

Contents

Version Control

27/08/20	KS	V2	Version control introduced. Policy reviewed and minor alterations made.
1/9/21	KS	V2.1	Policy reviewed, no alterations.
August 22	KS/JG	V3	Complete review and rewrite of the policy considering DfE publication: 'Behaviour in Schools, Advice for headteachers and school staff', July 2022

1. Vision and ethos

1.1. Our vision

We are first and foremost a learning community. Disaffected young people often join us as disengaged, hesitant learners. Over time we nurture them to become fully participating members of our school. Our firm belief, and our experience, is that given the right conditions, all young people are capable of extraordinary things. We therefore strive to give disaffected young people the conditions to turn their lives around. We want to create the opportunity for them to see an alternative and set them on the path to success.

1.2. Our ethos

Our School will provide the conditions that equip learners with the personal, employability and resilience skills, knowledge and experiences to turn their lives around and thrive.

1.2.1. We strongly believe everyone deserves a chance to choose the right alternative for them.

1.2.2. We believe that learning is fundamental to the transformation of individuals and society.

1.2.3. We strive to narrow the gap between the worlds of work and education.

1.2.4. We value a culture built on mutual respect and celebrate achievement in all its forms.

1.2.5. We embrace diversity, value difference, show adaptability, rigour and flexibility in identifying and meeting the needs of our learners.

2. Communicating this policy

2.1. Communicating the school policy 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.

2.2. The policy is published on the school website and is directly referred to in the student and parent handbook, issued to all new children at induction.

3. Managing Behaviour

3.1. Our approach to managing behaviour

3.1.1. We believe that we promote good behaviour by creating a happy, caring and safe school environment where pupils, parents/carers and staff feel valued and respected and where any form of anti-social behaviour is not tolerated.

3.1.2. Maintaining a positive culture requires constant work and we strive to positively reinforce the behaviour which reflects the values of the school and prepares pupils to engage in their learning.

3.1.3. Sometimes a pupil's behaviour will be unacceptable, and pupils need to understand that there may be consequences. Sometime this might involve the use of reasonable and proportionate sanctions.

3.2. Responding to good behaviour

3.2.1. Acknowledging good behaviour encourages repetition and communicates the school community's expectations and values to all pupils. Using positive recognition and rewards provides an opportunity for all staff to reinforce the school's culture and ethos. Positive reinforcements and rewards should be applied clearly and fairly to reinforce the routines, expectations, and norms of the school's behaviour culture.

3.2.2. Examples of rewards may include:

a. verbal praise
b. communicating praise to parents via phone call or written correspondence
c. certificates, prize ceremonies or special assemblies
d. positions of responsibility, such as prefect status or being entrusted with a particular decision or project
e. whole-class or year group rewards

3.3. Responding to misbehaviour

3.3.1. When a member of school staff becomes aware of misbehaviour, they should respond predictably, promptly, and assertively in accordance with the school behaviour policy.

3.3.2. The first priority should be to ensure the safety of pupils and staff and to restore a calm environment.

3.3.3. It is important that staff across a school respond in a consistent, fair, and proportionate manner so pupils know with certainty that misbehaviour will always be addressed.

3.3.4. De-escalation techniques can be used to help prevent further behaviour issues arising and recurring and schools may use pre-agreed scripts and phrases to help restore calm.

3.3.5. The aims of any response to misbehaviour should be 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 misbehaviour.

3.3.6. To achieve these aims, a response to behaviour may have various purposes. These include:

a. deterrence: sanctions can often be effective deterrents for a specific pupil or a general deterrent for all pupils at the school.

b. protection: keeping pupils safe is a legal duty of all staff. A protective measure in response to inappropriate behaviour, for example, removing a pupil from a lesson, may be immediate or after assessment of risk.

c. improvement: to support pupils to understand and meet the behaviour expectations of the school and reengage in meaningful education. Pupils will test boundaries, may find their emotions difficult to manage, or may have misinterpreted the rules. Pupils should be supported to understand and follow the rules. This may be via sanctions, reflective conversations or targeted pastoral support.

3.3.7. Where appropriate, staff 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.

3.4. Responding to and supporting pupils with SEND

3.4.1. A school 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.

3.4.2. Schools should 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 to ascertain whether the pupil understood the rule or instruction and whether the pupil was unable to act differently at this time as a result of their SEND.

3.4.3. The school should 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.

3.4.4. In 2018 an Upper Tribunal judgment found that if a child in education has a recognised condition that is more likely to result in a tendency to physical abuse, that can be a disability. This does not necessarily mean that a disabled child will be exempt from sanction.

4. Leadership, management and wider responsibilities

4.1.   Role of the proprietor:

4.1.1.   appoint the principal to be responsible for promoting positive pupil behaviour

4.1.2.   responsibility for the effective implementation, monitoring and evaluation of this policy

4.2.   Role of the school leaders:

4.2.1.   be highly visible, with leaders routinely engaging with pupils, parents and staff on setting and maintaining the behaviour culture and an environment where everyone feels safe and supported

4.2.2.   making sure all staff understand the behavioural expectations and the importance of maintaining them and that 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.

4.2.3.   ensure appropriate training, which is required for staff to meet their duties and functions within the behaviour policy, is available.

4.3.   Role of teachers and staff

4.3.1.   Staff should develop a calm and safe environment for pupils and establish clear boundaries of acceptable pupil behaviour.

4.3.2.   Staff should uphold the whole-school approach to behaviour by teaching and modelling expected behaviour and positive relationships, as defined by the school behaviour policy, so that pupils can see examples of good habits and are confident to ask for help when needed.

4.3.3.   Staff should also challenge pupils to meet the school expectations and maintain the boundaries of acceptable conduct.

4.3.4.   All staff should communicate the school expectations, routines, values and standards both explicitly through teaching behaviour and in every interaction with pupils.

4.3.5.   Staff should consider the impact of their own behaviour (both in and out of school) on the school culture and how they can uphold the school rules and expectations.

4.4.   Role of pupils:

4.4.1.   be aware of and comply with the student code of conduct, disciplinary process and other procedures and treat all school users (staff and other pupils) with respect.

4.4.2.   agree to abide by and sign the student agreement (appendix 1)

4.5. **Role of Parents/carers:**

4.5.1. work closely with the school staff to ensure that their children help maintain a safe school environment and abide by the school's code of conduct.

4.5.2. agree to abide by and sign the parent agreement (appendix 2)

5. School systems and social norms

5.1. **Expected behaviour**

5.1.1. A calm environment

a. All users of the school have a responsibility to create and maintain a calm, safe and supportive environment in which pupils can flourish and learn.

b. 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 everyone is safe and feel safe and everyone is treated respectfully, any incidents of bullying, discrimination, aggression, and derogatory language (including name calling) are dealt with quickly and effectively.

5.1.2. Dress code

a. It is important that students recognise that the school is a working environment, and that student dress does not cause embarrassment to staff, students and other members of the school community.

b. The following items are not allowed:

i. Shorts, skirts and dresses less than mid-thigh length

ii. See-through clothing, for example see-through blouses or leggings

iii. Strapless or 'string-strapped' tops

iv. Cropped and/or clothing which is revealing (eg, exposing bare midriffs, ripped jeans)

v. Clothing which reveals underwear

vi. Balaclava

vii. Flip-flops, sliders or backless footwear, due to health and safety issues

viii. Clothing, hats or baseball caps with offensive logos or promoting illegal substances, political statements or movements.

5.1.3.   Valuables

a.   Students will be advised not to bring valuables to school, including mobiles, iPods etc.

5.1.4.   Mobile phones

a.   At the pupil's own risk, mobile phones must be switched off and handed in to staff at the start of the AM and PM sessions (mobiles will be returned during the lunch break ONLY, handed in again to staff after lunch and returned to students at the end of the day).

b.   The mobile will be placed in a numbered pouch and placed in our secure storage. A record will be kept of the allocated pouch number.

5.1.5.   Attendance and lateness

a.   It is important that all school users arrive promptly for all sessions.

b.   Lateness and attendance issues are dealt with under a separate policy.

5.1.6.   Comfort breaks (drinks, toilet and time-out)

a.   We recognise that pupils and staff may require comfort breaks throughout the day, for a variety of reasons, including medical and/or SEND.

b.   Pupils will be discouraged to leave lesson for a drink, unless there is a medical need.

c.   Tutors will give permission and pupils will be allowed to leave class for toilet breaks as required.

d.   Pupils may request, or be asked by teachers, to take five-minutes 'time-out' to help maintain a calm environment.

5.1.7.   Behaviour outside of school premises

a.   Schools have the power to sanction pupils for misbehaviour outside of the school premises to such an extent as is reasonable.

b.   Conduct outside the school premises, including online conduct, that schools might sanction pupils for include misbehaviour:

i.   when taking part in any school-organised or school-related activity
ii.   when travelling to or from school
iii.   when in some other way identifiable as a pupil at the school
iv.   that could have repercussions for the orderly running of the school
v.   that poses a threat to another pupil
vi.   that could adversely affect the reputation of the school

5.1.8.   On-line

a.   the same standards of behaviour are expected online as apply in the school and outside the school premises, and that everyone should be treated with

kindness, respect and dignity.

b. 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 any other behaviour.

c. Additional guidance for staff, parents and pupils can be found in our Safeguarding Policy, which directly refers to the principles set out in 'Keeping Children Safe in Education'.

5.2.   Pupil transition and support

5.2.1.   Pupil and parent induction

a. Following the admission process, parents and pupils attend an induction or 'initial meeting' to discuss, amongst other issues, expected behaviour.

b. The roles of staff, including support for parents and pupils, is explained and both parents and pupils will have a clear understanding of who to contact if they have any safeguarding, welfare or behaviour concerns.

c. Following any period of suspension, pupils and parents will attend a re-integration/re-focus meeting, which will reinforce the behaviour expectations and agree a re-integration/behaviour plan, and the review process for the plan (see section 5.4.1 below).

5.2.2.   Student and parent handbook

a. All pupils and parents are issued with a handbook which explains our behaviour expectations.

b. Pupils and parents are required to sign an agreement to abide by our policies.

5.2.3.   Enrichment programme

a. As part of the induction process, all pupils being referred in the last half of the summer term, may participate in our enrichment programme, lasting up to five weeks.

b. The programme provides a mixture of taster sessions and one-off activities designed to give pupils an opportunity to settle in to the school, make friends, and prepare for full integration into learning from September.

5.3.   Conduct

5.3.1.   The school's 'simple' expectations for behaviour, referred to as the 'High Five', are displayed in all classes and other 'common areas'.

5.3.2.   We ask all children to:

a. Be on time, all the time
b. Respect yourself and others

      c.   Stay focussed and complete work
      d.   No food or drink in class
      e.   Follow instructions

5.3.3.   Children are regularly reminded of the five simple expectations.

5.3.4.   If children are unable to keep to the minimum expectations, staff will move through the warnings and sanctions, as below.

5.4.   Sanctions and support

5.4.1.   Communication with parents/linked professionals

      a.   It is important that all parties (pupil, parents and linked professionals) understand the sanction being applied, and the reasons behind the decision.

      b.   Where the sanction involves a suspension or exclusion, the school will refer to our policy and parts of the guidance laid out by DfE in 'Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units, July 2022'

      c.   Communication may include telephone conversations, text messages or where required/necessary by letter.

5.4.2.   Warnings

      a.   We use a traffic light system to illustrate when children are meeting minimum behaviour expectations.

      b.   If children are not meeting minimum expectations, they may receive up to three warnings.

      c.   We use green to indicate children are meeting expectations; amber for a first warning; flashing amber for a second warning and red for a third and final warning.

      d.   If children's poor behaviour is considered serious, the warnings can be bypassed and the following 'Behaviour Stages' utilised.

5.4.3.   Stages (including removal from classroom)

      a.   Whilst generally staff apply the stages in sequence, depending on the seriousness of the poor behaviour, or if a stage has already been used and staff need to escalate through the steps, any of the following stages may be applied.

      b.   STAGE 1 – staff may ask for children to take 5-minutes out of lesson to enable children to refocus their attention on learning. Children are required to go to the common room, where they should remain for the full 5-minute period. Children are supervised and supported by an 'Inclusions Mentor' based in the common room.

Children may also request a 5-minute 'time-out' which is not considered part of the 'behaviour stages'

c.   STAGE 2 – children are required to leave class and go to the common room for a period of 'reflection', for up-to 15-minutes. Throughout this time, children may have a further 'focussed' discussion with either an Inclusions Mentor or senior member of staff if available, followed by be asked to sit quietly and think about how they will re-engage in learning.

d.   STAGE 3 – children are likely to be out for the rest of the session – the duration will be discussed and agreed with the school manager or member of the senior team.

This stage is used where the child's behaviour is disruptive to the point that it is continually preventing them or others from engaging in learning. It may also be used if there are health and safety concerns, eg a child refuses to wear appropriate PPE in a practical lesson.

The child will be returned to class when it is assessed that either the child is ready to participate and will not cause disruption, or it is now safe to do so.

e.   STAGE 4 – if the poor behaviour continues, or is of a serious nature, the child will be removed from class and meet with the school manager, or member of the senior team, to discuss what is happening and agree a strategy for improvement. A phone call home to a parent/guardian will be made to discuss the poor behaviour and agreed outcomes.

f.   STAGE 5 – if no resolution can be agreed, if the poor behaviour does not improve or the poor behaviour is serious, the school manager or member of the senior team may seek approval from the principal to move to stage 5, which is either a suspension or exclusion – see separate policy.

5.4.4.   Re-focus meeting

a.   Following a behaviour incident/sanction, a re-focus meeting is held between staff, the pupil and parent(s)/guardian(s).

i.   The meeting will be a discussion with the pupil, including explaining what they did wrong, the impact of their actions, how they can do better in the future and what will happen if their behaviour fails to improve.

ii.   We will agree a number of support strategies and these actions, which may be for the pupil, parents and staff, will form the basis for a behaviour agreement, and may include clarification on expectations and targets for improvement.

iii.   After a fixed period, often two weeks, a review will be conducted to consider whether the support for behaviour management being provided remains appropriate.

     iv.   A date for the review meeting will be set at the end of the re-focus meeting.

     v.   Following a suspension, a reintegration meeting (see separate policy) will be used.

5.4.5. On Report

a. Following a refocus or reintegration meeting, students will be placed 'on-report' for a fixed period, normally two weeks.

b. The report allows the student, teachers, pastoral staff and managers to monitor progress towards the agreed outcomes from the meeting and contains:

     i.   Tutor comments from all lessons, which includes notes on punctuality to lesson, understanding of learning, behaviour in class, effort made and brief comments on achievement.

     ii.   Any agreed targets and actions from their individual behaviour plan/agreement.

c. The tutor comments and targets will be discussed with the student throughout the 'on-report' period.

d. At the end of the 'on-report' period, a review of the tutor comments and targets will be held with the student. There are two possible outcomes:

     i.   If progress has not sufficiently been made, following discussion and agreement the targets may be adjusted and the period of 'on-report' extended.

     ii.   If sufficient progress has been made towards achieving the targets and tutor comments reflect improvements made to behaviour in lessons, the 'on-report' period will be completed and closed.

e. Following successful completion, staff will make a 'good' phone call home to parent(s)/guardian(s) to provide an update.

5.4.6. Detentions and loss of privilege

a. A detention is a commonly used sanction, often used as a deterrent to future misbehaviour. The student is required to remain under supervision of school staff when their peers have been allowed to go home or to break.

b. When used it will be done so consistently and fairly by staff.

c. A detention can occur outside school hours or during lunchtime.

d. Teachers and Pastoral Staff have the authority to issue a detention.

e. BEP Academy will endeavour to contact parent/carer to inform them of a detention. We also communicate to parents/carers that we hold detentions

outside of school hours in our parent/student handbook.

f.   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:

i.   whether the detention is likely to put the pupil as increased risk

ii.   whether the pupil has known caring responsibilities

iii.   whether the detention timing conflicts with a medical appointment

iv.   whether parent must be informed and we have been unable to do so

g.   Loss of privilege

i.   Loss of privilege may include being required to stay on-site at lunch time, loss of break-time and/or restricted from attending reward activities.

5.4.7.   Rewards and recognition

a.   Certificates

Weekly certificates will be issued to students for:

i.   Ambassador of the week for demonstrating good behaviour being a model student (eg, by supporting another student).

ii.   Most improved attendance

iii.   100% attendance

b.   End of term 'Freedom Friday'

i.   Towards the end of the autumn and spring terms, or on the last day of each term, we will suspend the timetable for the half day/day.

ii.   Students will be able to request participation in a range of activities; first choice will be given to students who have demonstrate the best behaviour throughout the term.

iii.   In the last five weeks of the summer term, as part of our 'enrichment programme' for existing Year 9 and 10 students, together with new referrals, all Fridays will be set-up in the same way and designated as 'Freedom Friday'.

c.   Good phone call home

i.   Tutors and others may request for a 'good' phone call to be made at the end of the day to parent(s)/guardian(s).

d. Golden Ticket

Golden Tickets to be exchanged for prizes (hot chocolate, Ice lolly, lucky dip from the 'treasure box').

e. Trips

Reward trips may be organised, from time to time, to reward those students with the best behaviour.

5.4.8. Overview

	Example behaviours (Any of the below may also become safeguarding concerns)	Possible Sanctions	Support
Minor	• Rudeness towards staff • Dress code • Lateness • Disruptive • Not following instruction • Refusing to stay in lesson/engage with work • Play fighting • Vaping on-site Any minor behaviours (above) that **become prolonged or repeated** may become serious.	Decisions can be made by any member of the teaching/pastoral team: • Stage 1, 2 or 3 • Phone-call home • Detention • Loss of privilege • Disqualification from activity or reward	• 1:2:1 session with member of teaching / pastoral / SLT team • Refocus meeting with Behaviour agreement • On-report
Serious	• Health & Safety risk (including refusing to wear safety boots, refusing to be searched/hand in phone) • Bullying • Any form of discrimination including racism, homophobia, sexism, sexual orientation, gender reassignment, disability etc. • Dangerous • Minor damage to property • Fight between two or more students • Verbal abuse, aggressive or threatening • Child on child abuse • Criminal Any serious behaviours (above) that **become prolonged or repeated** may become major.	Decisions must be made by SLT: • Stage 4 • Stage 5 – (1/2 to 4 days' suspension)	• Refocus or reintegration meeting • Behaviour plan • 'On-report' • Referral to third party / external organisation, if applicable
Major	• Attempted assault/assault on staff, another pupil or member of the public. • Prolonged aggressive or threatening; in putting others at significant risk • Damage to property • Use, or threat of use, of an offensive weapon	Decisions must be made by SLT: • Stage 5 – (5-day Suspension), or • Permanent Exclusion	• Reintegration meeting and behaviour plan • Designated person? • 'On-report' • Referral to third party/external organisation, if applicable

NB: It has been decided that, for example 'being under-the-influence', 'possession of control substance/weapon' etc are safeguarding issues, and not included above as behaviours.

6. Child on child abuse

6.1. Curriculum

6.1.1.
Ten percent of students' curriculum time (half a day a week) is dedicated to Personal, Social, Health and Economic Education (PSHE).

6.1.2.
Whilst not exhaustive, the curriculum covers:

a. Relationships Education
b. Relationship and Sex Education (RSE)
c. Health Education
d. Social, Emotional and Mental Health (SEMH)
e. British values and citizenship

6.2. Bullying

6.2.1.
Definition

For the purpose of this policy, bullying is persistent behaviour by an individual or group with the intention of verbally, physically, or emotionally harming another person or group and includes child on child abuse.

a. Bullying is generally characterised by:

   i. Repetition
   Incidents are not one-offs; they are frequent and happen over a period of time.

   ii. Intent
   The perpetrator(s) means to cause verbal, physical or emotional harm; it is not accidental.

   iii. Targeting
   Bullying is generally targeted at a specific individual or group

   iv. Power imbalance
   Whether real or perceived, bullying is generally based on unequal power relations.

b. We strive to provide a safe, secure, caring and friendly school environment for all the students, in order to protect them from those who wish to deliberately hurt them either physically or emotionally.

c. We aim to:

   i. develop a school environment that is both safe and secure for all students

      ii.   have established systems in place that will deal with incidents of bullying

      iii.   develop confident students who will notify staff of any incident of bullying

      iv.   inform everyone connected with the school of the school's anti-bullying policy

d. We will not tolerate any form of bullying and all incidents of bullying will be dealt with promptly and effectively.

6.2.2. Responsibilities

Above and beyond those listed at section 4, staff will also have the following responsibilities relating to bullying:

a. The principal will:

      i.   ensure that all students understand that bullying is wrong through reinforcement of good behaviour and ensuring curriculum time is dedicated to educating students on bullying
      ii.   ensure that all parents are aware of this policy and that we do not tolerate bullying
      iii. respond and deal with all incidents of bullying
      iv. keep records of all incidents of bullying
      v.   organise courses for all staff
      vi. ensure bullying is embedded in our curriculum and create a culture where bullying is unacceptable

b. The vice principle for pastoral and behaviour will:

      i.   provide guidance and support to all personnel to understand the signs of someone being bullied
      ii.   keep up to date with new developments and resources
      iii. counsel students who have been bullied and those who use bullying behaviour

c. Staff will:

      i.   be aware of the signs of bullying in order to prevent bullying taking place
      ii.   take all forms of bullying seriously
      iii. report all incidents of bullying
      iv. raise awareness of the wrongs of bullying

d. Students must:

      i.   at all times, treat each other with respect and not allow fellow pupils to be subjected to bullying
      ii.   report if they or anyone else are being bullied

e. Parents must:

    i.   be aware of and support this policy

    ii. report to the school any concerns they have of their child being bullied

    iii. be assured that the school will deal with all incidents of bullying

    iv. be assured that they will be informed of incidents and will be involved in discussions

6.2.3. Prevention

a. All types of bullying are discussed as part of the curriculum, and diversity, difference and respect for others is promoted and celebrated through various lessons

b. All members of the school community are made aware of the school's Anti-Bullying Policy

c. A safe, supervised place is available for pupils to go to at lunch if they are involved in conflict with their peers or wish to avoid another pupil.

d. Staff encourage pupil co-operation and the development of interpersonal skills through the use of group work and pair work.

e. The school clearly communicates a whole-school commitment to addressing bullying in the form of a written statement in the student handbook which is regularly promoted across the whole school.

f. British values underpin the culture of the school with students actively taught British values during their PSHE curriculum and expected to uphold those values at all times both in the school and wider community

6.2.4. Types of bullying

Many different kinds of behaviour can be considered bullying and can be related to almost anything. Teasing another pupil because of their appearance, religion, ethnicity, gender, sexual orientation, home life, culture, disability, or special educational needs are some of the types of bullying that can occur. Bullying is when someone seeks out to hurt someone else deliberately physically, emotionally or mentally.

a. Bullying can be acted out through the following mediums: verbally, physically, emotionally, online (cyber), deliberate isolation

b. Racist bullying: bullying another person based on their ethnic background, religion or skin colour. Racist bullying is a criminal offence under the Crime and Disorder Act 1998 and Public Order Act 1986.

c. Homophobic and Bi-Phobic bullying: Bullying another person because of their actual or perceived sexual orientation.

d. Transphobic bullying: Bullying based on another person's actual or perceived transgender status. Gender 'variance' or for not conforming to dominant gender roles.

e. Sexist bullying: Bullying based on sexist attitudes expressed in a way to demean, intimidate or harm another person because of their sex or gender. Sexist bullying may sometimes be characterised by inappropriate sexual behaviour.

f. Sexual bullying: Bullying behaviour that has a physical, psychological, verbal or non-verbal sexual dimension/dynamic that subordinates, humiliates or intimidates another person. This is commonly underpinned by sexist attitudes or gender stereotypes.

g. SEND Bullying: Bullying behaviour based on another person's special educational needs or disability.

6.2.5. Procedures

All incidents are reported to the Vice Principle for Pastoral and Behaviour who investigates the incident, sets appropriate sanctions for the perpetrator, and informs key stakeholders in writing of the incident and outcome.

a. When investigating a bullying incident, the following procedures are adopted:

i. The victim, alleged bully and witnesses are all interviewed separately

ii. Members of staff ensure that there is no possibility of contact between the pupils interviewed, including electronic communication

iii. If a pupil is injured, members of staff take the pupil immediately to the school first-aider for a medical opinion on the extent of their injuries

iv. A room is used that allows for privacy during interviews

v. If appropriate, all parties (bully, victim, witnesses) are asked to write down details of the incident; this may need prompting with questions from the member of staff to obtain the full picture

vi. Premature assumptions are not made, as it is important not to be judgmental at this stage

vii. Members of staff listen carefully to all accounts, being non-confrontational and not attaching blame until the

investigation is complete

    viii.   All involved pupils are informed that they must not discuss the interview with other pupils

    ix.   Due to the potential for sexist, transphobic and sexual bullying to be characterised by inappropriate sexual behaviour, staff members involved in dealing with the incident are required to consider whether there is a need for safeguarding processes to be implemented.

6.3. Behaviour incidents online

6.3.1.   The same standards of behaviour are expected online as apply offline, and that everyone should be treated with kindness, respect and dignity.

6.3.2.   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 our safeguarding policy and speaking to the designated safeguarding lead (DSL) when an incident raises a safeguarding concern.

6.3.3.   In cases where we suspect a student of criminal behaviour online, we will follow the guidance in section 7.6.

6.4. Sexual harassment, abuse and/or violence

6.4.1.   Sexual violence and sexual harassment are never acceptable and will not be tolerated.

6.4.2.   Students whose behaviour falls below expectations will be sanctioned.

6.4.3.   Inappropriate/abusive language and behaviour between students, will be challenged and never just treated as 'banter', or an inevitable fact of life or an expected part of growing up.

6.4.4.   It is essential that all victims are 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. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report or their experience minimised.

6.4.5.   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.

6.5. **Mobile phones, air pods and bluetooth headsets**

6.5.1. Mobile phones, air pods and bluetooth headsets will not be allowed throughout the school day, with the exception of lunch time.

6.5.2. Mobile phones, air pods and bluetooth headsets are brought onto site at the students' own risk.

6.5.3. Mobile phones, air pods and bluetooth headsets will be collected from all students at morning registration, after lunch at afternoon registration or whenever a child arrives at school and placed in a numbered pouch and stored is a lockable cabinet or safe. The pouch number used will be recorded against the students' name to assist with the collection of the mobile phone at the end of the morning or afternoon session.

6.6. **Suspected criminal behaviour**

6.6.1. If a member of staff 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.

6.6.2. The initial investigation will be recorded and documents with every effort being made to preserve any evidence.

6.6.3. Once a decision is made to report the incident to police, we will endeavour to ensure any further action does not interfere with any police action. However, we retain the discretion to continue investigations and enforce our own sanctions so long as it does not conflict with police action.

6.6.4. The DSL or safeguarding team may also decide to make a referral to children's social care or other appropriate third party.

6.7. **Outside school premises**

6.7.1. School staff members have the power to discipline pupils for misbehaving outside the school premises. Sections 90 and 91 of the Education and Inspections Act 2006 say that a school's disciplinary powers can be used to address pupils' conduct when they are not on school premises and are not under the lawful control or charge of a member of school staff, but only if it would be reasonable for the school to regulate pupils' behaviour in those circumstances.

6.7.2. Where bullying outside school is reported to school staff, it will be investigated and acted on.

6.7.3. The principal will consider whether it is appropriate to notify the police or anti-social behaviour coordinator in our local authority of the action taken against the student. If the misbehaviour could be criminal or poses a serious threat to a member of the public, the

police will always be informed.

6.7.4. We will only impose and implement the disciplinary sanction on the school premises or when the pupil is under the lawful control of school staff, for instance on a school trip.

7. Screening, search and confiscation

7.1. Powers to screen and search

7.1.1. Headteachers and staff they authorise have a statutory power to search a pupil or their possessions where they have reasonable grounds to suspect that the pupil may have a prohibited item listed in this policy.

7.1.2. Under common law, school staff have the power to search a pupil for any item if the pupil agrees. Agreement to this policy is a pre-requisite of attending our school. The member of staff should ensure the pupil understands the reason for the search and how it will be conducted so that their agreement is informed.

7.1.3. Where a student refuses to be screened or searched, the school may refuse to have the student on the premises or on an off-site educational visit. Although the school will not have excluded the student, the absence will be treated as unauthorised. Any refusal to attend school shall be investigated by the education welfare officer in the same way as any other unauthorised absence.

7.1.4. Searching can play a critical role in ensuring that schools are safe environments for all pupils and staff. It is a vital measure to safeguard and promote staff and pupil welfare, and to maintain high standards of behaviour through which pupils can learn and thrive.

7.2. Roles and responsibilities

7.2.1. Only the executive headteacher/principal, or a member of staff authorised by the executive headteacher/principal, can carry out a search.

7.2.2. The headteacher can require a member of the security staff to undertake a search. If a security guard, who is not a member of the school staff, searches a pupil, this guidance should be followed and the person witnessing the search should be a permanent member of school staff.

7.2.3. The headteacher will oversee the school's practice of searching to ensure that a culture of safe, proportionate, and appropriate searching is maintained, which safeguards the welfare of all pupils and staff with support from the designated safeguarding lead (or deputy).

7.2.4.   The headteacher will ensure that a sufficient number of staff are appropriately trained in how to lawfully and safely search a pupil who is not co-operating, so that these trained staff can support and advise other members of staff if this situation arises.

7.2.5.   The designated safeguarding lead (or deputy) will be informed of any searching incidents where the member of staff had reasonable grounds to suspect a pupil was in possession of a prohibited item as listed in Prohibited/banned items list below. The staff member will also involve the designated safeguarding lead (or deputy) without delay if they believe that a search has revealed a safeguarding risk.

7.3. Screening

7.3.1.   Screening can help provide reassurance to pupils, staff and parents that the school is taking measures to create a calm, safe and supportive environment. The school's statutory power to make rules on pupil behaviour, and their duties as employers in relation to the safety of staff, pupils and visitors enables us to impose a requirement that pupils undergo screening.

7.3.2.   Screening is the use of a hand-held metal detector to scan all pupils for prohibited items as a requirement for entry to the school premises.

7.3.3.   If a student refuses to be screened, they will not be allowed on site.

7.3.4.   Students and parents are made aware that the school carry out a daily screening process at their initial admissions interview.

7.3.5.   If a student has a disability, the school will make any reasonable adjustments to the screening process that may be required.

7.4. Searching

Before searching

7.4.1.   A search can be considered if the member of staff has reasonable grounds for suspecting that the pupil is in possession of a prohibited item or any item identified in the school rules for which a search can be made, or if the pupil has agreed.

7.4.2.   The authorised member of staff will make an assessment of how urgent the need for a search is and will consider the risk to other pupils and staff.

7.4.3.   Before any search takes place, the member of staff conducting the search will explain to the pupil why they are being searched, how and where the search is going to take place and give them the opportunity to ask any questions

7.4.4. The authorised member of staff will always seek the co-operation of the pupil before conducting a search. If the pupil is not willing to co-operate with the search, the member of staff should consider why this is. Reasons might include that they:

    a. are in possession of a prohibited item
    b. do not understand the instruction
    c. are unaware of what a search may involve
    d. have had a previous distressing experience of being searched

7.4.5. If a pupil continues to refuse to co-operate, the member of staff may sanction the pupil in line this behaviour policy, ensuring that they are responding to misbehaviour consistently and fairly.

7.4.6. If the member of staff still considers a search to be necessary, but is not required urgently, they should seek the advice of the headteacher, designated safeguarding lead (or deputy) or pastoral member of staff who may have more information about the pupil. During this time the pupil should be supervised and kept away from other pupils.

7.4.7. If the pupil still refuses to co-operate, the member of staff will assess whether it is appropriate to use reasonable force to conduct the search. A member of staff can use such force as is reasonable to search for any prohibited items identified in prohibited/banned items list below, but not to search for items which are identified only in the school rules.

7.4.8. The decision to use reasonable force should be made on a case-by-case basis. The member of staff will consider whether conducting the search will prevent the pupil harming themselves or others, damaging property or from causing disorder.

During a search

7.4.9. An appropriate location for the search should be found and where there is CCTV coverage. Where possible, this will be away from other pupils. The search will only take place on the school premises or where the member of staff has lawful control or charge of the pupil, for example on a school trip.

7.4.10. The law states the member of staff conducting the search must be of the same sex as the pupil being searched. There will be another member of staff present as a witness to the search.

7.4.11. There is a limited exception to this rule. This is that a member of staff can search a pupil of the opposite sex and/or without a witness present only:

    a. if the member of staff carrying out the search reasonably believes there is risk that serious harm will be caused to a person if the search is not carried out as a matter of urgency; and

b. in the time available, it is not reasonably practicable for the search to be carried out by a member of staff who is same sex as the pupil or it is not reasonably practicable for the search to be carried out in the presence of another member of staff.

7.4.12. When a member of staff conducts a search without a witness, they should immediately report this to another member of staff, and ensure a record of the search is kept. They should also inform the school office and ask for the CCTV to be recorded.

7.4.13. A member of staff can search a pupil's outer clothing, pockets, possessions, desks or lockers.

7.4.14. The person conducting the search must not require the student to remove any clothing other than outer clothing. 'Outer clothing' means any item of clothing that is not worn wholly next to the skin or immediately over a garment that is being worn as underwear, as well as hats, shoes, boots or scarves.

7.4.15. A student's possessions can only be searched in the presence of the student 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.

Electronic devices

7.4.16. Electronic devices, including mobile phones, can contain files or data which relate to an offence, or which may cause harm to another person. This includes, but is not limited to, indecent images of children, pornography, abusive messages, images or videos, or evidence relating to suspected criminal behaviour.

7.4.17. As with all prohibited items, staff should first consider the appropriate safeguarding response if they find images, data or files on an electronic device that they reasonably suspect are likely to put a person at risk.

7.4.18. Staff may examine any data or files on an electronic device they have confiscated as a result of a search, except where there is reason to suspect the data or file may be linked to an indecent image of a child.

7.4.19. If the member of staff conducting the search suspects they may find an indecent image of a child (sometimes known as nude or semi-nude images), the member of staff should never intentionally view the image, and must never copy, print, share, store or save such images. Please refer to our safeguarding policy.

7.4.20. In exceptional circumstances members of staff may dispose of the image or data if there is a good reason to do so. In determining a 'good reason' to examine or erase the data or files.

7.4.21. In determining whether there is a 'good reason' to examine the data or files, the member of staff should reasonably suspect that the data or file on the device has been, or could be used, to cause harm, undermine the safe environment of the school and disrupt teaching, or be used to commit an offence.

7.4.22. In determining whether there is a 'good reason' to erase any data or files from the device, the member of staff should consider whether the material found may constitute evidence relating to a suspected offence. In those instances, the data or files should not be deleted, and the device must be handed to the police as soon as it is reasonably practicable. If the data or files are not suspected to be evidence in relation to an offence, a member of staff may delete the data or files if the continued existence of the data or file is likely to continue to cause harm to any person and the pupil and/or the parent refuses to delete the data or files themselves.

After a search

7.4.23. Whether or not any items have been found as a result of any search, we will consider whether the reasons for the search, the search itself, or the outcome of the search give cause to suspect that the student is suffering, or is likely to suffer harm, and/or whether any specific support is needed. Where this may be the case, school staff will follow our safeguarding policy.

7.4.24. If a student is found to be in possession of a prohibited item listed below, the staff member will alert the designated safeguarding lead (or deputy) and the student will be sanctioned in line with this policy to ensure consistency of approach.

7.4.25. When a search has been completed parents/carers will be informed.

7.5. **Recording a search**

7.5.1. Any search carried out for a prohibited item listed below, and for items banned by the school rules will be recorded. This will allow the designated safeguarding lead (or deputy) to identify possible risks and initiate a safeguarding response if required.

7.5.2. The following information will be recorded after a search:

a. The date, time and location of the search

b. The name of the student searched

c. The reason for searching

d. What items, if any, were found

e. Any follow up actions completed as a consequence of the search

7.6. **Strip Search**

7.6.1. Staff do not have the power to conduct a strip search.

7.6.2. Where staff believe a strip search may be required, the relevant DfE guidance will be consulted before any decision is made to contact the police.

7.7. **Confiscation**

7.7.1. An authorised staff member carrying out a search can confiscate any item that they have reasonable grounds for suspecting:

a. Poses a risk to staff or pupils

b. is prohibited

c. is evidence in relation to an offence

7.7.2. Controlled drugs, or other substance that staff believe may be harmful, will be kept on site in a drugs box, and will be handed over to the School Police Officer when they are next on the school site.

7.7.3. Alcohol, tobacco, cigarette papers or fireworks will be disposed of or given to a parent or carer but will not be returned to the pupil.

7.7.4. For pornographic images please refer to our safeguarding policy.

7.7.5. If stolen items are found, where the owner can be identified, we will make every effort to return the property. Where the items are of low value, the items will be disposed of, if items are of high value, it will be reported to the police.

7.7.6. If high quantities of money are found, this will be reported to the designated safeguarding lead (or deputy), who will follow our safeguarding procedures.

7.7.7. Weapons, or items which could be evidence of a suspected offence, or have been (or are likely to be) used to commit an offence, or to cause personal injury or damage to property will be passed to the police, unless the police inform us they have no interest in the item, whereby the item will either returned to the owner or destroyed.

7.7.8. Schools' general power to discipline enables a member of staff to confiscate, retain or dispose of a pupil's property as a disciplinary penalty, where reasonable to do so. The law protects members of staff from liability in any proceedings brought against them for any loss of, or damage to, any item they have confiscated, provided they acted lawfully.

7.8. **Prohibited/banned items**

The list of prohibited items is:

a. knives and weapons
b. alcohol
c. illegal drugs
d. stolen items
e. 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).
f. tobacco and cigarette papers
g. fireworks
h. pornographic images

The school has also prohibited:

i. vapes
j. cigarette lighters

7.9. **Smoking and vapes**

7.9.1. Smoking and vaping are not allowed on any school site.

7.9.2. Students should not bring cigarettes, lighters or vapes to school.

7.9.3. Students seen smoking off site will be offered the opportunity to take part in smoking cessation sessions and workshops

8. Use of reasonable force (positive handling and restraint)

8.1. **The law**

8.1.1. The law allows all members of school staff the power to use reasonable force. This power applies to any member of staff at the school. It can also apply to people whom the headteacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

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

8.1.3. Examples of where touching a pupil might be proper or necessary:

a. Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school

b. When comforting a distressed pupil

    c. When a pupil is being congratulated or praised through a handshake

    d. To demonstrate how to use a musical instrument

    e. To demonstrate exercises or techniques during PE lessons or sports coaching

    f. To give first aid.

    g. Reasonable force can also be used to conduct searches for prohibited/banned items, as listed above.

8.1.4. Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.

8.1.5. In a school, force is used for two main purposes – to control pupils or to restrain them.

8.1.6. The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.

8.1.7. Schools can use reasonable force to:

    a. remove disruptive children from the classroom where they have refused to follow an instruction to do so

    b. prevent a pupil behaving in a way that disrupts a school event or a school trip or visit

    c. prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others

    d. prevent a pupil from attacking a member of staff or another pupil, or to stop a fight

    e. restrain a pupil at risk of harming themselves through physical outbursts

8.1.8. Schools cannot use force as a punishment – it is always unlawful to use force as a punishment

8.2. De-escalation

8.2.1. Where possible, staff will always try to remain calm and regulated in an attempt to de-escalate poor and/or challenging behaviour.

8.2.2. Staff receive training and instruction that teaches why some children exhibit challenging behaviour, how to recognise it and some simple methods to de-escalate conflict situations and avoid

violence.

8.2.3. De-escalation may also include passive contact such as standing between pupils or blocking a pupil's path.

8.3. Positive handling

8.3.1. Where there is a degree of compliance, positive handling may be used to guide a child who has not followed instruction to move or leave a room and involves placing a hand on the child's back, shoulder or arms and gently guiding the child in the direction of required travel. This may be with either a flat hand or by applying 'the caring c'

8.3.2. The child is not restrained and has the ability to move in the required direction of travel without further handling.

8.4. Restraint

8.4.1. Where staff have completed a dynamic risk assessment and believe that a child is at immediate risk of harming themselves or others, trained colleagues will restrain the child, using agreed methods.

8.4.2. The child may remain in a hold until such time as all colleagues involved in the restraint feel it is safe to break away. Again, this will be completed in a controlled way.

8.4.3. Following any restraint, the pupil restrained will be required to leave site, once the parent/carer or other contact with parental responsibility has been contacted and informed.

8.5. Record keeping

8.5.1. Whenever reasonable force has been used, the details will be recorded on our central database system, and will include the names of the staff and pupils involved, when, where and why the force was used and level of force.

8.6. Communication with parents/carers and 'home' school

8.6.1. All incidents of physical intervention will be reported to the pupil's parents/carer with a telephone call home and to the pupil's 'home' or referring school/LA by email, generally on the day of the incident, except where the school feel that passing the information onto parents might lead to more harm to the pupil concerned where the school will follow local/school safeguarding procedures.

8.7. Debrief and follow-up

8.7.1. Pupils should be given the opportunity to debrief after each and every incident at an appropriate time when things are calm. This time consideration will vary from individual to individual. The aim of this over time will be to increase the learner's emotional awareness and lead to them being more able to identify causes of

anxiety before there is an incident, therefore enabling them to choose a calming strategy or enabling staff to remove the anxiety for them.

8.7.2.   Staff involved in the main part of the incident should be given time to reflect on the incident in a calm atmosphere. They will also be given the opportunity to discuss the incident with a senior member of staff.

8.7.3.   All staff have the opportunity to suggest alternative strategies that may be considered in future incidents and consideration should also be given to the creation of a Risk Assessment for the individual involved. When reviewing these plans parents/learners should be made aware of adaptations.

8.8.   **Complaints**

8.8.1.   All complaints about the use of force will be thoroughly, speedily and appropriately investigated. Complaints should be made using the complaints procedure.

8.8.2.   Where a member of staff has acted within the law – that is, they have used reasonable force in order to prevent injury, damage to property or disorder – this will provide a defence to any criminal prosecution or other civil or public law action.

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

8.8.4.   Staff suspension will not be an automatic response when a member of staff has been accused of using excessive force.

8.8.5.   BEP Academy will consider carefully whether the circumstances of the case warrant a person being suspended until the allegation is resolved or whether alternative arrangements are more appropriate.

8.8.6.   If a decision is taken to suspend a teacher, the school will ensure that the teacher has access to a named contact who can provide support.

9. Procedure for sending a student home

9.1. Suspension or exclusion

9.1.1. The School Manager agrees with the executive headteacher, principal or a vice principal that the student should be sent home.

9.1.2. The School Manager or member of the attendance team contacts the 'home' or referring school to inform them of the situation and a detailed report is sent by the end of that day.

9.1.3. The School Manager contacts the parent/carer to inform them that the child is being sent home.

9.1.4. A date and time will be agreed with the parent/guardian for the focusing or reintegration meeting, where the child's behaviour will be discussed.

9.1.5. If the parent is unable to attend they may send another appropriate adult in their place.

9.1.6. If the young person is subject to a suspension, then we will send a suspension letter and a meeting is set before or on the last day of the suspension.

9.1.7. Staff from the school, the parent/guardian and any other professionals as appropriate should attend that meeting.

9.1.8. A discussion will be held after the meeting to decide if the student is to be issued with a formal disciplinary.

9.2. Sickness

9.2.1. If a student claims to be sick the school manager will arrange for a first aider to take the learner to the first aid room

9.2.2. If there is no improvement and medical attention from a professional is not required, the school manager will decide if student should be sent home.

9.2.3. The parent/carer must agree to student going home on transport and the school will be informed. If it is deemed that the student is unable to travel parent will need to collect.

10. Staff induction, development and support

10.1. All staff receive an induction which covers policy briefings, child protection training at level 1 and use of two-way radios (issued to all school staff).

10.2. All staff also receive behaviour management, safeguarding, de-escalation, positive handling and restraint training (including strategies).

10.3. Staff will receive ongoing support as identified through performance management and to meet the needs of the charity/school.

11. Monitoring and analysis

11.1. **Incidents**

11.1.1. All staff are to use an online incident report to report all incidents and be mindful of the purpose of the report and the intended audience.

11.1.2. Incident reports to be completed and in the students file within 24hrs.

11.1.3. Where required incident reports will be sent to the students 'on role' school within 48hrs.

11.2. **Cause for concern (child protection and safeguarding)**

11.2.1. If it is a safeguarding issue, a 'cause for concern' should be raised via the Client Management System database.

11.2.2. A multi-agency referral form (MARF) may be completed by the Safeguarding team, if necessary.

11.3. **CCTV**

11.3.1. CCTV is placed at strategic points throughout the school and is used to protect staff/students and referred to following an incident to ensure accuracy.

11.3.2. Following an incident, CCTV may be saved for a period of time before being destroyed, in line with our CCTV and GDPR policies.

11.3.3. CCTV images may be saved and copied to a writable disc or USB memory stick, where requested by police or other appropriate authority.

11.3.4. Where CCTV images are not saved, the NVR CCTV recorder automatically overwrite all data.

11.4. **Reporting**

11.4.1. Serious and/or major incidents/poor behaviour, child-on-child abuse, suspension and search will be monitored, analysed and reported to the executive headteacher/board of trustees and used to inform targeted support and changes in policy.

12. Policy review

The effectiveness of this policy will be reviewed at least annually, or when the need arises, and the necessary recommendations for improvement will be made to the executive headteacher.