



# **Behaviour and Physical Intervention Policy**

**October 2024**

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## Important contacts

| ROLE/ORGANISATION                         | NAME            | CONTACT DETAILS  |
|---|-----------------|--|
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| Local authority designated officer (LADO) | Tim Booth       | 0300 123 6720<br>Out of hours: 0300 123 6722   |
| Regional Lead                             | Richard Winzor  | <a href="mailto:Richard.winzor@cambianguroup.com">Richard.winzor@cambianguroup.com</a><br>07442 603132   |
| Channel helpline                          |                 | 020 7340 7264  |

**If the child is at immediate risk, please call the police on 999.**

### 1. Aims

This policy aims to:

- Create a positive culture that promotes excellent behaviour, ensuring that all pupils have the opportunity to learn in a calm, safe and supportive environment
- Establish a whole-school approach to maintaining high standards of behaviour that reflect the values of the school
- Outline the expectations and consequences of behaviour
- Provide a consistent approach to behaviour management that is applied equally to all pupils
- Define what we consider to be unacceptable behaviour, including bullying and discrimination

### 2. Legislation and statutory requirements

This policy is based on legislation and advice from the Department for Education (DfE) on:

- [Behaviour in schools: advice for headteachers and school staff 2024](#)
- [Searching, screening and confiscation: advice for schools 2022](#)
- [The Equality Act 2010](#)
- [Keeping Children Safe in Education 2023](#)
- [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement 2023](#)
- [Use of reasonable force in schools](#)
- [Supporting pupils with medical conditions at school](#)
- [Special Educational Needs and Disability \(SEND\) Code of Practice](#)

In addition, this policy is based on:

- Section 175 of the [Education Act 2002](#), which outlines a school's duty to safeguard and promote the welfare of its pupils
- Sections 88 to 94 of the [Education and Inspections Act 2006](#), which requires schools to regulate pupils' behaviour and publish a behaviour policy and written statement of behaviour principles, and gives schools the authority to confiscate pupils' property

- Schedule 1 of the [Education \(Independent School Standards\) Regulations 2014](#); paragraph 7 outlines a school's duty to safeguard and promote the welfare of children, paragraph 9 requires the school to have a written behaviour policy, and paragraph 10 requires the school to have an anti-bullying strategy

This policy complies with our funding agreement and articles of association.

### 3. Definitions

**Misbehaviour** is defined as:

- Disruption in lessons, in corridors between lessons, and at break and lunchtimes
- Non-completion of classwork or homework
- Poor attitude
- Incorrect uniform

**Serious misbehaviour** is defined as:

- Repeated breaches of the school rules
- Any form of bullying
- Sexual violence, such as rape, assault by penetration, or sexual assault (intentional sexual touching without consent)
- Sexual harassment, meaning unwanted conduct of a sexual nature, such as:
  - Sexual comments
  - Sexual jokes or taunting
  - Physical behaviour such as interfering with clothes
  - Online sexual harassment, such as unwanted sexual comments and messages (including on social media), sharing of nude or semi-nude images and/or videos, or sharing of unwanted explicit content
- Vandalism
- Theft
- Fighting
- Smoking
- Racist, sexist, homophobic or discriminatory behaviour
- Possession of any prohibited/banned items. These are:
  - Knives or weapons
  - Alcohol
  - Illegal drugs
  - Stolen items
  - Tobacco and cigarette papers
  - E-cigarettes or vapes
  - Fireworks
  - Pornographic images
  - Any article a staff member reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of, any person (including the pupil)

## 4. Bullying

**Bullying** is defined as the repetitive, intentional harming of 1 person or group by another person or group, where the relationship involves an imbalance of power.

Bullying is, therefore:

- Deliberately hurtful
- Repeated, often over a period of time
- Difficult to defend against

Bullying can include:

| TYPE OF BULLYING   | DEFINITION   |
|--|--|
| Emotional  | Being unfriendly, excluding, tormenting  |
| Physical   | Hitting, kicking, pushing, taking another's belongings, any use of violence  |
| Prejudice-based and discriminatory, including: <ul style="list-style-type: none"><li>• Racial</li><li>• Faith-based</li><li>• Gendered (sexist)</li><li>• Homophobic/biphobic</li><li>• Transphobic</li><li>• Disability-based</li></ul> | Taunts, gestures, graffiti or physical abuse focused on a particular characteristic (e.g. gender, race, sexuality)   |
| Sexual   | Explicit sexual remarks, display of sexual material, sexual gestures, unwanted physical attention, comments about sexual reputation or performance, or inappropriate touching                              |
| Direct or indirect verbal  | Name-calling, sarcasm, spreading rumours, teasing  |
| Cyber-bullying   | Bullying that takes place online, such as through social networking sites, messaging apps, gaming sites, devices or via images, audio, video, or written content generated by artificial intelligence (AI) |

**For more information please see the school's Anti-Bullying policy.**

## 5. Roles and responsibilities

### 5.1 The governing board

The governing board is responsible for:

- Reviewing and approving the written statement of behaviour principles
- Reviewing this behaviour policy in conjunction with the Principal
- Monitoring the policy's effectiveness
- Holding the Principal to account for its implementation

The governing board is responsible for monitoring this behaviour policy's effectiveness and holding the Principal to account for its implementation.

## 5.2 The Principal

The Principal is responsible for:

- Reviewing and approving this behaviour policy
- Ensuring that the school environment encourages positive behaviour
- Ensuring that staff deal effectively with poor behaviour
- Monitoring how staff implement this policy to ensure rewards and sanctions are applied consistently to all groups of pupils
- Ensuring that all staff understand the behavioural expectations and the importance of maintaining them
- Providing new staff with a clear induction into the school's behavioural culture to ensure they understand its rules and routines, and how best to support all pupils to participate fully
- Offering appropriate training in behaviour management, and the impact of special educational needs and disabilities (SEND) and mental health needs on behaviour, to any staff who require it, so they can fulfil their duties set out in this policy
- Ensuring this policy works alongside the safeguarding policy to offer pupils both sanctions and support when necessary
- Ensuring that the data from the behaviour log is reviewed regularly, to make sure that no groups of pupils are being disproportionately impacted by this policy (see section 13.1)

## 5.3 Staff

Staff are responsible for:

- Creating a calm and safe environment for pupils
- Establishing and maintaining clear boundaries of acceptable pupil behaviour
- Implementing the behaviour policy consistently
- Communicating the school's expectations, routines, values and standards through teaching behaviour and in every interaction with pupils
- Modelling expected behaviour and positive relationships
- Providing a personalised approach to the specific behavioural needs of particular pupils
- Considering the impact of their own behaviour on the school culture and how they can uphold school rules and expectations
- Recording behaviour incidents promptly on Behaviour Watch
- Challenging pupils to meet the school's expectations

The senior leadership team (SLT) will support staff in responding to behaviour incidents.

## 5.4 Parents and carers

Parents and carers, where possible, should:

- Get to know the school's behaviour policy and reinforce it at home where appropriate
- Support their child in adhering to the school's behaviour policy
- Inform the school of any changes in circumstances that may affect their child's behaviour
- Discuss any behavioural concerns with the class teacher promptly
- Take part in any pastoral work following misbehaviour (for example, attending reviews of specific behaviour interventions)

- Raise any concerns about the management of behaviour with the school directly, while continuing to work in partnership with the school
- Take part in the life of the school and its culture

The school will endeavour to build a positive relationship with parents and carers by keeping them informed about developments in their child's behaviour and the school's policy, and working in collaboration with them to tackle behavioural issues.

## 5.5 Pupils

Pupils will be made aware of the following during their induction into the behaviour culture:

- The expected standard of behaviour they should be displaying at school
- That they have a duty to follow the behaviour policy
- The school's key rules and routines
- The rewards they can earn for meeting the behaviour standards, and the consequences they will face if they don't meet the standards
- The pastoral support that is available to them to help them meet the behaviour standards

Pupils will be supported to meet the behaviour standards and will be provided with repeated induction sessions wherever appropriate.

Pupils will be supported to develop an understanding of the school's behaviour policy and wider culture.

Pupils will be asked to give feedback on their experience of the behaviour culture to support the evaluation, improvement and implementation of the behaviour policy.

Extra support and induction will be provided for pupils who are mid-phase arrivals

## 6. School behaviour curriculum

Pupils are expected to:

- Behave in an orderly and self-controlled way
- Show respect to members of staff and each other
- In class, make it possible for all pupils to learn
- Move quietly around the school
- Treat the school buildings and school property with respect
- Wear the correct uniform at all times
- Accept sanctions when given
- Refrain from behaving in a way that brings the school into disrepute, including when outside school or online

Where appropriate and reasonable, adjustments may be made to routines within the curriculum to ensure all pupils can meet behavioural expectations in the curriculum.

### Behaviour Curriculum - Rules

To clarify expectations and be clear on school routines, the following behaviours need to be known to, and reinforced by all staff including supply teachers, support staff, students and non-teaching staff.

Arriving at school

- Arrive at school by 8.45am
- Arrive quietly and sensibly into school.

#### In the classroom

- Wait your turn to speak;
- Listen to teachers, other children and adults;
- Look after the classroom by keeping it tidy and looking after equipment;
- Be kind and helpful, share equipment;
- Walk into the classroom quietly and sit down;
- Leave the classroom quietly;
- Follow instructions carefully;
- Work quietly and always do your best;
- Walk around the classroom.

#### At breaks and lunch times

- In the way out to play, go to the toilet if you need to, and collect your coat while your teacher or other adult supervises;
- Stay within the boundaries;
- Think about safety when you play, and act in a way that will not hurt others;
- Think about others, how they feel, what they may need;
- Return to class when you are asked to do so by the staff members.

#### During school meal times

- Make sure your hands are clean;
- Say “please” and “thank you” to all the staff who give you food and help you;
- Try not to spill food on the floor;
- Eat your dinner sensibly, quickly and talk quietly;
- Use your knife, fork and spoon properly;
- Only speak when you are not eating;
- Leave your table and the floor clean and free of food.

#### In the toilet

- When you have used the toilet – flush it;
- Respect other peoples’ privacy;
- Make sure the taps are turned off after you have used them, be responsible about using the water;
- When you have finished, look to see if you have left the toilets clean and tidy.

#### During off-site activities

- Sit down on the bus or car and always wear your seat belt;
- Stay close to staff and only go where instructed;
- Look and think – remember road safety rules;
- Be polite and set a good example to everyone;
- Get changed quickly, quietly and sensibly at the swimming baths, or on outdoor activities;
- Respect your own and other people’s property;
- Obey instructions immediately.

### **6.1 Mobile phones**

- Pupils are allowed mobile phones/devices for transport purposes only, and only those pupils who are arriving in Local Authority provided transport.
- All pupils arriving to school in transport provided by Brook View School should not have mobile phones or devices, these should be left at home.
- When a mobile phone/device is needed to be brought into school the parents or carers should inform the school teaching staff as soon as possible.



- Where a parent or carer suspects that a child or young person has a phone on them then this should be reported to school teaching staff as soon as possible.
- Any mobile phones/devices being brought on to school property should be handed into the school office at the start of the day and should be collected as that person is leaving school to access their transport home.
- In cases, where a mobile phone/device causes an issue to the learning or welfare of students then this device will be confiscated. On the first occasion this device will be returned to the student at the end of that day. From the second occasion onwards the parent/carer would need to collect that device from the school office.
- For persistent violations of the school rules regarding mobile phones/devices then a weeks ban will be placed and the school would require parent/carer support to enforce this.

## 7. Responding to Behaviour

### Promoting positive behavior

Children and young people cannot do well unless good standards of behaviour are introduced and maintained. Opportunities for promoting positive behaviour strategies include:

- Whole school and during lessons - where children are educated about social situations, recognising and identifying emotions and discussions which are applied to our everyday lives and to our relationships with one another.
- PSHE opportunities throughout the curriculum, including themes on citizenship, friendship, anti-social behaviour, bullying, British Values etc.
- Form time and assemblies, where children learn social skills and ways of communicating their thoughts and feelings in a positive, safe and nurturing environment.
- School Council – who support and help other children across school e.g. promoting fair and fun play on the school yard, helping younger children with routines, operating as ambassadors of exemplary behaviour within the school family.
- Outside speakers such as the school nurse, the PCSO, the Fire Brigade and members of the community.

As an Independent Special School all staff will look for indicators of Social, Emotional and Mental Health needs by including pupils who are displaying observable and active, 'acting out' behaviours (e.g. those who are noncompliant, show mood swings, verbal and physical aggression, those who abscond, who lack empathy or personal boundaries) and those who display more passive behaviours (e.g. those who present as withdrawn, isolated, disengaged and/or distracted, who avoid risks, who appear very anxious, who refuse to accept praise, are reluctant to speak). No staff will view or label a pupil whose behaviour is externalized. Staff will see all behaviour as a form of communication, an indicator of emotions and will respond in an empathic and understanding manner. All staff recognise that early intervention is imperative for addressing both active and passive behaviours, to ensure that low level behaviors can be addressed early.

### 7.1 Classroom management

Teaching and support staff are responsible for setting the tone and context for positive behaviour within the school.

They will:

- Create and maintain a stimulating environment that encourages pupils to be engaged
- Display the behaviour curriculum or their own classroom rules
- Develop a positive relationship with pupils, which may include:
  - ✓ Greeting pupils in the morning/at the start of lessons
  - ✓ Establishing clear routines
  - ✓ Communicating expectations of behaviour in ways other than verbally

- ✓ Highlighting and promoting good behaviour
- ✓ Concluding the day positively and starting the next day afresh
- ✓ Having a plan for dealing with low-level disruption
- ✓ Using positive reinforcement

## 7.2 Safeguarding

The school recognises that changes in behaviour may be an indicator that a pupil is in need of help or protection.

We will consider whether a pupil's misbehaviour may be linked to them suffering, or being likely to suffer, significant harm.

Where this may be the case, we will follow our child protection and safeguarding policy, and consider whether pastoral support, an early help intervention or a referral to children's social care is appropriate.

**Please see Brook View School's Safeguarding and Child Protection policy for further information.**

## 7.3 Responding to good behaviour

When a pupil's behaviour meets or goes above and beyond the expected behaviour standard, staff will recognise it with positive recognition and reward. This provides an opportunity for all staff to reinforce the school's culture and ethos.

Positive reinforcements and rewards will be applied clearly and fairly to reinforce the routines, expectations and norms of the school's behaviour culture.

Positive behaviour will be rewarded with:

- Verbal praise
- Rewards system 'Road to Rewards'
- End of week rewards which look at the week as a whole and work alongside the 'Road to Rewards'
- Communicating praise to parents/carers via a phone call or written correspondence
- Certificates, prize ceremonies or special assemblies
- Whole-class or year group rewards, such as a popular activity

**At all times we are positive about our children.**

### Rewards

As a whole school approach we are aware that children communicate through behaviour. We have high expectations of all our children in terms of both achievement and behaviour and we actively look for the small improvements in behaviour, the little things that can be rewarded in order to raise self-esteem and confidence. We use positive language to reinforce expectations and give positive praise regularly.

Children will be set an individual target for the week and can work with the class teachers and staff, where possible, to choose their rewards and therefore are working towards something meaningful to them. Rewards can be an external lunch, a trip to the park, an ice-cream, off-site horse riding, a cinema or trampoline park trip. Children can also choose to save their rewards and roll them over for a bigger reward.

### Road to Rewards

These are points that are awarded individually, in groups or as a class and are displayed in every classroom. These points are built up and will be discussed daily and celebrated weekly and termly.

Once awarded a Road to Reward it cannot be deducted however, during each session of the school day including transport, lesson, breaks, lunches and assemblies etc. the children and young people can earn positive points.

Positive Road to Reward points can be awarded for the following:

1. Arriving to school/lesson on time
2. Completing work
3. Independent learning
4. Individual target – this is bespoke for each young person and displayed in their class
5. Break time
6. Positive behavior
7. Reading
8. Team work
9. Transport
10. Extra points

## **7.4 Responding to misbehaviour**

When a pupil's behaviour falls below the standard that can reasonably be expected of them, staff will respond in order to restore a calm and safe learning environment, and to prevent recurrence of misbehaviour.

Staff will endeavour to create a predictable environment by always challenging behaviour that falls short of the standards, and by responding in a consistent, fair and proportionate manner, so pupils know with certainty that misbehaviour will always be addressed.

De-escalation techniques can be used to help prevent further behaviour issues arising, such as the use of pre-arranged scripts and phrases.

All pupils will be treated equitably under the policy, with any factors that contributed to the behavioural incident identified and taken into account.

When giving behaviour consequences, staff will also consider what support could be offered to a pupil to help them to meet behaviour standards in the future.

### **Consequences**

If a child displays a negative, unacceptable behaviour then a teaching or learning support assistant will give a verbal reminder supporting by a visual communication aid. This is their first reminder and if the behaviour continues they may be asked to vacate the classroom to have some time to regulate their behaviour. On occasions where the behaviours are escalating quickly others may be asked to vacate the classroom to provide a quieter environment to support the child/young person who is struggling.

**Every day is a fresh start.**

**Every new lesson is a fresh start.**

Low level disruptions include:

- Talking during lessons times and teaching input times
- Not listening
- Making unnecessary noise
- Trying to distract others
- Answering back/showing disrespect

All incidents of negative behaviour will be treated on an individual basis.

More serious behaviours include:

- Hurting a child or adult
- Aggressive behaviour towards a child or adult
- Refusal to comply with an instruction
- Damage to property

The school may use one or more of the following sanctions in response to unacceptable behaviour:

- Asking the pupil to take some time out of the class
- A verbal reprimand and reminder of the expectations of behaviour
- Setting of written tasks such as an account of their behaviour
- Expecting work to be completed at home, or at break or lunchtime
- Loss of privileges – for instance, the loss of a rewards activity on Friday afternoons
- Off-site ban is the behaviour displayed increases the risk of taking that pupil off-site
- School-based community service, such as tidying a classroom
- Referring the pupil to a senior member of staff
- Letter or phone call home to parents/carers
- Agreeing a behaviour contract
- Removal of the pupil from the classroom
- Suspension
- Permanent exclusion, in the most serious of circumstances

Personal circumstances of the pupil will be taken into account when choosing sanctions and decisions will be made on a case-by-case basis, but with regard to the impact on perceived fairness.

Consequences must be applied consistently by all staff, but with the provision for flexibility to take account of individual circumstances and need.

#### **Adapting sanctions for pupils with SEND**

When considering a behavioural sanction for a pupil with SEND, the school will consider whether:

- The pupil was unable to understand the rule or instruction
- The pupil was unable to act differently at the time as a result of their SEND
- The pupil was likely to behave aggressively due to their particular SEND

If the answer to any of these is 'yes', it may be unlawful for the school to sanction the pupil for the behaviour.

#### **Pupils with an education, health care (EHC) plan**

The provisions set out in the EHC plan must be secured and the school will co-operate with the local authority and other bodies.

If the school has a concern about the behaviour of a pupil with an EHC plan, it will make contact with the local authority to discuss the matter. If appropriate, the school may request an emergency review of the EHC plan

The school will then assess whether it is appropriate to use a sanction and if so, whether any reasonable adjustments need to be made to the sanction.

Any major incident, act of violence, bullying incident can lead immediately to the most severe sanctions/ actions including short term fixed and permanent exclusion/s may also be used at this stage and will be dealt with by the Principal.

**Behaviour will be logged on Behaviour Watch and will be regularly monitored by the Principal, DSL's and SLT and shared with parents / carers and external agencies when appropriate and/or necessary.**

## **Pupil support**

The school recognises its legal duty under the Equality Act 2010 to prevent pupils with a protected characteristic from being at a disadvantage. Consequently, our approach to challenging behaviour may be differentiated to cater to the needs of the pupil.

The school's Special Educational Needs Co-ordinator (SENCo) will evaluate a pupil who exhibits challenging behaviour to determine whether they have any underlying needs that are not currently being met. Where necessary, support and advice will also be sought from specialist teachers, an educational psychologist, medical practitioners and/or others, to identify or support specific needs.

When acute needs are identified in a pupil, we will liaise with external agencies and plan support programmes for that child. We will work with parents to create the plan and review it on a regular basis.

## **7.5 Reasonable force**

This section refers and quotes directly from the document: Use of Reasonable Force Guidance – 2013: <https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>

The use of physical force by teachers and others authorised by the Principal to control or restrain pupils is sanctioned by section 93 of the Education and Inspections Act 2006 and was further clarified in the document above.

The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils. Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury. 'Reasonable in the circumstances' means using no more force than is needed.

Teachers can use 'reasonable force' to:

- Remove disruptive children from the classroom where they have refused to follow an instruction to do so
- Prevent a pupil behaving in a way that disrupts a school event or a school trip or visit
- Prevent a pupil leaving the classroom / site where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others
- Prevent a pupil from attacking a member of staff or another pupil, or to stop a fight
- Restrain a pupil at risk of harming themselves through physical outbursts

Schools cannot:

- Use force as a punishment – it is always unlawful to use force as a punishment

Before intervening physically a teacher/teaching assistant should tell the pupil who is misbehaving to stop and explain the consequence of what will happen if he/she does not stop. The teacher/teaching assistant should continue attempting to communicate with the pupil throughout the incident, and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary. A calm and measured approach to the situation is needed and a teacher/teaching assistant should never give the impression that they have lost their temper, or are acting out of anger or frustration to punish the pupil. It is advisable for a teacher/teaching assistant to summon help from another adult. The pupil should be informed that help has been sought.

Physical intervention can take several forms. It might involve:

- Physical interposing between pupils
- Blocking a pupil's path
- Holding
- Escorting a pupil by the hand or arm

## **Telling parents/carers when force has been used on their child**

1. It is good practice for schools to speak to parents about serious incidents involving the use of force and to consider how best to record such serious incidents. It is up to schools to decide whether it is appropriate to report the use of force to parents.
2. In deciding what is a serious incident, teachers should use their professional judgement and consider the:
  - pupil's behaviour and level of risk presented at the time of the incident;
  - degree of force used;
  - effect on the pupil or member of staff; and
  - the child's age
  - At Brook View School we will record the incidents on Behaviour Watch on the same day the incident took place.
  - Parents, carers and external agencies (where appropriate) will be told within 24 hours of the incident occurring where the school deem it appropriate to do so.
  - Staff will have weekly meetings in class where the incidents recorded that week will be discussed and staff will be debriefed to ensure that good practice is identified and support can be offered to both staff and pupils to reduce the incidents.
  - Children and young people will be debriefed verbally after every incident by a member of staff that was not involved in the incident and this will be recorded on Behaviour Watch.
  - Parents / carers can request copies of the Behaviour Watch reports by emailing the Principal and these reports will be provided if it is safe and reasonable to do so.
  - Any complaints from young people, parents, carers or external agencies should go via the Principal and these will be internally investigated and all the relevant parties will be informed of the outcome.

**See Brook View School's Complaints Policy for further details.**

#### **What about other physical contact with pupils?**

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

- Holding the hand of the child
- When comforting a distressed pupil;
- When a pupil is being congratulated or praised;
- To demonstrate how to use a piece of equipment;
- To demonstrate exercises or techniques during PE lessons or sports coaching; and
- To give first aid.

## **7.6 Confiscation, screening and searching**

Searching, screening and confiscation is conducted in line with the DfE's [latest guidance on searching, screening and confiscation](#).

### **Confiscation**

Any prohibited items found in a pupil's possession as a result of a search will be confiscated. These items will not be returned to the pupil.

We will also confiscate any item that is harmful or detrimental to school discipline. These items will be returned to pupils after discussion with senior leaders and parents/carers, if appropriate.

### **Searching a pupil**

Searches will only be carried out by a member of staff who has been authorised to do so by the Principal, or by the Principal themselves.

Subject to the exception below, the authorised member of staff carrying out the search will be of the same sex as the pupil, and there will be another member of staff present as a witness to the search.

An authorised member of staff of a different sex to the pupil can carry out a search without another member of staff as a witness if:

- The authorised 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
- In the time available, it is not reasonably practicable for the search to be carried out by a member of staff who is the same sex as the pupil; or
- It is not reasonably practicable for the search to be carried out in the presence of another member of staff

When an authorised member of staff conducts a search without a witness, they should immediately report this to another member of staff, and make sure a written record of the search is kept.

If the authorised member of staff considers a search to be necessary, but is not required urgently, they will seek the advice of the Principal, Designated Safeguarding Lead (DSL or deputy DDSL) or pastoral member of staff who may have more information about the pupil. During this time the pupil will be supervised and kept away from other pupils.

A search can be carried out if the authorised 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.

An appropriate location for the search will be found. 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.

Before carrying out a search the authorised member of staff will:

- Assess whether there is an urgent need for a search
- Assess whether not doing the search would put other pupils or staff at risk
- Consider whether the search would pose a safeguarding risk to the pupil
- Explain to the pupil why they are being searched
- Explain to the pupil what a search entails – e.g. “I will ask you to turn out your pockets and remove your scarf”
- Explain how and where the search will be carried out
- Give the pupil the opportunity to ask questions
- Seek the pupil’s co-operation

If the pupil refuses to agree to a search, the member of staff can give an appropriate behaviour sanction.

If they still refuse to co-operate, the member of staff will contact the Designated Safeguard Lead or Deputy Designated Safeguard Lead, to try to determine why the pupil is refusing to comply.

The authorised member of staff will then decide whether to use reasonable force to search the pupil. This decision will be made on a case-by-case basis, taking into consideration whether conducting the search will prevent the pupil harming themselves or others, damaging property or causing disorder.

The authorised member of staff can use reasonable force to search for any prohibited items, but not to search for items that are only identified in the school rules.

The authorised member of staff may use a metal detector to assist with the search.

An authorised member of staff may search a pupil’s outer clothing, pockets, possessions, desk or locker.

‘Outer clothing’ includes:

- Any item of clothing that isn't worn wholly next to the skin or immediately over underwear (e.g. a jumper or jacket being worn over a t-shirt)
- Hats, scarves, gloves, shoes or boots

### **Searching pupils' possessions**

Possessions means any items that the pupil has or appears to have control of, including:

- Desks
- Lockers
- Bags

A pupil's possessions can be searched for any item if the pupil agrees to the search. If the pupil does not agree to the search, staff can still carry out a search for prohibited items and items identified in the school rules.

An authorised member of staff can search a pupil's possessions when the pupil and another member of staff are present.

If there is a serious risk of harm if the search is not conducted immediately, or it is not reasonably practicable to summon another member of staff, the search can be carried out by a single authorised member of staff.

### **Informing the Designated Safeguarding Lead (DSL)**

The staff member who carried out the search should inform the DSL without delay:

- Of any incidents where the member of staff had reasonable grounds to suspect a pupil was in possession of a prohibited item
- If they believe that a search has revealed a safeguarding risk

All searches for prohibited items, including incidents where no items were found, will be recorded in the school's safeguarding system.

### **Informing parents/carers**

Parents/carers will always be informed of any search for a prohibited item. A member of staff will tell the parents/carers as soon as is reasonably practicable:

- What happened
- What was found, if anything
- What has been confiscated, if anything
- What action the school has taken, including any sanctions that have been applied to their child

### **Support after a search**

Irrespective of whether any items are found as the result of any search, the school will consider whether the pupil may be suffering or likely to suffer harm and whether any specific support is needed (due to the reasons for the search, the search itself, or the outcome of the search).

If this is the case, staff will follow the school's safeguarding policy and speak to the Designated Safeguarding Lead (DSL). The DSL will consider whether pastoral support, an early help intervention or a referral to children's social care is appropriate.

### **Strip searches**

The authorised member of staff's power to search outlined above does not enable them to conduct a strip search (removing more than the outer clothing) and strip searches on school premises shall only be carried out by police officers in accordance with the Police and Criminal Evidence Act 1984 (PACE) Code C.

Before calling the police into school, staff will assess and balance the risk of a potential strip search on the pupil's mental and physical wellbeing and the risk of not recovering the suspected item.



Staff will consider whether introducing the potential for a strip search through police involvement is absolutely necessary, and will always ensure that other appropriate, less invasive approaches have been exhausted first.

Once the police are on school premises, the decision on whether to conduct a strip search lies solely with them. The school will advocate for the safety and wellbeing of the pupil(s) involved. Staff retain a duty of care to the pupil involved and should advocate for pupil wellbeing at all times.

### **Communication and record-keeping**

Where reasonably possible and unless there is an immediate risk of harm, before the strip search or search takes place, staff will contact at least one of the pupil's parents/carers to inform them of the search, and ask them if they would like to come into school to act as the pupil's appropriate adult. If the school can't get in touch with the parents/carers, or they aren't able to come into school to act as the appropriate adult, a member of staff can act as the appropriate adult (see below for information about the role of the appropriate adult).

The pupil's parents/carers will always be informed by a staff member once a search has taken place. The school will keep records of searches that have been conducted on school premises, and monitor them for any trends that emerge.

### **Who will be present**

For any strip search that involves exposure of intimate body parts or any other searches, there will be at least two people present other than the pupil, except in urgent cases where there is risk of serious harm to the pupil or others.

One of these must be the appropriate adult, except if:

- The pupil explicitly states in the presence of an appropriate adult that they do not want an appropriate adult to be present during the search, **and**
- The appropriate adult agrees

If this is the case, a record will be made of the pupil's decision and it will be signed by the appropriate adult.

No more than two people other than the pupil and appropriate adult will be present, except in the most exceptional circumstances.

The appropriate adult will:

- Act to safeguard the rights, entitlements and welfare of the pupil
- Not be a police officer or otherwise associated with the police
- Not be the Principal
- Be of the same sex as the pupil, unless the pupil specifically requests an adult who is not of the same sex

Except for an appropriate adult of a different sex if the pupil specifically requests it, no one of a different sex will be permitted to be present and the search will not be carried out anywhere where the pupil could be seen by anyone else.

### **Care after a strip search or search**

After any strip search or search, the pupil will be given appropriate support, irrespective of whether any suspected item is found. The pupil will also be given the opportunity to express their views about the strip search or search and the events surrounding it.

As with other searches, the school will consider whether the pupil may be suffering or likely to suffer harm and whether any further specific support is needed (due to the reasons for the search, the search itself, or the outcome of the search).

Staff will follow the school's safeguarding policy and speak to the Designated Safeguarding Lead (DSL). The DSL will consider if, in addition to pastoral support, an early help intervention or a referral to children's social care is appropriate.

Any pupil(s) who have been strip searched or searched more than once and/or groups of pupils who may be more likely to be subject to strip searching or searching will be given particular consideration, and staff will consider any preventative approaches that can be taken.

## **7.7 Off-site misbehaviour**

Sanctions may be applied where a pupil has misbehaved off-site when representing the school. This means misbehaviour when the pupil is:

- Taking part in any school-organised or school-related activity (e.g. school trips)
- Travelling to or from school
- In any other way identifiable as a pupil of our school

Sanctions may also be applied where a pupil has misbehaved off-site, at any time, whether or not the conditions above apply, if the misbehaviour:

- Could have repercussions for the orderly running of the school
- Poses a threat to another pupil
- Could adversely affect the reputation of the school

Sanctions will only be given out on school premises or elsewhere when the pupil is under the lawful control of a staff member (e.g. on a school-organised trip).

## **7.8 Online misbehaviour**

The school can issue behaviour sanctions to pupils for online misbehaviour when:

- It poses a threat or causes harm to another pupil
- It could have repercussions for the orderly running of the school
- It adversely affects the reputation of the school
- The pupil is identifiable as a member of the school

Sanctions will only be given out on school premises or elsewhere when the pupil is under the lawful control of a staff member.

## **7.9 Suspected criminal behaviour**

If a pupil is suspected of criminal behaviour, the school will make an initial assessment of whether to report the incident to the police.

When establishing the facts, the school will endeavour to preserve any relevant evidence to hand over to the police.

If a decision is made to report the matter to the police, the Principal / Senior Leader Team will make the report.

The school will not interfere with any police action taken. However, the school may continue to follow its own investigation procedure and enforce sanctions, as long as it does not conflict with police action.

If a report to the police is made, the designated safeguarding lead (DSL) will make a tandem report to children's social care, if appropriate.

## **7.10 Zero-tolerance approach to sexual harassment and sexual violence**

The school will ensure that all incidents of sexual harassment and/or violence are met with a suitable response, and never ignored.

Pupils are encouraged to report anything that makes them uncomfortable, no matter how 'small' they feel it might be.

The school's response will be:

- Proportionate
- Considered
- Supportive
- Decided on a case-by-case basis

The school has procedures in place to respond to any allegations or concerns regarding a child's safety or wellbeing. These include clear processes for:

- Responding to a report
- Carrying out risk assessments, where appropriate, to help determine whether to:
  - ✓ Manage the incident internally
  - ✓ Refer to early help
  - ✓ Refer to children's social care
  - ✓ Report to the police

**Please refer to our Child Protection and Safeguarding policy for more information.**

## 7.11 Malicious allegations

Where a pupil makes an allegation against a member of staff and that allegation is shown to have been deliberately invented or malicious, the school will consider whether to discipline the pupil in accordance with this policy.

Where a pupil makes an allegation of sexual violence or sexual harassment against another pupil and that allegation is shown to have been deliberately invented or malicious, the school will consider whether to discipline the pupil in accordance with this policy.

In all cases where an allegation is determined to be unsubstantiated, unfounded, false or malicious, the school (in collaboration with the Local Authority Designated Officer (LADO), where relevant) will consider whether the pupil who made the allegation is in need of help, or the allegation may have been a cry for help. If so, a referral to children's social care may be appropriate.

The school will also consider the pastoral needs of staff and pupils accused of misconduct.

**Please refer to our Child Protection and Safeguarding policy for more information.**

## 8. Exclusions

The Principal has the duty to maintain discipline and good conduct to secure an orderly learning environment. In furtherance of this, the Principal has the right to exclude children from school at her own discretion, either temporarily or permanently.

1. Only the Principal of a school can exclude a pupil and this must be on disciplinary grounds. A pupil may be excluded for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or permanently. A fixed-period exclusion does not have to be for a continuous period.
2. A fixed-period exclusion can also be for parts of the school day. For example, if a pupil's behaviour at lunchtime is disruptive, they may be excluded from the school premises for the duration of the lunchtime period. The legal requirements relating to exclusion, such as the Principal's duty to notify parents / carers, apply in all cases. Lunchtime exclusions are counted as half a school day for statistical purposes and in determining whether a meeting is triggered with the Regional Lead/Proprietor Representative.
3. The law does not allow for extending a fixed-period exclusion or 'converting' a fixed-period exclusion into a permanent exclusion. In exceptional cases, usually where further evidence has come to light, a further fixed-period exclusion may be issued to begin immediately after

the first period ends; or a permanent exclusion may be issued to begin immediately after the end of the fixed period.

4. The behaviour of a pupil outside school can be considered grounds for an exclusion.
5. The Principal may withdraw an exclusion that has not been reviewed by the Regional Lead/Proprietor Representative.
6. Any decision of the school, including exclusion, must be made in line with the principles of administrative law, i.e. that it is: lawful (with respect to the legislation relating directly to exclusions and a school's wider legal duties, including the European Convention on Human Rights and the Equality Act 2010); rational; reasonable; fair; and proportionate.
7. The Principal must take account of their legal duty of care when sending a pupil home following an exclusion.
8. When establishing the facts in relation to an exclusion decision the Principal must apply the civil standard of proof; i.e. 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt.' This means that the Principal should accept that something happened if it is more likely that it happened than that it did not happen.
9. Under the Equality Act 2010 (the Equality Act), schools must not discriminate against, harass or victimise pupils because of: sex; race; disability; religion or belief; sexual orientation; pregnancy/maternity; or gender reassignment. For disabled children, this includes a duty to make reasonable adjustments to policies and practices and the provision of auxiliary aids.
10. In carrying out their functions, the public sector equality duty means schools must also have due regard to the need to:
  - eliminate discrimination, harassment, victimisation, and other conduct that is prohibited by the Equality Act;
  - advance equality of opportunity between people who share a protected characteristic and people who do not; and
  - foster good relations between people who share a protected characteristic and people who do not share it.
11. These duties need to be complied with when deciding whether to exclude a pupil. Brook View School must also ensure that its policies and practices do not discriminate against pupils by unfairly increasing their risk of exclusion. Provisions within the Equality Act allow schools to take positive action to deal with particular disadvantages, needs, or low participation affecting one group, where this can be shown to be a proportionate way of dealing with such issues.
12. The Principal and the Regional Lead/Proprietor Representative must comply with their statutory duties in relation to additional learning needs when administering the exclusion process. This includes having regard to the SEND Code of Practice.
13. It is unlawful to exclude for a non-disciplinary reason. For example, it would be unlawful to exclude a pupil simply because they have additional needs or a disability that the school feels it is unable to meet, or for a reason such as: academic attainment/ability; the action of a pupil's parents; or the failure of a pupil to meet specific conditions before they are reinstated, such as to attend a reintegration meeting. However, a pupil who repeatedly disobeys their teachers' academic instructions could, be subject to exclusion.
14. 'Informal' or 'unofficial' exclusions, such as sending a pupil home 'to cool off', are unlawful, regardless of whether they occur with the agreement of parents or carers. Any exclusion of a pupil, even for short periods of time, must be formally recorded.
15. The threat of exclusion must never be used to influence parents / carers to remove their child from the school.

Refer to <https://www.gov.uk/government/publications/school-exclusion>

## **9. Pupil Transitions**

### **9.1 Inducting incoming pupils**

The school will support incoming pupils to meet behaviour standards by offering an induction process to familiarise them with the behaviour policy and the wider school culture.

## 9.2 Preparing outgoing pupils for transition

To ensure a smooth transition to the next year, pupils have transition sessions with their new teacher(s). In addition, staff members hold transition meetings.

To ensure behaviour is continually monitored and the right support is in place, information relating to pupil behaviour issues may be transferred to relevant staff at the start of the term or year.

## 10. Training

Staff will receive training for managing behaviours and will undergo a rigorous induction programme that identifies the schools vision and ethos and how we work as a community to set high standards for behaviours. To meet the needs of all our children staff may also be trained on specific areas to help overcome barriers and support the children to the best of their abilities.

As part of their induction process, our staff are provided with regular training on managing behaviour, including training on:

- The proper use of restraint – CPI
- The needs of the pupils at the school
- How SEND and mental health needs can impact behaviour
- Behaviour management will also form part of continuing professional development.

## 11. Monitoring arrangements

This policy will be reviewed **annually** by Rebekah Dennett (Principal). At every review, it will be approved by the Regional Lead/Proprietor Representative. **Next review October 2025.**

## 12. Linked policies

This policy links to the following policies and procedures:

- Safeguarding and Child Protection policy
- Admissions policy
- Anti-Bullying policy
- Curriculum policy
- Risk Assessments policy
- Online Safety policy
- Staff Code of Conduct
- Complaints policy
- Whistle-Blowing policy
- Additional Learning Needs policy
- Accessibility Plan
- First Aid / Medicines policy