



SHEBBEAR COLLEGE

Behaviour and Discipline Policy

Shebbear College

August 2024

Contents

1	Aims	3
2	Scope and application.....	3
3	Regulatory framework	3
4	Publication and availability	4
5	Definitions.....	4
6	Responsibility statement and allocation of tasks	5
7	Promoting good behaviour	5
8	Minor breaches of discipline.....	6
9	Serious breaches of discipline.....	6
10	Parent involvement	7
11	Additional needs	8
12	Safeguarding	8
13	Malicious allegations against staff.....	8
14	Use of reasonable force	9
15	Searching pupils	9
16	Training	9
17	Risk assessment	9
18	Record keeping	9
19	Version control.....	10

Appendix

Appendix 1	Expectations of A Shebbearian	11
Appendix 2	Rewards and sanctions	12
Appendix 3	Sanction System	15
Appendix 4	Strike System	16
Appendix 5	Investigations into serious breaches of discipline	18
Appendix 6	Disciplinary meeting with the Head	19
Appendix 7	Use of reasonable force	22
Appendix 8	Searching, screening & confiscation	23

1 **Aims**

- 1.1 This is the behaviour and discipline policy of Shebbear College.
- 1.2 The aims of this policy are as follows:
 - 1.2.1 to promote good behaviour amongst pupils;
 - 1.2.2 to actively promote and safeguard the welfare of pupils at the College;
 - 1.2.3 to ensure, so far as possible, that every pupil in the College can benefit from and make his / her full contribution to the life of the College, consistent always with the needs of the College community;
 - 1.2.4 to identify and outline the rewards offered to pupils who perform and behave well in their schoolwork and other activities;
 - 1.2.5 to encourage pupils to accept responsibility for their behaviour;
 - 1.2.6 to set out the sanctions adopted by the College in the event of pupil misbehaviour.

2 **Scope and application**

- 2.1 This policy applies to the whole College including the Early Years Foundation Stage (**EYFS**).
- 2.2 This policy (together with the College rules and all College policies on behaviour and discipline) applies to all pupils at the College, and at all times when a pupil is:
 - 2.2.1 in or at College;
 - 2.2.2 representing the College or wearing College uniform;
 - 2.2.3 travelling to or from College;
 - 2.2.4 On College-organised trips;
 - 2.2.5 associated with the College at any time. This includes times when they are outside the College boundaries or outside normal school hours, but are evidently pupils of the College to others who may be affected by their behaviour.
- 2.3 This policy shall also apply to pupils, at all times and places in circumstances where failing to apply this policy may:
 - 2.3.1 affect the health, safety or well-being of a member of the College community or a member of the public;
 - 2.3.2 have repercussions for the orderly running of the College; or
 - 2.3.3 bring the College into disrepute.

3 **Regulatory framework**

- 3.1 This policy has been prepared to meet the College's responsibilities under:
 - 3.1.1 Education (Independent School Standards) Regulations 2014;
 - 3.1.2 Statutory framework for the Early Years Foundation Stage (DfE, December 2023);

- 3.1.3 Education and Skills Act 2008;
 - 3.1.4 Childcare Act 2006;
 - 3.1.5 Data Protection Act 2018 and General Data Protection Regulation (GDPR); and
 - 3.1.6 Equality Act 2010.
- 3.2 This policy has regard to the following guidance and advice:
- 3.2.1 Behaviour in schools (DfE, February 2024);
 - 3.2.2 Use of reasonable force (DfE, July 2013);
 - 3.2.3 Searching, screening and confiscation: advice for schools (DfE, January 2022); and
 - 3.2.4 Keeping children safe in education (DfE, September 2024) (**KCSIE**).
- 3.3 The following College policies, procedures and resource materials are relevant to this policy but are not limited to:
- 3.3.1 complaints policy;
 - 3.3.2 acceptable use policy for pupils;
 - 3.3.3 anti-bullying policy;
 - 3.3.4 policy on smoking, e-cigarettes, alcohol and the misuse of drugs and substances;
 - 3.3.5 safeguarding and child protection policy and procedures;
 - 3.3.6 risk assessment policy for pupil welfare;
 - 3.3.7 policy on special educational needs and learning difficulties; and
 - 3.3.8 exclusion and withdrawal review policy.
 - 3.3.9 online safety policy.

4 **Publication and availability**

- 4.1 This policy is published on the College website.
- 4.1 This policy is available in hard copy on request.
- 4.2 A copy of the policy is available for inspection from the reception during the College day.
- 4.3 This policy can be made available in large print or other accessible format if required.

5 **Definitions**

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

- 5.1.2 References to the **Head** may include deputies.
- 5.1.3 References to **Parent** or **Parents** includes one or both parents, a legal guardian or education guardian.
- 5.1.4 References to the **Review** are to the review by the panel of the Head's decision in accordance with the expulsion and removal: review procedure.

6 **Responsibility statement and allocation of tasks**

- 6.1 The Proprietor has overall responsibility for all matters which are the subject of this policy.
- 6.2 To ensure the efficient discharge of its responsibilities under this policy, the Proprietor has allocated the following tasks:

Task	Allocated to	When / frequency of review
Keeping the policy up to date and compliant with the law and best practice	Senior Deputy Head	As required, and at least annually
Monitoring the implementation of the policy, relevant risk assessments and any action taken in response and evaluating effectiveness	Senior Deputy Head	As required, and at least annually
Maintaining up to date records of all information created in relation to the policy and its implementation as required by the GDPR	Senior Deputy Head	As required, and at least annually
Formal review	Proprietor	As required, and at least once every two years

7 **Promoting good behaviour**

- 7.1 Pupils are educated about good behaviour through the operation of the College's curriculum, PSHE programme and the College's pastoral support systems. Pupils are encouraged to act responsibly and, through the operation of this policy, to accept responsibility for their behaviour.
- 7.2 The College understands that rewards can be more effective than punishment in motivating pupils. The ways in which the College may reward good behaviour are set out in Appendix 2.
- 7.3 The College recognises that where challenging behaviour is related to pupils with special educational needs and/or a disability, use of positive discipline and reward methods may enable the College to manage the pupil's behaviour more effectively and improve their educational outcomes.

8 Minor breaches of discipline

- 8.1 The College has pastoral support systems in place to assist pupils in managing their behaviour. A range of sanctions are available for those who breach the College rules and policies for behaviour and discipline.
- 8.2 Allegations, complaints or rumours of minor breaches of discipline are dealt with by staff as they occur. Staff may carry out informal interviews with the pupils involved. Low level sanctions may be given (see Appendix 2 for details of possible sanctions).
- 8.3 When considering the appropriate sanction, the risks posed to pupil welfare by an individual's behaviour will be assessed. This may include consideration of how any action taken, sanctions applied or inaction may affect that individual's welfare and, where appropriate, how it may affect other pupils' welfare and / or the College community as a whole.

9 Serious breaches of discipline

- 9.1 Allegations, complaints or rumours of serious breaches of discipline should normally be referred to the Head.
- 9.2 The main categories of misconduct which are considered to be serious breaches of discipline include but are not limited to:
 - 9.2.1 supply/possession/use of certain drugs and solvents or their paraphernalia or substances intended to resemble them, or alcohol or tobacco or e-cigarettes;
 - 9.2.2 theft, blackmail, physical violence, intimidation, racism or persistent bullying;
 - 9.2.3 physical or emotional abuse;
 - 9.2.4 harmful sexual behaviour including sexual violence and sexual harassment;
 - 9.2.5 behaviour in contravention of the College's policies on the acceptable use of technologies or online safety;
 - 9.2.6 supply or possession of pornography;
 - 9.2.7 possession or use of unauthorised firearms or other weapons;
 - 9.2.8 vandalism of College property;
 - 9.2.9 inappropriate use of technology which compromises the ability of others to use either the College's hardware or IT capability in an effective way;
 - 9.2.10 persistent attitudes or behaviour which are inconsistent with the College's ethos;
 - 9.2.11 other misconduct which affects the welfare of a member or members of the College community or which brings the College into disrepute (single or repeated episodes) on or off College premises;
 - 9.2.12 other misconduct specifically provided for in the College's parent contract and College rules.
- 9.3 The range of sanctions for serious breaches of discipline include a variety of potential exclusions from the College for a period of time:

9.3.1 **Suspension (Temporary Exclusion):** a pupil may be sent or released home for a limited period either as a disciplinary sanction or as a neutral act pending the outcome of an investigation or pending a Review.

9.3.2 **Withdrawal:** the parents may be required to withdraw a pupil from the College if, after consultation with the Parents and if appropriate the pupil, the Head is of the opinion that:

- (a) the pupil has committed a breach or breaches of College rules or discipline for which removal is the appropriate sanction; or
- (b) by reason of the pupil's conduct, behaviour or progress, the pupil is unwilling or unable to benefit sufficiently from the educational opportunities and/or the community life offered by the College or
- (c) the Parents have treated the College or members of its staff or any member of the College community unreasonably.

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

9.3.3 **Permanent Exclusion:** a pupil may be permanently excluded from the College for a very grave breach of discipline or a serious criminal offence. Permanent exclusions are reserved for the most serious breaches.

9.4 An allegation, complaint or rumour of a serious breach of discipline will be investigated in accordance with the procedures set out in Appendix 5.

9.5 If the findings of the investigation support the allegation, complaint or rumour of a serious breach of discipline, a disciplinary meeting will be held in accordance with the procedures set out in Appendix 6.

9.6 The Head is required to act fairly and in accordance with the principles of natural justice.

9.7 If a pupil is withdrawn from the College before the conclusion of these disciplinary procedures, the College reserves the right to complete the procedures, in the absence of the pupil and the parents if necessary, and to make a finding. The College reserves the right to refer to such disciplinary action in references provided for the pupil.

10 **Parent involvement**

10.1 The College seeks to work in partnership with parents over matters of discipline, and it is part of the parents' obligations to the College to support the College rules, as is made clear in the Parent Contract Terms and Conditions which apply to all parents upon their child entering the College.

10.2 Parents will be informed as soon as reasonably practicable after it becomes clear that the pupil may face disciplinary action for a serious breach of discipline, unless the College is prevented from doing so by the police, social services or other external agencies if they are involved.

10.3 Parents will also be notified by email or telephone of any significant disciplinary sanctions for particular breaches of discipline and may be contacted to discuss the matter if it is considered appropriate to do so. Parents are asked to acknowledge receipt of the notification by return.

11 Additional needs

- 11.1 The College will make reasonable adjustments for managing behaviour which is related to a pupil's special educational needs and/or a disability. However, it is not possible to allow pupils with special educational needs and/or a disability to have a negative impact upon the learning or safety of others without challenging this, potentially by the use of relevant sanctions. Staff should seek advice from the Head or SENCO if they are unsure about how to manage a pupil's behaviour where this is related to their special educational needs and/or a disability.
- 11.2 If there is a concern that a pupil's behaviour is as a result of unmet educational or other needs, advice should be sought from the Head and/or SENCO and further action in accordance with the College's policy on special educational needs and learning difficulties will be considered.
- 11.3 Where Exclusion or Withdrawal needs to be considered, the College will ensure that a pupil with a disability or special educational needs is able to present their case fully where their disability or special educational needs might hinder this.

12 Safeguarding

- 12.1 Some behaviour by a pupil towards another may be of such a nature that safeguarding concerns are raised. Safeguarding issues can manifest themselves via child-on-child abuse. This includes, but is not limited to:
- 12.1.1 bullying (including cyber-bullying);
 - 12.1.2 physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
 - 12.1.3 sexual violence and sexual harassment;
 - 12.1.4 sexting (also known as youth produced sexual imagery); and
 - 12.1.5 initiation/hazing type violence and rituals.
- 12.2 The College's policy and procedures regarding child-on-child abuse are set out in the College's safeguarding and child protection policy and procedures. If behaviour and discipline matters give rise to a safeguarding concern, the procedures in the safeguarding and child protection policy and procedures will be followed.

13 Malicious allegations against staff

- 13.1 Where a pupil makes an accusation against a member of staff and there is reasonable suspicion that the accusation has been deliberately invented or malicious, the Head will consider whether to take disciplinary action in accordance with this policy.
- 13.2 Where a parent has made a deliberately invented or malicious allegation against a member of staff the Head will consider whether to require that parent to remove their child or children from the College on the basis that they have treated the College or a member of staff unreasonably and compromised the requirement for mutual trust and confidence.
- 13.3 The College will consider whether the police should be asked to consider if action might be appropriate against the person responsible for the allegation.

13.4 The College will consider a malicious allegation to be one where there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive.

14 **Use of reasonable force**

14.1 Any use of force by staff will be reasonable, proportionate and lawful. Reasonable force will be used as set out in Appendix 7. More detailed guidance about the use of reasonable force is provided to staff in the Staff code of conduct (ILG Employment Manual).

14.2 Corporal punishment is not used at the College and force is never used as a form of punishment. Corporal punishment by College staff is illegal in all circumstances.

15 **Searching pupils**

15.1 **Informed consent:** College staff may search a pupil or their possessions or accommodation with their consent for any item. If a member of staff suspects that a pupil has a banned item in their possession, they can instruct the pupil to turn out their pockets or bag. If the pupil refuses, sanctions will be applied in accordance with this policy.

15.2 **Searches without consent:** in relation to prohibited items, the Head, and staff authorised by the Head, may search a pupil or a pupil's possessions, without their consent, where they have reasonable grounds for suspecting that a pupil has a prohibited item in their possession. Please see Appendix 8 for the College's policy on searching and confiscation.

16 **Training**

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

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

16.3 The College maintains written records of all staff training.

17 **Risk assessment**

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

17.2 The format of risk assessment may vary and may be included as part of the College's overall response to a welfare issue, including the use of individual pupil welfare plans (such as behaviour, healthcare and education plans, as appropriate). Regardless of the form used, the College's approach to promoting pupil welfare will be systematic and pupil focused.

17.3 The Head has overall responsibility for ensuring that matters which affect pupil welfare are adequately risk assessed and for ensuring that the relevant findings are implemented, monitored and evaluated.

17.4 Day to day responsibility to carry out risk assessments under this policy will be delegated to the Head, Senior Deputy Head or SENCO who have been properly trained in, and tasked with, carrying out the particular assessment.

18 **Record keeping**

18.1 All records created in accordance with this policy are managed in accordance with the College's policies that apply to the retention and destruction of records.

- 18.2 A record is kept of sanctions imposed for serious misbehaviour. The record includes:
- 18.2.1 the name and year group of the pupil concerned;
 - 18.2.2 the nature and date of the offence;
 - 18.2.3 the sanction imposed and reason for it; and
 - 18.2.4 the name of the person imposing the sanction.
- 18.3 This record is reviewed regularly by the SLT so that patterns in behaviour can be identified and managed appropriately.
- 18.4 The records created in accordance with this policy may contain personal data. The College has a number of privacy notices which explain how the College will use personal data about pupils and parents. The privacy notices are published on the College's website. In addition, staff must ensure that they follow the College's data protection policies and procedures when handling personal data created in connection with this policy.

19 **Version control**

Date of adoption of this policy	01 September 2024
Date of last review of this policy	August 2024
Date for next review of this policy	August 2025
Policy owner (School)	Head

Appendix 1 Expectations of a Shebbearian.

All Shebbearians are expected to:

- Be respectful towards others at all times.
- Be inclusive in your language and behaviour and ensure that others feel welcome and accepted.
- Be honest, trustworthy and kind.
- Be polite and courteous towards others, including members of the public.
- Be respectful to the environment, including the College buildings and property.
- Be involved and engaged with drama, music, sport, volunteering or whatever interests you.
- Be prepared for lessons and determined to learn, remembering that mistakes are a means to development and progression.
- Be generous to others and contribute to the College with a generosity of spirit and charity, allowing others to have a voice, sharing and exploring ideas together with mutual respect and understanding.
- Be proactive in seeking help at times of trouble or concern for yourselves or others, knowing that there are those in the College who are available and willing to listen and support as listed on College's 'Who Can Help Me?' posters.
- Be proud to be a Shebbearian, remembering that you represent the College in all that you do and that your behaviour reflects upon the College as well as yourself.

Appendix 2 Rewards and sanctions

Rewards

Rewards and examples of behaviours that will attract a reward are as follows:

Prep School & EYFS

The Prep School has a House Point reward system.

Class Teachers and Teaching Assistant reward good behaviour by awarding pupils with house points which are recorded on charts/tables displayed in each class. At the end of each week each class teacher will also select a pupil or pupils from within their class (who have displayed particularly good behaviour) to receive the Gold Award by the Head of the Prep School in a special weekly assembly. At the end of each assembly the House that has accumulated the most House points is announced and at the end of the academic year the team with the highest total of points is awarded The House Point Shield.

In addition, weekly awards include a Manners Medal and a BAFTA (Behaviour Award for Thoughtful Actions). Behaviours that are rewarded in this way include:

- Excellent academic achievement
- Excellent effort/enthusiasm
- General 'all round' hard work
- Improvement in aspects of work
- Good manners
- Acts of kindness
- Thoughtful and helpful behaviour
- Achievements in co-curricular activity – sport, music, art etc

Teachers of lower KS2 and KS1 pupils also reward positive behaviour with a range of other stickers and incentives.

In the Prep School, praise and reward for good behaviour is also demonstrated by:

- Pupils taking their work to show the Head of the Prep School
- Pupils are offered jobs with responsibility and are invited to help in school
- Presentations and recognition are given in assemblies throughout the week

School Colours and Certificates of Commendation can be awarded for contribution to school life, as well as academic, creative arts, charity work, sport and choir.

Senior School

House Points are used to reward excellence in the following areas: academic achievement/effort, conduct and contribution.

Verbal praise: Kindness to others, improvement in behaviour, positive contributions to class

House points: Work that shows good effort, achievement and/or progress, being a role-model, co-operative behaviour, selfless behaviour, contribution to classroom and the College community

Head Teacher Award: Outstanding performance across the half term as reflected in grade cards

Senior Deputy Head Award: Outstanding performance within a faculty per term, as suggested by teachers

Public whole school recognition (e.g. assembly or newsletter): Weekly celebration of winning Form, colours awarded termly for outstanding performance in Faculties as determined by HoF, special mentions for extracurricular achievements, parent notified

Awards presented at end of year Speech Day ceremony: Annual recognition for academic achievement, academic progress and school values

In addition to the above rewards, we also have positions of responsibility available e.g. Sanctuary and House responsibilities

Sanctions

In addition to the particular sanctions set out in this Appendix 2, the Head may prescribe and authorise the use of such other sanctions as comply with good education practice and promote good behaviour and compliance with the College rules.

Sanctions may include:

Prep & EYFS

- If a pupil is disruptive in class, the teacher will speak to them/reprimand them to ensure they are aware of their inappropriate behaviour and show a willingness to correct it. If, however, the disruption continues, the pupil may be asked to move away from the rest of the group or to leave the room for a short period until they are prepared to work sensibly again within the group.
- A school-based community service type task may be imposed for showing disrespect for school property – such as picking up litter, tidying a classroom, collecting up and distributing lost property.
- A lunchtime detention.
- An after-school Head of Prep's detention.
- A pupil may be placed on a 'Monitoring Card' (usually for 1 or 2 weeks), with specific targets and regular communication with parents.
- Ultimately, a fixed term or permanent exclusion may be required

Senior School

See Appendix 3: Sanction System


See Appendix 4: Strike system

In cases where there have been significant concerns expressed about a pupil's behaviour, parents will be formally contacted by their HsM, and it is usual that they will be invited to meet with a senior member of staff. If it is thought to be helpful, a formal Behaviour Agreement or Satis will be created for the pupil, with targets and emphasised expectations.

The Behaviour Agreement or Satis will be reviewed at pre-determined points and adapted if appropriate. Failure to meet the Behaviour Agreement. will be considered a serious breach of discipline.







If a scholar receives a sanction at Level 4 or higher, they will have their scholar's tie removed for a period of time, at the discretion of the Head.

Appendix 3 Sanction System



**SHEBBEAR
COLLEGE**

SANCTION SYSTEM

-  **Level 1** Tutor / Teacher chat
iSAMS email sent to parents by tutor/
teacher & logged on CPOMS
-  **Level 2** HsM/HoF chat
iSAMS email sent to parents by
HsM/HoF & logged on CPOMS
-  **Level 3** Lunchtime detention
iSAMS alert sent to parents
-  **Level 4** Senior Detention - Friday, 16:30
Letter sent to parents by
Senior Deputy Head
-  **Level 5** Head's Detention
Saturday, 8:30-10:30
Letter sent to parents by Head
-  **Level 6** Further measures at
the Head's discretion

Appendix 4 Strike System

Academic Strike System

Academic strikes to be tracked and recorded by teachers during lesson. Strikes reset at end of lesson.

One strike allocated to a pupil for the following issues:

- Low level behaviour concerns (rudeness, distracting/disrupting others, lack of engagement)
- Not having correct equipment for lesson (including device/books/stationary)
- Any issue deemed worthy of a strike by class teacher

Higher Level Behaviour

- Appropriate number of strikes issued in accordance with intended sanction level
- Brief removal from classroom, appropriate number of strikes issued in accordance with intended sanction level
- Extraction from lesson equates to minimum Level 2 sanction

(In serious instances the member of staff should contact Reception for a member of SLT to attend and remove the pupil)

- Once a pupil receives one strike, they are then issued with a Level 1 sanction
- Once a pupil receives two strikes, they are then issued with a Level 2 sanction. This should be recorded on CPOMS and communicated to HoF
- Once a pupil receives three strikes, they are then issued with a Level 3 sanction. This should be recorded on CPOMS and iSAMS and communicated to the relevant HoF

For sanction Level descriptors please see Appendix 3.

Prep 2 Strike System

Prep strikes follow a whole school approach towards completion of homework set. To be recorded on Prep Strike logging sheet overviewed by HsM. Prep Strikes reset at end of each half term.

One strike allocated to a pupil for the following issues:

- Prep not completed. This should be recorded on CPOMS and Prep Strike logging sheet.
- Prep not handed in by deadline as specified on Teams. This should be recorded on CPOMS and Prep Strike logging sheet.

2 Prep Strikes equates to a Level 3 sanction to be issued by tutor.

For sanction Level descriptors please see Appendix 3.

General Behaviour 2 Strike System

General Behaviour strikes to follow a whole school approach towards maintaining high standards of behaviour in line with the expectations of a Shebbearian, including use of language, general conduct and uniform/appearance in accordance with the College's uniform code. To be recorded on the General Behaviour Strike logging sheet overviewed by the HsM. General Behaviour Strikes reset at end of each half term.

- Once a pupil receives two strikes, they are then issued with a Level 1 sanction
- Once a pupil receives four strikes, they are then issued with a Level 2 sanction
- Once a pupil receives six strikes, they are then issued with a Level 3 sanction

For sanction Level descriptors please see Appendix 3.

Appendix 5 Investigations into serious breaches of discipline

- 1 In cases of serious breaches of discipline, the Head will appoint a senior member of staff to carry out an investigation. The person appointed will be expected to investigate the matter of concern, and to provide guidance to the Head on the recommended next steps. The Head will be responsible for considering the best course of action and will therefore not be the person who carries out the investigation.
- 2 Parents will be informed as soon as reasonably practicable after it becomes clear that the pupil may face disciplinary action for a serious breach of discipline, unless the College is prevented from doing so by the police or any other external agencies if they are involved.
- 3 An investigation and any subsequent meeting will be conducted fairly and in a way which is appropriate to the College, without formal legal procedures.
- 4 A pupil may be suspended from the College while a complaint is being investigated or while an investigation is on hold (see paragraph 0 below). Should a suspension continue for a period of more than five school days, the College will take reasonable steps to put in place arrangements to ensure the continuing education of the pupil. Parents should note that there may be a delay in providing work whilst teaching staff are given the opportunity to determine what work should be set. Alternatively, and in cases where the Head considers that this is a feasible alternative, the pupil may be offered a segregated regime on College premises.
- 5 A pupil's space or belongings may be searched during the course of the investigation. See Appendix 8 of this policy for the College's policy on searching and confiscation.
- 6 If the pupil is to be interviewed as part of the investigation, arrangements will be made for him/her to be accompanied by a member of staff of his/her choice and/or by a parent (if available at the relevant time). A minute of the interview will be recorded in writing by the interviewing member of staff, including details of the date and time of the interview. The pupil may be asked to confirm any statement made or minutes taken to be true and accurate by signing to acknowledge the accuracy of the minutes.
- 7 The College may determine that the most appropriate way for matters to be correctly recorded is by the digital recording of any interview. In this case, the College will be responsible for sharing a digital file of the whole recording with all parties concerned for their record. It may be necessary to delay an investigation or put it on hold, for example where external agencies such as the police or social services are involved and have advised that this is necessary. A decision to suspend an investigation will take into account advice from appropriate external agencies and will be subject to periodic review. If considered necessary, the College may make arrangements for legal representation for the pupil to be funded entirely at the parents' expense. Regardless of delays caused by a police or other external agency investigation, the College will provide appropriate pastoral and other support for all pupils affected by the allegations under investigation.
- 8 The outcome of the investigation will be reported to the Head. If the findings of the investigation appear to support the allegation, complaint or rumour, a disciplinary meeting will be held in accordance with the procedures in Appendix 6 of this policy.

Appendix 6 Disciplinary meeting with the Head

- 1 Where the findings of the investigation into an allegation, complaint or rumour of a serious breach of discipline appears to support the allegation, complaint or rumour, a disciplinary meeting with the Head will take place.
- 2 **Attendance**
 - 2.1 The pupil and his/her parents (if available) will be asked to attend the disciplinary meeting with the Head. The pupil may also be accompanied by a member of staff of his/her choice. Where the complaint concerns the behaviour of the parents, the pupil will not generally be expected to attend the meeting and this procedure applies to the parents only.
 - 2.2 The person who undertook the investigation will be in attendance to explain the circumstances of the complaint and his/her investigation and an additional member of staff will be present to minute the meeting.
 - 2.3 The College may determine that the most appropriate way for matters to be correctly recorded is by the digital recording of any interview. In this case, the College will be responsible for sharing a digital file of the whole recording with all parties concerned for their record.
 - 2.4 If the parents or the pupil have any special needs or disability which call for additional facilities or adjustments (e.g. parking or the provision of documents in large print or other accessible format) those requirements should be made known to the Head so that appropriate arrangements can be made.
 - 2.5 If a parent is unable to attend because of, for example, travel and working commitments, the College will make reasonable alternative arrangements to ensure the parent can be involved, remotely if necessary, with the disciplinary process and their child's education.
- 3 **Meeting**
 - 3.1 Documents available at the disciplinary meeting with the Head may include:
 - 3.1.1 a statement setting out the allegations regarding the pupil or, where applicable, the parents;
 - 3.1.2 written statements and notes of the evidence supporting the allegations, and any relevant correspondence;
 - 3.1.3 the investigation report;
 - 3.1.4 the pupil's school file and (if separate) conduct record;
 - 3.1.5 the relevant College policies and procedures.
 - 3.2 The Head will consider the allegations and the evidence, including statements made by and/or on behalf of the pupil or, where applicable, the parents.
 - 3.3 The pupil and his/her parents will have an opportunity to state their side of the case.

- 3.4 The Head will inform the pupil and his/her parents of the range of disciplinary sanctions which the Head considers are open to him/her if the allegation, complaint or rumour is sufficiently proved.
- 3.5 Unless the Head considers that further investigation is needed, he/she will close the meeting and inform the pupil and the parents that they will be notified of his/her decision in writing.

4 Decision

- 4.1 The Head will consider whether the allegation, complaint or rumour has been sufficiently proved. The standard of proof shall be the civil standard, i.e. the balance of probabilities. The pupil's disciplinary record will be taken into account where the complaint concerns the conduct of the pupil.
- 4.2 The Head may permanently exclude or require the removal of a pupil or impose any other sanction he/she considers to be appropriate in accordance with this policy.
- 4.3 The Head will notify the parents of his/her decision in writing, with reasons, within three working days of the disciplinary meeting.
- 4.4 A decision to permanently exclude or require the removal of a pupil shall take effect after five working days of the date of the Head's letter confirming his/her decision. Until then, the pupil shall remain suspended and away from College premises.

5 Review

- 5.1 The parents or the pupil may request a review of the Head's decision to permanently exclude or require the removal of a pupil from the College, or where the pupil is suspended from the College for 11 working days or more or where a suspension would result in the pupil missing a public examination. The request must be made within five working days of the date of the Head's letter confirming his/her decision.
- 5.2 If such a request is made, the pupil shall remain suspended until the review has taken place and either the sanction is upheld, or a reconsidered decision made.
- 5.3 See the Exclusion and Withdrawal Review policy for further information about requesting a review and the detail of the procedure. This policy is available from the College on request.

6 Leaving status

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

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

Appendix 7 Use of reasonable force

- 1 There are circumstances when it is appropriate for staff to use reasonable force to safeguard pupils. Any use of reasonable force will be in accordance with the DfE guidance [Use of reasonable force \(DfE, July 2013\)](#).
- 2 Reasonable force may be used to prevent a pupil from doing or continuing to do any of the following:
 - 2.1 committing a criminal offence;
 - 2.2 injuring themselves or others;
 - 2.3 causing damage to property, including their own;
 - 2.4 engaging in any behaviour prejudicial to good order and discipline at the College or among any of its pupils, whether that behaviour occurs in a classroom or elsewhere.
- 3 In these circumstances, force will be used for two main purposes: to control pupils or to restrain them. Reasonable force may be used, for example, to restrain a pupil at risk of harming themselves or another individual or to prevent a pupil leaving a classroom where allowing them to do so would risk their safety or lead to behaviour that disrupts the behaviour of others.
- 4 In addition, reasonable force may be used to conduct a search for certain "prohibited items" (see Appendix 8 below).
- 5 In these circumstances, 'reasonable' means using no more force than is needed.
- 6 In deciding whether reasonable force is required, the needs and particular vulnerabilities of individual pupils will be considered, and reasonable adjustments will be made for pupils with special educational needs or disabilities. The College will establish proactive and positive behaviour support strategies for pupils with particular needs, in consultation with their parents, to reduce the occurrence of challenging behaviour and the need to use reasonable force.
- 7 Where reasonable force is used by a member of staff, the Senior Deputy Head must be informed of the incident, and it will be recorded in writing. The pupil's parents will be informed about serious incidents involving the use of force. In the EYFS setting, the pupil's parents will be informed about any use of force on the day of the incident or as soon as reasonably practicable.

Appendix 8 Searching, screening and confiscation

- 1 All schools have a general power to impose reasonable and proportionate disciplinary measures (Education and Inspections Act 2006). This enables a member of staff to confiscate, retain or dispose of a pupil's property as a disciplinary penalty where it is reasonable to do so.
- 2 The College's policy on searching and confiscation has regard to the DfE guidance [Searching, screening and confiscation: advice for schools \(DfE, July 2022\)](#).
- 3 **Prohibited items**
 - 3.1 The following are "prohibited items" under Section 550ZA(3) of the Education Act 1996 and Regulation 3 of the Schools (Specification and Disposal of Articles) Regulations (SI 2012/951):
 - 3.1.1 knives or weapons, alcohol, illegal drugs and stolen items;
 - 3.1.2 tobacco and cigarette papers, vaping equipment and contents;
 - 3.1.3 fireworks;
 - 3.1.4 pornographic images;
 - 3.1.5 any article that a member of staff reasonably suspects has been, or is likely to be used:
 - (a) to commit an offence; or
 - (b) to cause personal injury to, or damage to the property of, any person (including the pupil); and
 - 3.1.6 any item banned by the College rules that are identified as being items which may be searched for.
 - 3.2 The College has banned items that are reasonably believed to be likely to cause harm or disruption. Pupils must not have these items in their possession on College premises or at any time when they are in the lawful charge and control of the College (for example on an educational visit).
- 4 **Searching with consent**
 - 4.1 Before any search is undertaken the pupil will usually be asked to consent. In seeking consent, the age and maturity of the pupil will be taken into account together with any special needs the pupil may have. Written consent will not usually be required.
 - 4.2 The consent of the pupil must be obtained for searches for items that are not "prohibited items" as listed in section 0 above. The consent of the pupil must be sought even if he/she is not at the College at the time. If a member of staff suspects that a pupil has an item that is banned by the College they can instruct the pupil to turn out his/her pockets or bag.
 - 4.3 If the pupil refuses to provide consent disciplinary action may be taken in accordance with the College's behaviour and discipline policy.

5 Searching for prohibited items

- 5.1 Where the Head or an authorised member of staff has reasonable grounds to suspect that a pupil may have a prohibited item, consent is not required and the search will be carried out, using reasonable force if necessary (such force may not be used in searches for items included in 0 or (b) (b?)above).
- 5.2 Searches will be carried out only on College premises or, if elsewhere, where the member of staff has lawful control or charge of the pupil, for example on an educational visit or in training settings.
- 5.3 If it is believed that a pupil has a prohibited item, it may be appropriate for a member of staff to carry out:
- 5.3.1 a search of outer clothing; and/or
 - 5.3.2 a search of College property (e.g. pupils' lockers or desks, bed studies or dormitories); and/or
 - 5.3.3 a search of personal property (e.g. bag or pencil case).
- 5.4 Searches will be conducted in such a manner as to minimise embarrassment or distress. Any search of a pupil or their possessions will be carried out in the presence of the pupil and another member of staff. Where a pupil is searched, the searcher and the second member of staff present will be the same sex as the pupil.
- 5.5 Where it is reasonably believed that serious harm may be caused if the search is not carried out immediately and it is not practicable to summon another member of staff, a member of staff may carry out a search of a pupil of the opposite sex and/or in the absence of a witness.
- 5.6 Where the Head, or staff authorised by the Head, find anything which they have reasonable grounds for suspecting is a prohibited item, they may seize, retain and dispose of that item in accordance with this policy.

6 Confiscation

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

7 Searching electronic devices

- 7.1 An electronic device such as a mobile phone or a tablet computer may be confiscated in appropriate circumstances in accordance with this policy. If there is good reason to suspect that the device has been, or could be used to cause harm, to disrupt teaching or break College rules, any data or files on the device may be searched and, where appropriate, data or files may be erased before the device is returned to its owner. Any search of an electronic device should be conducted in the presence of a member of the IT staff or an appointed contractor working for the College.

- 7.2 Any data or files will only be erased, if there is good reason to suspect that the data or files have been, or could be used to cause harm, to disrupt teaching or break College rules.
- 7.3 If inappropriate material is found on an electronic device, the member of staff may delete the material, retain it as evidence of a breach of College discipline or criminal offence or hand it over to the police if the material is suspected to be evidence relevant to an offence.
- 7.4 Staff should not view or forward illegal images of a child. When viewing an image is unavoidable staff should follow the College's policy on sexting as set out in Appendix 1 of the Safeguarding and Child Protection Policy and Procedures.

8 Disposal of confiscated items

- 8.1 **Alcohol:** alcohol which has been confiscated will be destroyed.
- 8.2 **Controlled drugs:** controlled drugs will usually be delivered to the police as soon as possible. In exceptional circumstances and at the discretion of the Head or authorised member of staff, the drugs may be destroyed without the involvement of the police if there is good reason to do so. All relevant circumstances will be taken into account and staff will use professional judgement to determine whether the items can be safely disposed of. They will not be returned to the pupil.
- 8.3 **Other substances:** substances which are not believed to be illegal drugs but which are harmful or detrimental to good order and discipline may be confiscated and destroyed. Where it is not clear whether or not the substance seized is an illegal drug, it will be treated as though it is illegal and disposed of as above.
- 8.4 **Stolen items:** stolen items will usually be delivered to the police as soon as possible. However, if, in the opinion of the Head or authorised member of staff, there is good reason to do so, stolen items may be returned to the owner without the involvement of the police. This is likely to apply to items of low value, such as pencil cases.
- 8.5 **Tobacco or cigarette papers:** tobacco or cigarette papers, vaping equipment and contents will be destroyed.
- 8.6 **Fireworks:** fireworks will not be returned to the pupil. They will be disposed of safely at the discretion of the Head or other authorised member of staff which may include donation to an appropriate charity.
- 8.7 **Pornographic images:** pornographic images involving children or images that constitute "extreme pornography" under section 63 of the Criminal Justice and Immigration Act 2008 will be handed to the police as soon as practicable. As possession of such images may indicate that the pupil is at risk of harm, the Designated Safeguarding Lead will also be notified and will decide whether to make a referral to children's social care.
- 8.8 Other pornographic images will also be discussed with the Designated Safeguarding Lead. The images may then be passed to children's social care for consideration of any further action. If no action is to be taken by the local authority the images will be erased after a note has been made for disciplinary purposes, confirming the nature of the material.

- 8.9 **Article used to commit an offence or to cause personal injury or damage to property:** such articles may, at the discretion of the Head or authorised member of staff taking all the circumstances into account, be delivered to the police, returned to the owner, retained or disposed of.
- 8.10 **Weapons or items which are evidence of an offence:** such items will be passed to the police as soon as possible.
- 8.11 **An item banned under College rules:** such items may, at the discretion of the College or authorised member of staff taking all the circumstances into account, be returned to its owner, retained or disposed of. Where staff confiscate a mobile electronic device that has been used in breach of College rules to disrupt teaching, the device will be kept safely until the end of the school day when it can be claimed by its owner, unless the Head considers it necessary to retain the device for evidence in disciplinary proceedings in accordance with 0 below. If a pupil persists in using a mobile electronic device in breach of College rules, the device will be confiscated and must be collected by a parent.
- 8.12 **Electronic devices:** if it is found that a mobile phone, laptop or tablet computer or any other electronic device has been used to cause harm, disrupt teaching or break College rules, including carrying out cyberbullying, the device will be confiscated and may be used as evidence in disciplinary proceedings. Once the proceedings have been concluded the device must be collected by a parent and the pupil may be prohibited from bringing such a device onto College premises or on educational visits. In serious cases, the device may be handed to the police for investigation.

2 **Communication with Parents**

- 9.1 There is no legal requirement for the College to inform parents before a search for banned or prohibited items takes place or to seek their consent to search their child and it will not generally be practicable to do so. In appropriate cases we will inform parents on how the College will dispose of certain items.
- 9.2 We will keep a record of all searches carried out, including whether the search is with or without the consent of the pupil. The record will include details of any disposal of items confiscated.
- 9.3 Complaints about searching or confiscation will be dealt with through the College's parental complaints policy and procedures.
- 9.4 The College will take reasonable care of any items confiscated from pupils. However, unless negligent or guilty of some other wrongdoing causing injury, loss or damage, the College does not accept responsibility for loss or damage to property.