



Highams Park Academy Trust

Policy and Procedure for Behaviour

This policy applies to all teaching and support staff

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1. Introduction

Highams Park School is a happy, harmonious learning community where staff and students should feel safe and secure. School life is characterised by a calm, purposeful environment underpinned by relationships built upon mutual respect. Our expectation is that all students and staff will behave in appropriate and socially acceptable ways. Every member of staff has a key role to play in promoting and sustaining the highest standards of behaviour.

The culture we want to maintain is a school where children can learn and teachers can teach. Teachers should give clear, reasonable instructions in a non-confrontational but firm and insistent way that students should accept without questioning or challenging the authority of the teacher.

2. Roles and Responsibilities

2.1. The Board of Trustees

The Board of Trustees has the responsibility for determining the behaviour policy of the school and for reviewing its effectiveness. The Principal has the day-to-day authority to implement the school's policy on behaviour and discipline. The Trustees will support the Principal in implementing this policy.

2.2. The Principal

It is the responsibility of the Principal to implement the school's behaviour policy consistently throughout the school and to report to Trustees, when requested, on the effectiveness of the policy.

The Principal supports the staff by implementing the policy through rules and disciplinary penalties, by setting the standards for behaviour, and by supporting staff in their implementation of the policy.

The Principal has the power to impose a variety of sanctions and punishments for unacceptable behaviour including fixed-term and permanent exclusions.

2.3. School staff

Each member of staff has a responsibility to

- 2.3.1. Care for students in their tutor group and teaching groups;
- 2.3.2. Ensure that there is a fair and consistent approach towards dealing with indiscipline;
- 2.3.3. Implement school rules on uniform and behaviour;
- 2.3.4. Ensure equality of opportunity for all;
- 2.3.5. Report progress, achievements and concerns to parents;
- 2.3.6. Meet parents to ensure the best possible education and welfare;
- 2.3.7. Challenge students to achieve higher standards academically and to develop greater involvement in extra-curricular activities within school and the wider community.

Students

All students should:

- 2.3.8. Behave properly at all times;
- 2.3.9. Treat other people with respect;
- 2.3.10. Speak politely to other people;
- 2.3.11. Have self-confidence and high self-esteem;
- 2.3.12. Aim for 100% attendance and punctuality;
- 2.3.13. Take care of all school equipment and buildings.

2.4. Parents

Our staff will ensure the parents are regularly informed of academic progress and any behavioural issues causing concern for each student. For the best outcomes, a positive partnership between home and school is essential. We expect parents:

- 2.4.1. To ensure their child attends regularly and punctually as required by law;
- 2.4.2. To ensure their child is sent to school prepared for the school day with all necessary books and equipment and correctly dressed in full school uniform;
- 2.4.3. To support the school rules, especially uniform rules, and the behaviour policy and reinforce punishments given by the school for misbehaviour;
- 2.4.4. To keep the school informed of anything which they believe might affect their child's progress in school especially absence, illness, change of family situation;
- 2.4.5. To read and sign the student's planner, check comments and make contact with staff where appropriate;
- 2.4.6. To take an interest in their child's school work and look at their exercise books regularly;
- 2.4.7. To attend Parents' Evenings to meet their child's teachers;
- 2.4.8. Not to take holidays in school time;
- 2.4.9. Where possible to provide a quiet place at home to encourage completion of homework;
- 2.4.10. To ensure their child gets adequate sleep before a school day.

3. Learning to behave

The school aims to provide a safe, secure, supportive environment where students can learn and teachers can teach. There is a direct link between the way young people learn and their behaviour. It is the job of staff at all levels to help and encourage students' understanding of socially acceptable and appropriate behaviour.

3.1. Staff

In order to encourage and promote good behaviour amongst student's staff will:

- 3.1.1. Model exemplary behaviour;
- 3.1.2. Treat all children and adults with respect;
- 3.1.3. Speak politely to each other;
- 3.1.4. Build student confidence and self-esteem through positive reinforcement;
- 3.1.5. Avoid using sarcastic language;

- 3.1.6. Recognise student effort and achievements on a regular basis and celebrate success;
- 3.1.7. Keep parents informed about success, efforts and achievements;
- 3.1.8. Challenge unacceptable behaviour;
- 3.1.9. Work in partnership with parents through regular contact to help improve behaviour.

3.2. School Rules

School rules are clearly defined and are shown on the school website. They are supplied to each parent on the admission of their son/daughter. The rules are concerned with reinforcing general patterns of sensible and considerate behaviour. It is the aim of the school to provide a safe environment appropriate for learning.

3.3. Rules for uniform

- 3.3.1. It is part of the discipline structure of the school that all students in Years 7 to 11 wear full school uniform correctly. Full school uniform must be worn correctly on the way to school, throughout the day and on the journey home. Students in the 6th form should follow the dress code set for them;
- 3.3.2. The school rules on uniform are very clear and are explained in detail before and when students join the school. They are published in a number of places including the school website. They are not negotiable or optional. Parents and students choose to come to Highams Park School in the clear and full knowledge of the uniform requirements; it is not acceptable to seek to challenge those rules by wearing the uniform incorrectly once a place has been gained;
- 3.3.3. All students must wear the uniform correctly or risk punishments and we expect parents to support the school rules and make sure their children comply.

3.4. Code of Conduct in the Classroom and School Buildings

We also share with students a Code of Conduct in the Classroom and School Buildings that is shown in students' planners and on the school website. This is intended to be more explicit about our expectations of student behaviour in classrooms and around the school.

4. Rewards

Schools should be among the most ordered and disciplined institutions we have in society. This is because most students are responsible and show good self-discipline. Students at Highams Park School are no exception to this.

The successful management of behaviour and rewards is central to the school's ethos of providing an environment within which children and adults can develop good relationships, showing respect, taking responsibility and demonstrating resilience in all aspects of their lives, within the school and the community. Our approach to rewards is set out below. It encourages and rewards students who apply themselves and behave in a commendable way to support the ethos of the school. These students are role models and work hard to develop their own potential.

Good behaviour should be, and for most students generally is, the everyday norm at the school. However, where behaviour needs to be improved the school believes that sanctions alone will not always be successful. Some students need to be encouraged to behave appropriately and recognise that there are advantages to behaving well. Thus good behaviour should become their

normal behaviour as they mature. The school has a variety of ways of rewarding correct behaviour, some of which are used to reward students who have met or exceeded our expectations.

Our rewards system is reviewed regularly and is, as a result, subject to change. Rewards are not limited to those shown below and so the list is not exhaustive.

4.1. House Points

These are awarded by school staff, usually teachers, for individual or collective achievement and are the main method of rewarding positive student behaviour.

House points are recorded on SIMS and shown on Firefly for students and parents to be able to see. An accumulation of house points results in a house point certificate, or other award, being awarded to students.

4.2. Other rewards

There is a wide range of other rewards employed by the school. We are always looking for new ways to reward students for demonstrating the correct approach to school. Some of these might be introduced during the course of an academic year, therefore the list below is neither definitive nor exhaustive.

- 4.2.1. Teacher praise;
- 4.2.2. Positive comments written in books;
- 4.2.3. Student of the week;
- 4.2.4. Citizen of the week;
- 4.2.5. Gold cards;
- 4.2.6. Letters of commendation;
- 4.2.7. Jack Petchey monthly achievement award;
- 4.2.8. Form of the week;
- 4.2.9. Departmental awards.

4.3. Awards Presentation Evening

Individual Student awards are presented for outstanding achievement, endeavour, or special service to the school at our annual Awards Presentation Evenings. These are held for each year group in the School Hall at the end of the summer term to recognise the superb achievements of our student body. Normally around 80 students per year group receive a prize or certificate. There are also a number of special awards given such as;

- 4.3.1. The Victor Ludorum that is awarded to the boy who has shown a high level of performance and commitment to extra-curricular sport and teams;
- 4.3.2. The Victrex Ludorum that is awarded to the girl who has shown a high level of performance and commitment to extra-curricular sport and teams;
- 4.3.3. Form of the Year. Form with the highest number of house points in the year;
- 4.3.4. The Gavin Andrews Memorial Prize. Awarded to highest performing Student from Year 11 particularly in mathematics and the sciences;
- 4.3.5. The Principal's Award for the most outstanding student across the last academic year.

5. Sanctions when expectations are not met

Teachers have a duty to discipline students whose behaviour is unacceptable, disrupts learning or causes alarm or distress to others, or those who break school rules or fail to follow a reasonable instruction. This duty also applies to all paid staff with responsibility for students.

The implementation of any sanction is taken very seriously by all staff at the school. All punishments will be fair, reasonable, and proportionate and not breach any legislation such as disability, SEND and equality. We work hard to ensure that our response to inappropriate behaviour is consistent and proportionate. Sanctions will almost certainly be applied when inappropriate behaviour is encountered.

Teachers will discipline students whose conduct falls below the standard which could be reasonably expected of them. This means that if a student misbehaves, disrupts learning, breaks a school rule or fails to follow a reasonable instruction the teacher can impose a punishment or other sanction.

Students can be disciplined at any time in school or elsewhere under the charge of the school e.g. on educational visits. Students can and will be disciplined for misbehaviour outside of school, especially if it brings the school into disrepute.

The responsibility for dealing with behavioural issues initially lies with the individual member of staff. Escalation to other colleagues in school will take place as and when appropriate.

Poor behaviour must be addressed and all staff have a professional obligation to highlight what is wrong and help students improve their behaviour. Discipline should be administered calmly and without anger. Discipline works best when it is applied thoughtfully, consistently and a distinction is drawn between the poor behaviour and the individual: it is the behaviour not the individual that we are addressing. A student who perceives animosity or lack of respect from a teacher is more likely to react adversely.

The school acknowledges that inappropriate behaviour may in some circumstances be an indicator of other issues. For example, our staff are trained to consider whether the behaviour is a potential indicator that a child is suffering or likely to suffer significant harm. Where misbehaviour is considered an indicator that a child is suffering or likely to suffer significant harm, the school safeguarding policy will be followed. Additionally, we will consider whether the behaviour is the result of unmet educational or other needs, and at this stage we will consider whether multi-agency assessment is necessary.

5.1. Unacceptable behaviour

Examples of unacceptable student behaviour and/or failure to comply with school rules (This list is neither exhaustive nor defines every possible type of unacceptable behaviour and is not in any particular order of importance / priority):

- 5.1.1. Disrupting the learning of others;
- 5.1.2. Rude or inappropriate language;
- 5.1.3. Acts of aggression or any kind of physical violence;
- 5.1.4. Bullying or intimidation (verbal, physical, sexual or online);
- 5.1.5. Racist, sexist or homophobic comments;
- 5.1.6. Vandalism;
- 5.1.7. Punctuality to school and to lessons;

- 5.1.8. Leaving school premises during school hours without permission;
- 5.1.9. Sexual misconduct;
- 5.1.10. Making false malicious accusations against teachers, members of staff or volunteers;
- 5.1.11. Inciting others into inappropriate behaviour.

5.2. Members of staff

If unacceptable behaviour occurs, members of staff will:

- 5.2.1. Challenge the behaviour;
- 5.2.2. Tell the child what we find unacceptable and why;
- 5.2.3. Explain how they could have behaved differently, getting the child to reflect on their behaviour or possibly modelling what they could have done or said;
- 5.2.4. Try to find out why the child is behaving this way;
- 5.2.5. If the poor behaviour is repeated, or if it is judged to be serious, escalate the incident to more senior staff in school.

5.3. Sanctions

Students who behave inappropriately will most likely face one of a variety of sanctions. For serious cases of indiscipline students may be excluded from the school. Sanctions may be implemented for poor behaviour within school, outside of school, or online. Sanctions which the school may choose to implement are listed below (This list is neither exhaustive nor defines every possible type of sanction employed):

- 5.3.1. Verbal reprimand;
- 5.3.2. Making contact with the parent(s);
- 5.3.3. Detentions (see below);
- 5.3.4. Extra work or repeating unsatisfactory work until it reflects the required level of effort;
- 5.3.5. Other impositions including litter duty or canteen duty;
- 5.3.6. Loss of privileges;
- 5.3.7. Removal from lesson;
- 5.3.8. Placing a Student on an appropriate 'report';
- 5.3.9. Time spent working away from classmates with extra support in the Student Services Area
- 5.3.10. Time spent working away from other students in the Inclusion Room
- 5.3.11. Fixed term exclusion from the school;
- 5.3.12. Permanent exclusion from the school.

5.4. Support Systems for Students

Some students need extra support and help to correct their behaviour beyond the use of the sanctions mentioned above. We employ a number of support strategies in these circumstances and they are shown below. Often the support strategies are deployed alongside the sanctions mentioned above in order to help the student improve their behaviour before more serious sanctions are necessary.

- 5.4.1. Support from the form tutor and/or Head of Year;
- 5.4.2. Support from the pastoral team, including learning mentors;

- 5.4.3. Tutor report;
- 5.4.4. Head of year report;
- 5.4.5. Principal's report;
- 5.4.6. Pastoral Support Plans;
- 5.4.7. Peer mentoring and peer mediation;
- 5.4.8. Restorative intervention via the pastoral team;
- 5.4.9. Counselling;
- 5.4.10. Department report;
- 5.4.11. Time spent working away from classmates with extra support in the Student Services Area
- 5.4.12. Support from other external agencies where necessary.

Much of the extra support provided to students takes place in our Student Services Area (SSA). The Student Services Area is located in the 'P' Block. It represents the 'hub' of Student pastoral care at Highams Park School and accommodates the Heads of Year, the wider pastoral support team, external counselling services, the medical welfare officer and the pastoral secretary. The area provides offices and rooms for various meetings. The Student Services Area also provides places for students who need to work apart from their normal class for a period of time in comfortable, supervised conditions. The reasons students spend time here are varied, however all students are supported in order that they are ready to return to their normal classes as soon as it is appropriate to do so.

Working in the Student Services Area is distinctly different from working in our Inclusion Room. The Inclusion Room exists to accommodate students temporarily (normally, but not always, for a period of one school day) when they have seriously misbehaved and that behaviour is either being investigated, or does not meet the threshold for fixed-term exclusion. Students working in the Inclusion Room will do so in silence and will spend breaks and lunchtimes in that room.

5.5. Detentions

Detentions are one of the main sanctions employed by the school to correct poor behaviour.

Teachers have the legal power to impose detention in and outside of school hours; this is defined as after any school day when the student is present, weekends and INSET days. Parental consent is not required for detention. All teachers in the school have the authority to issue detentions.

- 5.5.1. Students must attend detentions given. All detentions must be completed and there can be no exceptions to this rule;
- 5.5.2. Normally if a student is kept for a short time (up to 15 minutes) after school, we would not inform parents;
- 5.5.3. However, in the case of after school detentions, which are usually of 30 minutes' duration, parents may be given notice in writing in the planner, via email, or verbally over the phone;
- 5.5.4. Students who are late to school will complete a detention for 15 minutes after school on the day they are late.

5.6. Exclusion from school

The Principal (or the most senior teacher in school in his/her absence) has the power to impose a fixed-term or permanent exclusion from the school.

The Principal does not welcome excluding children from school however sometimes it is necessary and the Principal will not shrink from this duty if circumstances demand. No exclusion (whether fixed-term or permanent) will be made without careful consideration and an investigation of the incident or incidents leading to it. When considering a fixed-term or permanent exclusion, the Principal will have regard to the latest statutory guidance for exclusion issued by the Department of Education.

The Principal will permanently exclude a student:

- 5.6.1. In response to a serious breach, or persistent breaches, of the school's behaviour policy by a student; and
- 5.6.2. Where allowing the student to remain in school would seriously harm the education or welfare of the individual or other students at the school.

Fixed-term exclusions are also imposed for serious misdemeanours but are not of the severity to warrant a permanent exclusion. Fixed-term exclusions are not viewed lightly by the school and should not be viewed lightly by students or parents. Upon return to school following a fixed-term exclusion, the student and their parents are required to meet with the Principal, or other member of the school's Senior Leadership and Management Team (SLMT), to reflect on the behaviour that led to the exclusion and establish ways to improve the student's behaviour in the future. The student is then monitored through a daily progress report to a member of SLMT for a period of at least 10 school days.

A student accumulating numerous fixed-term exclusions runs the risk of being permanently excluded from the school in due course. Examples of behaviour which are likely to result in exclusion include, but are not limited to, the following:

- 5.6.3. Repeated and persistent breaches of the school rules and this behaviour policy;
- 5.6.4. Refusal to follow the reasonable instructions of a teacher or other member of the school staff;
- 5.6.5. Defying teachers or other members of the school staff;
- 5.6.6. Violence, or the threat of violence, towards another student or member of staff;
- 5.6.7. Possession of illegal drugs or any kind of weapon (and not limited to those listed in the Offensive Weapons Act 2006) whilst in the care of the school;
- 5.6.8. Bullying;
- 5.6.9. Sexual misconduct;
- 5.6.10. Theft;
- 5.6.11. Vandalism;
- 5.6.12. Behaviour considered dangerous.

5.7. Conduct outside of Highams Park School

- 5.7.1. Students of Highams Park School are representatives of the school at all times. They have a responsibility to act in an appropriate manner outside of the school as well as during school hours, particularly on the journey to school and from school. Standards of behaviour outside of school should be just as high as those expected inside of school. The standards of respect, courtesy and politeness acceptable within school should be shown to members of the public outside school by students at all times, but particularly when they are clearly identifiable as members of Highams Park School. We are legally entitled to, and will, discipline students for inappropriate behaviour occurring outside of the school premises;



- 5.7.2. Any inappropriate behaviour which occurs during school-organised or school-related activities, whilst travelling to or from school, whilst wearing school uniform or whilst in some other way identifiable as a student of Highams Park School, are likely to incur the sanctions listed above;
- 5.7.3. Additionally, any inappropriate behaviour at any other time which could have repercussions for the orderly running of the school, which poses a threat to another student or member of the public, or which could adversely affect the reputation of the school, may result in sanctions being taken against the student.

5.8. Reward and Debt Pyramids

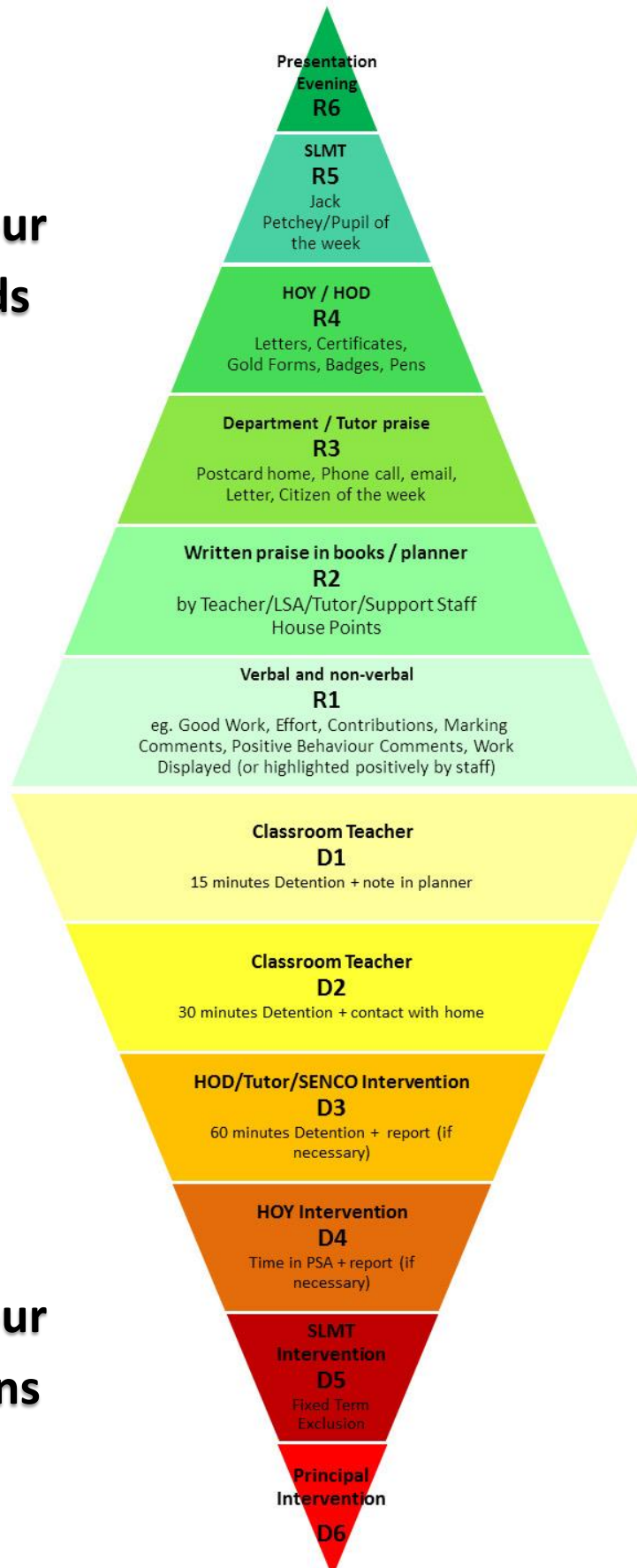
We have developed a diagram to help students understand the general scale of rewards and sanctions employed in school. We refer to this as our Reward and Debt Pyramids. The idea of 'Debt' is to help embed the concept that a student misbehaving owes a debt to the school community. The system is summed up in the diagram shown on the next page. The reward pyramid is shown above the inverted sanctions pyramid. Copies of this diagram are displayed in classrooms around the school so that students become familiar with the system. The diagram is also available on the school website, on Firefly and is given to students via their planners.



↑
**Good
Behaviour
Rewards**



**Poor
Behaviour
Sanctions**
↓



6. Bullying and Anti-Bullying Statement

6.1. Definitions of bullying

Bullying has been defined by the Department for Education as “*Behaviour by an individual or group, usually repeated over time, that intentionally hurts another individual or group either physically or emotionally*”.

There are many definitions and features of bullying, but most consider it to be:

- 6.1.1. Deliberately hurtful (including aggression);
- 6.1.2. Repeated, often over a period of time;
- 6.1.3. Where there is an imbalance of power, which makes it hard for those being bullied to defend themselves.

6.2. Types of bullying

Bullying can take many forms, but four main types are:

- 6.2.1. Physical – hitting, kicking, taking possessions;
- 6.2.2. Verbal – name calling, insulting, making offensive remarks. This may be because of individual characteristics, but students might be called names or insulted because of their ethnic origin, nationality or colour, sexual orientation, appearance, health conditions, home circumstances, or some form of disability. None of these are acceptable and none will be tolerated;
- 6.2.3. Indirect – spreading hurtful or unpleasant stories about someone, exclusion from social groups, being made the subject of malicious e-mails or messages on mobile phones;
- 6.2.4. Cyber-bullying – the use of any technologies such as text, instant messaging, email and social networks to directly or indirectly bully individuals.

6.3. Anti-Bullying Statement

It would be naïve and disingenuous to pretend that bullying never occurs in schools. What is important is how the school reacts and deals with incidents of bullying when they arise.

- 6.3.1. In Highams Park School bullying is always taken seriously because of its potential impact upon young people;
- 6.3.2. Many of the outward signs of bullying can be the same as other indicators of abuse such as self-harm, self-abuse, low self-esteem, unhappiness, fear, distress or anxiety;
- 6.3.3. If unchecked, others may come to see bullying behaviour as acceptable within the school;
- 6.3.4. Victims can become bullies of younger or more vulnerable students;
- 6.3.5. Bullying can have long term effects on victims which may stretch into their adult lives.

The school evaluates the extent and range of bullying that takes place in two ways and takes appropriate action when/if necessary.

- 6.3.6. Student questionnaires and discussions in tutor time, in Citizenship, or online;
- 6.3.7. Analyses of bullying incidents.

Bullying in Highams Park School is not accepted or tolerated and we constantly strive to build a culture where students are encouraged to, and do, report incidents of bullying that happen to

themselves or others. Our stance against bullying is given a high priority and students see their complaints are taken seriously and addressed. Students are aware of the process by which bullying should be reported. Advice for students on bullying issues is contained in the school planner, is available on Firefly and is shown on posters displayed around school.

The school takes a proactive stance to further raise awareness about bullying. This is done through a range of strategies including staff training, assemblies, Citizenship lessons, peer mentoring and high staff presence and visibility during lesson change over, break, lunch time and after school.

Sanctions against students found to be bullying others are to be found in this Behaviour Policy. Bullying is a D4 or above, depending on the severity, on our Debt and Reward structure.

Alternative strategies are also used to help the “victim” and the “bully”. These include individual and group counselling, peer group monitoring, circle time, restorative justice and home school agreements. Positive approaches to improve behaviour are also used.

Parents must help us to ensure we have a culture of tolerance and respect at school by promoting this at home. We urge parents to contact their child’s tutor or Head of Year as soon as possible should they have a concern about bullying.

6.4. When bullying does occur

- 6.4.1. Minor incidents or disagreements do not necessarily constitute bullying and should be addressed by form tutors or subject teachers. However, any suspicions of bullying must always be reported to the appropriate Head of Year as soon as possible;
- 6.4.2. All allegations of bullying by students must be referred to the Head of Year promptly;
- 6.4.3. The Head of Year will investigate the concern or allegation to clarify the facts through a thorough investigation, taking statements from the alleged bully, victims and witnesses;
- 6.4.4. Careful consideration of all circumstances will be made before sanctions or next actions are decided. This will, in the vast majority of cases, involve parents/carers of both alleged bully and victim being informed at the earliest opportunity;
- 6.4.5. A range of approaches will be used to support the victim and help them build resilience;
 - The member of staff might offer coaching and problem solving strategies to enable the victim to tackle what has happened; this builds their resilience and confidence, nurturing lifelong learning in resolving problems. This approach is suitable for lower level problems and where the victim wants to regain some control;
 - The member of staff may work alongside the victim to resolve the problems actively through a restorative justice model; this will involve problem solving meetings facilitated by the member of staff, sometimes with parents present;
 - In serious incidents such as where safeguarding is at risk, there has been violence, the threat of weapons, or sustained serious bullying, members of staff will oversee the process and deal with the issue. In some cases, the matter may be referred to the police.

7. Searching, confiscation and screening

(Most of the text below is drawn from the Department for Education’s guidance on searching, screening and confiscation.)

The school has an obligation to manage the health and safety of staff, students and visitors to ensure that school discipline is maintained. This policy is consistent with DFE advice contained in “Searching, screening and confiscation - Advice for headteachers, school staff and governing bodies”.

School staff can search a student for **any item** if the student agrees. The Principal and staff authorised by the Principal have a statutory power to search students or their possessions, without consent, where they have reasonable grounds for suspecting that the student may have a prohibited item. In Highams Park School all teachers are authorised to search students, although in practice such searches necessary are normally carried out by senior teachers. Students will be treated courteously and afforded respect and a reasonable level of personal privacy during any search or screening.

The school is not required to inform parents before a search takes place or to seek their consent to search their child. There is no legal requirement to keep records of searches carried out. Parents will be informed if a search or screening uncovers items that will result in school disciplinary action or police involvement.

7.1. Searching with consent

- 7.1.1. School staff can search students with their consent for any item.
- 7.1.2. Schools are not required to have formal written consent from the student for this sort of search – it is enough for the teacher to ask the student to turn out his or her pockets, or if the teacher can look in the student’s bag or locker and for the student to agree.
- 7.1.3. If a member of staff suspects a student has a prohibited item in his/her possession, they can instruct the student to turn out his or her pockets or bag and if the student refuses, the teacher can apply an appropriate punishment as set out in the school’s behaviour policy.
- 7.1.4. A student refusing to co-operate with such a search raises the same kind of issues as where a student refuses to stay in a detention or refuses to stop any other unacceptable behaviour when instructed by a member of staff – in such circumstances, schools can apply an appropriate disciplinary penalty. If the member of staff suspects that a student has a prohibited item in their possession that could pose a danger to other members of the school community, then that member of staff is likely to involve the police.

7.2. Searching without consent

- 7.2.1. If a member of staff has reasonable grounds to suspect that a student is in possession of a prohibited item, a student can be instructed to undergo a search without consent.
- 7.2.2. A student refusing to co-operate with a search will be subject to disciplinary measures by the school. If the member of staff suspects that a student has a prohibited item in their possession that could pose a danger to other members of the school community, then that member of staff is likely to involve the police.

7.3. What can be searched for?

- 7.3.1. Knives or weapons, alcohol, illegal drugs and stolen items; and
- 7.3.2. Tobacco and cigarette papers, fireworks and pornographic images; and

- 7.3.3. Any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to property; and
- 7.3.4. Any item banned by the school rules.

7.4. Conducting searches

- 7.4.1. Searching should normally be carried out by a member of staff who is the same sex as the student. There should be member of staff present during the search to act as a witness who should also be the same sex as the student. Where it is practicable to summon a staff member of the same sex as the student and a witness then the teacher (s) wishing to conduct a search must do so.
- 7.4.2. The person conducting the search may not require the student to remove any clothing other than outer clothing. 'Outer clothing' means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear. 'Outer clothing' includes coats, blazers, hats, shoes, gloves and scarves.
- 7.4.3. 'Possessions' means any goods over which the student has or appears to have control – this includes desks, lockers and bags. A student's possessions can only be searched in the presence of the student and another member of staff, except where there is a risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.
- 7.4.4. Members of staff can use such force as is reasonable given the circumstances when conducting a search for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm. Such force cannot be used to search for items not listed above but which are banned under the school rules.

7.5. Confiscation

- 7.5.1. School staff can seize any prohibited item found as a result of a search. They can also seize any item, however found, which they consider harmful or detrimental to school discipline.
- 7.5.2. Schools' general power to discipline enables a member of staff to confiscate, retain or dispose of a student's property as a disciplinary penalty, where reasonable to do so.
- 7.5.3. A person carrying out a search can seize anything they have reasonable grounds for suspecting is a prohibited item or is evidence in relation to an offence.
- 7.5.4. Where a person conducting a search finds alcohol, they may retain or dispose of it. This means that schools can dispose of alcohol as they think appropriate but this should not include returning it to the student.
- 7.5.5. Where they find controlled drugs, these must be delivered to the police as soon as possible, but may be disposed of if the person thinks there is a good reason to do so.
- 7.5.6. Where they find other substances which are not believed to be controlled drugs these can be confiscated where a teacher believes them to be harmful or detrimental to good order and discipline. This would include, for example, so called 'legal highs'. Where staff suspect a substance may be controlled they should treat them as controlled drugs as outlined above.

- 7.5.7. Where they find stolen items, these must be delivered to the police as soon as reasonably practicable – but may be returned to the owner (or may be retained or disposed of if returning them to their owner is not practicable) if the person thinks that there is a good reason to do so.
- 7.5.8. Where a member of staff finds tobacco or cigarette papers they may retain or dispose of them. As with alcohol, this means that the school can dispose of tobacco or cigarette papers as they think appropriate but this should not include returning them to the student.
- 7.5.9. Fireworks found as a result of a search may be retained or disposed of but must not be returned to the student.
- 7.5.10. Where an article that has been (or could be) used to commit an offence or to cause personal injury or damage to property is found it may be delivered to the police. It may also be retained or disposed of.
- 7.5.11. Any weapons or items which are evidence of an offence must be passed to the police as soon as possible.
- 7.5.12. Where a member of staff finds an item which is banned under the school rules they should take into account all relevant circumstances and use their professional judgement to decide whether to return it to its owner, retain it or dispose of it.
- 7.5.13. If a member of staff finds a pornographic image, they may dispose of the image unless its possession constitutes a specified offence (i.e. it is extreme or child pornography) in which case it must be delivered to the police as soon as reasonably practicable. Images found on a mobile phone or other electronic device can be deleted unless it is necessary to pass them to the police.
- 7.5.14. Where the person conducting the search finds an electronic device they may examine any data or files on the device if they think there is a good reason to do so. Following an examination, if the person has decided to return the device to the owner, or to retain or dispose of it, they may erase any data or files, if they think there is a good reason to do so.
- 7.5.15. In determining a 'good reason' to examine or erase the data or files the staff member must reasonably suspect that the data or file on the device in question has been, or could be, used to cause harm, to disrupt teaching or break the school rules.
- 7.5.16. If inappropriate material is found on the device it is up to the teacher to decide whether they should delete that material, retain it as evidence (of a criminal offence or a breach of school discipline) or whether the material is of such seriousness that it requires the involvement of the police.

7.6. Screening

- 7.6.1. Schools can require students to undergo screening by a walk-through or hand-held metal detector (arch or wand) even if they do not suspect them of having a weapon and without the consent of the students.
- 7.6.2. Schools' statutory power to make rules on student behaviour, and their duty as an employer to manage the safety of staff, students and visitors, enables them to impose a requirement that students undergo screening.
- 7.6.3. Any member of school staff can screen students.
- 7.6.4. If a student refuses to be screened, the school may refuse to have the student on the premises. Health and Safety legislation requires a school to be managed in a way



which does not expose students or staff to risks to their health and safety and this would include making reasonable rules as a condition of admittance.

7.6.5. If a student fails to comply, and the school does not let the student in, the school has not excluded the student and the student's absence should be treated as unauthorised. The student should comply with the rules and attend.

7.6.6. This type of screening, without physical contact, is not subject to the same conditions as apply to the powers to search without consent.

7.7. Schools' obligations under the European Convention on Human Rights (ECHR)

7.7.1. Under article 8 of the European Convention on Human Rights, students have a right to respect for their private life. In the context of these particular powers, this means that students have the right to expect a reasonable level of personal privacy.

7.7.2. The right under Article 8 is not absolute. It can be interfered with but any interference with this right by a school (or any public body) must be justified and proportionate.

8. The use of reasonable force to control or restrain a student

(Most of the text below is drawn from the Department for Education's guidance "Use of reasonable force".)

Teachers and other members of the school staff have the legal power to use force to control or restrain students when the occasion demands it.

Rarely do teachers or other members of the school staff at Highams Park School have to intervene physically to reinstate control or restrain a student. All members of school staff have a legal power to use reasonable force. This power can also apply to people who are temporarily put in charge of students, such as unpaid volunteers or parents accompanying students on a school organised visit.

Reasonable force can be used to prevent students from hurting themselves or others, from damaging property, or from causing disorder. In school, force is used for two main purposes – to control students or to restrain them. The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.

The following list is not exhaustive but provides some examples of situations where reasonable force can be used.

8.1. Reasonable Force

Schools can use reasonable force to:

- 8.1.1. Remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- 8.1.2. Prevent a student behaving in a way that disrupts a school event or a school trip or visit;
- 8.1.3. Prevent a student leaving the classroom where allowing the student to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- 8.1.4. Prevent a student from attacking a member of staff or another student, or to stop a fight; and
- 8.1.5. Restrain a student at risk of harming themselves through physical outbursts.
- 8.1.6. The school will never use force as a punishment for inappropriate behaviour. We will never use force beyond that which is reasonable and proportionate to the situation, and reasonable adjustments will be made where necessary for students with SEND.
- 8.1.7. The school will, following incidents in which force is required, report the incident to the parent or parents of a student. However, the school does not require parental consent to use force with a student.
- 8.1.8. Any complaint relating to the use of force against a student will be investigated thoroughly and quickly. When a complaint is made the onus is on the person making the complaint to prove that his/her allegations are true – it is not for the member of staff to show that he/she has acted reasonably.



8.2. Other physical contact with children

8.2.1. It is not illegal for teachers or other members of staff to touch a student. There are occasions when physical contact, other than reasonable force, with a student is proper and necessary. Examples of where touching a student might be proper or necessary:

- When comforting a distressed student;
- When a student is being congratulated or praised;
- To demonstrate how to use a musical instrument;
- To demonstrate exercises or techniques during PE lessons or sports coaching;
and
- To give first aid;