

NOTRE DAME SENIOR SCHOOL BEHAVIOUR POLICY

NOTRE
DAME
SCHOOL



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1. Introduction

As a foundation of the Company of Mary, Our Lady, Notre Dame commits to accompanying our students as they learn principles of self-discipline and self-esteem that will serve them well in a pluralist society characterised by changing values and uncertain social standards. Due regard has been paid to [Behaviour in Schools Advice for Heads and School staff September 2022](#) and [Searching, Screening and Confiscation July 2022](#) and [Suspension and Permanent Exclusion guidance 2023](#).

This policy is linked to the School's Anti-bullying policy, the Exclusion Policy and the Safeguarding & Child Protection policy, these are available on Firefly and the School's website.

2. Aims

Good behaviour is a fundamental part of a good education and that at Notre Dame we aim to provide a calm, safe and supportive environment so that each individual can achieve their potential. Students are taught what good behaviour looks like and we proactively support positive behaviour as well as responding promptly, predictably and with confidence when misbehaviour occurs. Notre Dame is committed to inclusivity so that all members of the community feel safe and that they belong.

This policy has been adopted by the Governor and aims to support the School's work to enhance self-discipline and self-esteem by emphasizing support and reward for excellent behaviour so that all members of our community are enabled to value themselves and their achievements. The School has high expectations and that we make these clear to pupils and staff. The School provides information on serious behaviour to the Governors termly as part of our safeguarding reporting.

All staff have a responsibility to provide a safe environment for pupils and that includes following the behaviour policy. Staff are trained regularly on the behaviour policy and new staff have training as part of their induction programme. The Head Teacher, Head of Pastoral (Amanda Windibank) and Head of Sixth Form (Sian Marker) are the leads on Senior School behaviour. They can be contacted as follows:

- aking@notredame.co.uk
- awindibank@notredame.co.uk
- smarker@notredame.co.uk

The aim of sanctions (where applied) is to shape behaviour so that students learn to show a sense of worth for all members of the community. Notre Dame rejects as inappropriate any punishment that intentionally or unintentionally belittles or humiliates a student. Corporal punishment of any kind is completely forbidden.

Parents are encouraged to be involved and should a parent have a concern about behaviour management that they should contact the School directly.

Pupils are asked via pupil voice surveys and School council for feedback on the Behaviour policy and wider culture.

3. Policy Statement on Discipline

It is important that every student in the School has the opportunity to be a valued participant in the life of the community. Therefore, it is expected that students will conduct themselves, at all times, in a considerate, cooperative and tolerant manner. As students are expected to maintain the highest standards of personal conduct, to accept responsibility for their behaviour and encourage others to do the same. The behaviour policy highlights the importance of consistency, focusing on a restorative approach that echoes the core values that we take from St Jeanne de Lestonnac. Our policy has a heavy emphasis on respectful behaviour, being safe and ready for any situation.

Our behavioural motto is encompassed in the phrase: Ready, Respectful, Safe.

Students are given clear guidance about expectation via the planner and also Year assemblies and reminders in whole School assemblies where necessary. New pupil induction covers the behaviour policy. At the start of each year there is a formal assembly for all pupils on behaviour and expectations. To recognise good behaviour, achievement points will be given. Achievement points can be given at any time for positive contribution to School life. These will be visible on Firefly for parents/guardians to celebrate. The School will work closely with students through the School Council, listening to student voice, in order to tailor our reward and recognition programme.

Minor breaches of discipline are dealt with by staff as they occur with behavioural points. These are monitored by both tutor and Heads' of Year. Records of behaviour, achievement points, referrals, suspensions and any other interventions are made on SIMS (which can then be seen via Firefly) and where necessary on the serious behaviour and / or bullying logs. Data on behaviour is analysed so that support for individual pupils can be targeted or additional wider interventions or pupil training put in place.

More serious offences are recorded as referrals and passed straight to the Head of Year or a member of the Senior Leadership Team. Parents/guardians will be informed about their daughters' behaviour as necessary, in addition to points being visible on firefly.

Support is given to students where necessary to help them to reshape their behaviour. This will be in the form of learning conversations, in addition to mentoring from a member of staff or regular informal meetings with the Head of Year. The School promotes flexibility in their support techniques to ensure student specific support is given. The School will consider whether the behaviour shown by a pupil may give cause to suspect they are, or are likely to, suffer harm, in which case the Safeguarding policy would be followed.

Should a student's behaviour require it, liaison with other agencies would take place, for example with educational psychology services. If the pupil has an Education, Health and Care (EHC) plan, early contact with the local authority about the behavioural issues would be appropriate and an emergency review of the plan might be needed.

Where circumstances arise that endanger the safety of a pupil or staff member, the School should act swiftly and decisively to remove the threat and reduce the likelihood of its reoccurrence. In cases when a member of staff or the Head suspects criminal behaviour, the School will make an initial assessment of whether an incident should be reported to the police by gathering only enough information to establish the facts of the case. These initial investigations will be fully documented, and the School will make every effort to preserve any relevant evidence. Once a decision is made to report the incident to police the School will ensure any further action does not interfere with any police action taken. A referral would also be made to Children's Services.

4. Code of Behaviour

Be Ready, Be Respectful, Be Safe

Be respectful

- Show respect by formally greeting or thanking your teacher at the beginning and end of lessons
- Respect the dignity of every member of the School community
- Listen carefully to instructions and be obedient without argument
- Respect the School's and other people's property, as well as your own
- Listen carefully to other people's opinions
- Valuables are brought in at your own risk and must be locked in lockers
- Mobile phones and mp3 players must be switched off during the School day and locked in lockers after 8.20 until at least 4.10 each day.
- Respect yourself as well as the other members of the School community. This includes not deliberately causing hurt physically or mentally, and bullying, abuse, aggression, derogatory language (including name-calling) and intimidation are never tolerated and will be dealt with quickly and effectively, including incidents online.

Be ready to learn

- Be punctual to lessons, settling quickly and working purposefully
- Make sure you have all the equipment that may be required for the lesson
- Talking in lessons should be limited to the activity in which you are involved
- Remember to work in silence when asked
- It is your responsibility to record all details of homework and assignments in your planner
- Complete all your homework as well as you can and hand it in on time and talk with your teacher in advance of the next lesson if there is a problem
- Make sure all your work is up to date, especially when you have missed lessons.
- Uniform helps to establish a learning mind-set and so it should be worn correctly.
- Do not disrupt learning during lessons.

Be safe

- Be vigilant about the health and safety of yourself and others.
- Report hazards immediately
- Behave with care and consideration when moving around the School,
- Do not run or sit in inappropriate places
- Be aware of traffic.
- Use social media and IT safely, both for yourself and others

Planner at all times

- Planners should be brought to every registration and lesson.
- If you have forgotten your planner, you must ask your tutor for a temporary day sheet. This must be returned to him/her at afternoon registration. You must have this sheet signed in every lesson.
- Planners must not be defaced in any way.

5. Our expectations for behaviour at break and lunchtimes

We expect students to continue to follow the ready, respectful and safe motto at all times. This includes; breaktime, lunchtimes, before School, after School and any other time they are representing the School (e.g. sports fixtures and School trips).

6. Consequences of Good Behaviour

Achievement points will be awarded for good behaviour. Achievement points can be given at any time for positive contribution to School life. These will be visible on Firefly for parents/guardians to celebrate.

These points are split into the following categories:

1. Academic
2. Pastoral
3. Extra-Curricular

Not only will achievement points count towards house totals, we will also celebrate achievement points in a number of ways:

- Hot Chocolate and Cookies in Monty's
- Pizza Lunch
- Reward Trips
- Badges and Postcards

7. Reshaping of Poor Behaviour

With consistency at the heart of what we do, the School will use behaviour points to monitor and shape behaviour to ensure students are the best version of themselves and the best learner they can be. Behaviour points are there for students to reflect on and help show a sense of worth for all members of our community. Behaviour points will be given when students fail to be **READY, RESPECTFUL or SAFE**.

Behavioural points are able to be viewed and monitored on Firefly. We hope that this will enable open communication and consistent support, both at School and home. Behaviour points will be split into a number of categories:

- Organisation
- Uniform
- Failure to follow instructions
- Rudeness
- Lack of/Inadequate homework
- Poor behaviour for learning
- Punctuality

With the accumulation of behavioural points, the School will implement a variety of tracking and support techniques in order to explore the issues and help you to overcome these.

Accumulation of Behaviour Points

5 points= Tutor Learning conversation

10 points=HOY learning conversation (20 minutes at lunchtime)

20 points=SLT learning conversation (1 hour after School). Parents/Guardians contacted

Learning conversations will encompass a restorative approach to ensure behavioural change. Time for reflection will take place to ensure students are aware of how to change, and supported to improve behaviour, allowing students to be the best learner they can be.

Referrals

In some cases, behaviours may be referred straight to Heads of Year or the Senior Leadership Team. These behaviours will be displayed on Sims as “Referrals”. If students receive a referral, parents will be contacted via email or phone. An appropriate sanction will then follow. An example of behaviours in which referrals will be made are:

- Truancy
- Targeted and intentional swearing
- Videoing or taking photos in School
- Severe Defiance
- Severe disruption
- The uploading to social media or the internet, images or recordings of other pupils or staff without consent
- The causing deliberate harm to another pupil either mentally or physically

Please note these are just examples and not an exhaustive list.

Sanctions

Sanctions can only be given by a paid member of School staff (but not one who the Head has decided should not do so) or an unpaid member of staff authorised by the Head and the decision to sanction the pupil and the sanction itself can only be made on the School premises or while the pupil is under the lawful charge of the member of staff; and only if it does not breach any other legislation (for example in respect of equality, special educational needs and human rights) and it is reasonable in all the circumstances.

The School has the power to sanction behaviour out of School to such an extent as is reasonable (such as online bullying).

When arranging an after-School learning conversation the staff member will consider pupil safety, and also whether the pupil has caring responsibilities at home, if the appointment clashes with a medical appointment and whether safe travel arrangements can be made.

Internal suspension (which could be for lesson time, or break / lunchtime) may also be used following serious misbehaviour in order to maintain the safety of all pupils. Parents would be informed and the pupil would be fully supervised.

When a pupil is removed from a classroom or suspended the School will consider whether an assessment of underlying factors is needed, provide work, plan the re-introduction for the pupil after the sanction, facilitate reflection, never lock a pupil in a room, ensure that the Children and Families Act 2014 and Equalities Act are complied with, and inform children’s services if necessary.

Alternative arrangements for sanctions can be considered on a case-by-case basis for any pupil where the School believes an alternative arrangement would be more effective for that particular pupil, based on their knowledge of that pupil’s personal circumstances. The School should have regard to the impact on consistency and perceived fairness overall when considering any alternative arrangements.

Mobile Phones

In order to protect our pupils while in school, we do not allow mobile phones to be used during the school day. To ensure that this does not happen we use the Yonder system. Every student is assigned a personal Yondr Pouch. While the Yondr Pouch is considered school property, it is each student’s responsibility to bring their Pouch with them to school every day and keep it in good working condition.

As students arrive at School, they will:

1. Turn their cellphone off.
2. Open their Yondr Pouch by tapping against the unlocking base.

3. Place their cellphone inside the Pouch and secure it.
4. Store it in their bags, blazer pocket or locker for the day.

At the end of the day, students will open their Pouch at the unlocking base, remove their phone, close their Pouch and put it in their bag or blazer pocket.

Students must bring their Pouch to school with them each day.

Students arriving late or leaving early will pouch/unpouch their phones in the Office when they sign in.

Pouch Damage / Lost Pouch / Using mobile phone During School

If a student damages or loses their Pouch or is caught on their phone, then a staff member will confiscate the phone until the end of the school day and contact parents. An afterschool referral will be issued where the student will discuss this policy and its importance with a member of the Senior Leadership Team.

Examples of damage could include:

- Ripped fabric
- Cut
- Torn
- Bent/cut pin
- Signs of force to black button on flap

Forgotten Pouch

If a student forgets their Pouch, their cellphone will be collected and their Head of Year will contact parents. The student will need to collect their phone from the HoYs office at the end of the day.

If a student consistently forgets their Pouch, it is considered Lost.

Mobile phones should not be used, seen or heard once students arrive in School. On arrival to School they should be immediately be placed in the pupil's locker and not used again until the end of the School day.

Between 8:20am-4.10pm, if students are found in possession of a phone, it will be confiscated and a behaviour point given. If students persistently fail to adhere to this rule, a referral will be made.

Suspension

Only the Headmistress may suspend a pupil. Suspension is the usual and immediate punishment for bullying, offensive swearing or other offensive language including racism or homophobia, possession of illegal substances or cigarettes, for smoking of School premises, for defacing School property, for stealing, bullying or for bringing the School into disrepute. Suspension for other serious offences is at the discretion of the Headmistress. Parents will be contacted in advance of informing the pupil, and will be notified again if necessary before a suspended pupil is sent home. No suspension shall last more than five days.

8. Serious breaches of discipline

For serious breaches of discipline, the pupil may be asked to leave the School permanently. All serious disciplinary matters must be reported to the Head. Please see the School's Exclusion, Removal and Review Policy.

Removal: The Head may require the Removal of a pupil from the School if, after consultation with the parents and if appropriate the pupil, the Head is of the opinion that:

- by reason of the pupil's conduct or progress, the pupil is unwilling or unable to benefit sufficiently from the educational opportunities offered by the School; or
- a parent has treated the School, members of its staff or any member of the School community unreasonably.

- In these circumstances, the parents may be permitted to withdraw the pupil as an alternative to Removal being required.

Exclusion: A pupil is liable to Exclusion for a grave breach of School discipline or a serious criminal offence. Exclusion is reserved for the most serious breaches. The Head is required to act fairly and in accordance with the principles of natural justice. Please see the section 15 and 16 below.

Suspension: For serious breaches of discipline, a pupil may be released home for a limited period pending the outcome of an investigation or a Governors' Review.

The School seeks to work in partnership with parents over matters of discipline, and it is part of parents' obligations to the School to support the School rules. Parents will be contacted to discuss any disciplinary matter which may result in suspension, or where Removal or Exclusion is being considered.

9. Equal opportunities

The School is aware of its duties under the Equalities Act 2010, and the School will make reasonable adjustments for managing behaviour which is related to a pupil's special educational need or disability. Staff should seek advice from the Assistant Head (Pastoral) and / or SENCO if they are unsure about how to manage a pupil's behaviour where this is related to a special educational need or disability. Where Exclusion needs to be considered, the School 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. Any religious requirements affecting the pupil will also be considered.

10. Malicious allegations against staff

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.

Where a parent has made a deliberately invented or malicious allegation the Head will consider whether to require that parent to remove their child or children from the School on the basis that they have treated the School or a member of staff unreasonably and compromised the requirement for mutual trust and confidence.

In accordance with the DfE's guidance Keeping Children Safe in Education (KCSIE 2024), the School 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.

11. Use of reasonable force

Staff are strongly advised not to use force at any time, unless to do so is necessary, reasonable, proportionate and lawful. Reasonable force will be used in accordance with the [DfE guidance Use of Reasonable Force \(July 2013\)](#) and as set out in Appendix 1.

Members of staff have the power to use reasonable force to prevent pupils committing an offence, injuring themselves or others, or damaging property and to maintain good order and discipline at the School or among pupils.

Heads and authorised School staff may also use such force as is reasonable given the circumstances when conducting a search for knives or weapons, alcohol, illegal drugs, stolen items, tobacco, fireworks, pornographic images or articles that they reasonably suspect have been or are likely to be used to commit an offence or cause harm. Force may not be used to search for other items banned under the School rules.

When considering using reasonable force staff should, in considering the risks, carefully recognise any specific vulnerabilities of the pupil, including SEND, mental health needs or medical conditions

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

12. Searching pupils

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

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 2 for the School's policy on searching and confiscation. Such action will be taken in accordance with the [DfE guidance Searching Screening and Confiscation \(February 2022\)](#).

13. Records

Administration of all behavioural/achievement points and referrals are recorded on SIMs. Records of some sanctions may also be placed in students' files.

14. Review

A pupil or her parents may request a Governors' Review of the Head's decision to Expel or Remove a pupil from the School, or where the pupil is suspended from the School for 11 School days or more or where a suspension would result in the pupil missing a public examination.

There will be no right to a Review of other sanctions but a pupil who feels aggrieved may ask the Assistant Head (Pastoral) to take up her concerns with the member of staff who imposed the sanction.

15. Exclusion, Removal and Review

Please refer to the Exclusion policy on Firefly or the School website for details.

16. Child on Child Abuse

16.1 The School has a zero-tolerance approach to child on child abuse and any reports will be thoroughly investigated; it is never passed off as 'banter', 'just having a laugh' or 'part of growing up'. All staff should recognise that children are capable of abusing their peers and must be aware of the School's policy and procedures regarding child on child abuse.

Child on child abuse can include, but is not limited to,

- bullying (including cyber bullying, prejudice-based and discriminatory bullying),
- sexual violence,
- sexual harassment and upskirting;
- physical abuse such as hitting, kicking, shaking, biting, hair pulling or otherwise causing physical harm;
- consensual and non-consensual sharing of nude or semi-nude images and/or videos;

- initiating/hazing type violence and rituals, gender-based violence or assault;
- abuse in intimate personal relationships between peers;
- abuse in intimate personal relationships between children (sometimes known as ‘teenage relationship abuse’);
- causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.

There is recognition that it is more likely that girls will be victims and boys perpetrators, but all child on child abuse is unacceptable and will be taken seriously. Support is provided to the victim of the allegation and the perpetrator.

Child on child abuse risk is minimised by clear supervision requirements for staff at break and lunchtimes as well as careful attention to the ethos of kindness and tolerance in the School throughout all lessons and extra-curricular activities, especially in PSHE, assemblies and reflection days. Staff are trained on the importance of challenging abusive behaviours between peers.

Child on child sexual violence or harassment can happen outside the School. As with all forms of abuse, the School’s duty is to protect a child who has been harmed or is at risk of harm wherever the abuse may have taken place. Staff and Governors are trained to report any concerns they have and to be aware that child on child abuse can sometimes be a hidden abuse where no report has been made. Staff and Governors are trained to identify online child on child abuse.

The School will ensure that the victims of child on child abuse, any informants and the alleged perpetrator(s) will be fully supported through the pastoral care system and by the Assistant Head Pastoral and relevant Head of Year or Pastoral Director. The School will ensure staff are aware of the arrangements in place to support the victim, any informant and the alleged perpetrator(s). The Chaplain and School counsellor may also be involved as an additional support. Allegations will be recorded using the CPOMS platform. Investigations are to be thorough, including interviews and witness statements. Any risks and needs assessment should consider whether there may have been other victims. The School understands that the victim will likely find the experience stressful and distressing which is likely to affect their educational attainment. This will be exacerbated if the perpetrator(s) attend(s) the same School.

Where there is an online element to a report, effective safeguarding practice includes being aware of searching screening and confiscation advice (for Schools) and UKCIS Sharing nudes and semi-nudes: advice for education settings working with children and young people. **The key consideration is for staff not to view or forward illegal images of a child.**

In the event that:

- The allegation or event is one of actual bodily harm – i.e. an injury has necessitated first aid or medical treatment.
- The allegation has been reported to the Police or Children’s Services by the child or parent.
- The child is looked after in public care.
- The child is the subject of a Child Protection Plan.
- The child has a disability or Statement of Special Educational Needs.
- The pupil concerned has been subject to previous complaints.
- The allegation is one of sexual abuse.

The parents of the victim and the alleged perpetrators(s) will immediately be informed by the DSL or the Head of the action or allegation if the child is not deemed to be at risk upon this disclosure to parents.

Advice will be sought from the Surrey Lead Officer for education services (or the social services Child Protection Duty Manager) with a view to a Strategy Meeting or Discussion being held in accordance with the

Surrey SCB procedures within 24 hours. This process will agree upon the appropriate course of action and the time-scale for investigations.

In considering whether or not a referral to Children's Services is appropriate, the Head may seek advice from the either of the Chair of Governors and the LA's Lead Officer and advisers. Parents should also be advised of their independent right to make a formal complaint to the Police.

A bullying incident will be treated as a child protection concern when there is reasonable cause to suspect that a child is suffering or likely to suffer significant harm. This includes cyber-bullying. Consideration is given to the fact that pupils with SEN/D may be more vulnerable to bullying and child on child abuse.

If reports are believed to be unsubstantiated, unfounded, false or malicious, the School manages these in accordance with the Notre Dame Behaviour policy. These reports are logged separately with the pastoral team and cover allegations of bullying, sexual violence, sexual harassment and serious behaviour.

Prejudice-based bullying is not tolerated and is covered in the Anti-bullying policy. Students with protected characteristics may be more vulnerable to this form of bullying and so staff must be very aware and observant in these cases. The protected characteristics are:

- a. Age
- b. Disability
- c. Gender reassignment
- d. Marriage and civil partnership
- e. Pregnancy and maternity
- f. Race
- g. Religion or belief
- h. Sex
- i. Sexual orientation.

Allegations of child on child sexual abuse or sexual harassment will be thoroughly investigated and all staff are trained in how to manage an allegation of this type. Allegations of any form of bullying or child on child abuse involving mobile phones and/or social media will be thoroughly investigated and dealt with in line with the anti-bullying and behaviour policies, and the DSL will seek the advice of and liaise with relevant agencies.

The Anti-bullying policy and procedures are available as a separate policy on the School website or on request from the School office.

16.2 Sexual violence and sexual harassment can occur between two children of any age and sex. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children. The School will respond to all reports and concerns of child-on-child sexual violence and sexual harassment, including those that have happened **outside the School** and/or **online**. Sexual harassment and online sexual abuse are not tolerated. In order to create such a culture, the School must assume that abuse is happening in the setting. Notre Dame has a whole School approach to address sexual harassment and online sexual abuse.

Staff should be aware of the importance of:

- making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up;
- not tolerating or dismissing sexual violence or sexual harassment as "banter", "part of growing up", "just having a laugh" or "boys being boys"; and
- challenging behaviours (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them.

- understanding intra familial harms and any necessary support for siblings following incidents.

The initial response to a report from a child is important. It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. Any risks and needs assessment should consider whether there may have been other victims. The School understands that the victim will likely find the experience stressful and distressing which is likely to affect their educational attainment. This will be exacerbated if the perpetrator(s) attend(s) the same School.

A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report. If staff have a concern about a child or a child makes a report to them, they should speak to the DSL (or a deputy in their absence).

The immediate response to an allegation by the DSL will be to ensure the student is safe, including contacting police and/or external agencies. The ongoing response will be to support the victim, work with external agencies and if the alleged perpetrator is a student in our School to also work with them from a safeguarding perspective. The School follows the DfE's Searching Screening and Confiscation Advice for Schools when investigating allegations.

16.3 The School's processes for Child on child Abuse is as follows:

Victim

- Inform parents, if they are not already aware, that an investigation will take place without delay
- Listen to the victim, make them feel safe and reassured – parents will have the choice to be present
- Give victim access to the most appropriate pastoral support – e.g HOY, ELSA, Wellbeing Mentor, Counsellor
- Risk assess if it is likely there are other victims and if there are, act accordingly (see 'Others' below)
- If images are involved staff should not share or ask to see them
- After the incident HOY will check in regularly
- Share relevant information in Staff Briefing under 'Causes for Concern'
- Report to Safeguarding Governor and log on CPOMs

Perpetrator

- Inform parents, if they are not already aware, that an investigation will take place.
- Listen to the alleged perpetrator. Parents will have the choice to be present
- Give perpetrator access to the most appropriate pastoral support – e.g. HOY, ELSA, Wellbeing Mentor, Counsellor
- Apply sanctions as per the Behaviour policy
- Risk assess if it is likely there are other perpetrators and if so, act accordingly
- If images are involved staff must not share or ask to see them
- After the incident HOY will check in regularly with student(s)
- Share relevant information in Staff Briefing under 'Causes for Concern'
- Report to Safeguarding Governor and log on CPOMs/Serious behaviour log
- Liaise with external agencies as necessary (such as children's services, police)

Others

- As with victim / perpetrator above
- Continue to build a culture of sharing in the School to enable students to feel able to talk and share concerns
- Pupils have a number of support functions such as the 'help button' on Firefly, pages in the planner about where to get help and support, Assemblies and PSHE lessons.

Appendix 1

Use of Reasonable Force

- 1 Reasonable force may be only used to prevent a pupil from doing or continuing to do any of the following:
 - committing a criminal offence
 - injuring themselves or others
 - causing damage to property, including their own
 - engaging in any behaviour prejudicial to good order and discipline at the School or among any of its pupils, whether that behaviour occurs in a classroom or elsewhere.
- 2 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 her to do so would risk her safety or lead to behaviour that disrupts the behaviour of others.
- 3 In addition, reasonable force may be used to conduct a search for certain "prohibited items" (see Appendix 2 below).
- 4 In deciding whether reasonable force is required, the needs of individual pupils will be considered and reasonable adjustments will be made for pupils with special educational needs or disabilities.
- 5 Where reasonable force is used by a member of staff, the Assistant Head (Pastoral) must be informed of the incident and it will be recorded in writing. The pupil's parents will be informed about serious incidents involving the use of force.

Appendix 2 Searching and confiscation

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. The School's policy on searching and confiscation has regard to guidance published by the DfE, Searching, Screening and Confiscation (July 2022).

Prohibited items

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 2012:

- knives or weapons, alcohol, illegal drugs and stolen items
- tobacco and cigarette papers, e-cigarettes, vape pens, fireworks and pornographic images
- any article that a 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 the property of, any person (including the pupil) and
- any item banned by the School Rules that are identified as being items which may be searched for.

The School 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 School premises or at any time when they are in the lawful charge and control of the School (for example on an educational visit).

Searching with consent

Under common law, School staff have the power to search a pupil for any item if the pupil agrees. The member of staff should ensure the pupil understands the reason for the search and how it will be conducted so that their agreement is informed.

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.

The consent of the pupil must be obtained for searches for items that are not "prohibited items" as listed in section above. The consent of the pupil must be sought even if she is not at the School at the time. If a member of staff suspects that a pupil has an item that is banned by the School they can instruct the pupil to turn out her pockets or bag.

If the pupil refuses to provide consent disciplinary action may be taken in accordance with the School's Behaviour and Discipline Policy.

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

If the designated safeguarding lead (or deputy) finds evidence that any child is at risk of harm, they should make a referral to children's social care services immediately (as set out in part 1 of Keeping children safe in education). The designated safeguarding lead (or deputy) should then consider the circumstances of the pupil who has been searched to assess the incident against potential wider

safeguarding concerns.

Searching for prohibited items

1. Before searching

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

The Head or authorised member of staff should assess how urgent the need for a search is and should consider the risk to other pupils and staff.

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

The authorised member of staff should always seek the co-operation of the pupil before conducting a search. If the pupil is not willing to co-operate with the search, the member of staff should consider why this is.

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

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

If the pupil still refuses to co-operate, the member of staff should assess whether it is appropriate to use reasonable force to conduct the search. A member of staff can use such force as is reasonable to search for any prohibited items, but not to search for items which are identified only in the School rules. The decision to use reasonable force should be made on a case-by-case basis. The member of staff should consider whether conducting the search will prevent the pupil harming themselves or others, damaging property or from causing disorder.

It should be noted that the use of reasonable force will differ depending on whether the member of staff is searching possessions or the pupil themselves.

2. Where

An appropriate location for the search should be found. Where possible, this should be away from other pupils. The search must only take place on the School premises or where the member of staff has lawful control or charge of the pupil, for example on a School trip.

3. Who

The law states the member of staff conducting the search must be of the same sex as the pupil being searched. There must be another member of staff present as a witness to the search. There is a limited exception to this rule if the following are met:

- if the member of staff carrying out the search reasonably believes there is risk that serious harm will be caused to a person if the search is not carried out as a matter of urgency; and
- in the time available, it is not reasonably practicable for the search to be carried out by a member of staff who is same sex as the pupil or it is not reasonably practicable for the search to be carried out

in the presence of another member of staff.

When a member of staff conducts a search without a witness they should immediately report this to another member of staff, and ensure a record of the search is kept.

4. The extent of the search

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

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

A member of staff is able to search lockers and desks or other personal spaces at the School for any item provided the pupil agrees. If the pupil withdraws their agreement to search, a search may be conducted both for the prohibited items and any items identified in the School rules for which a search can be made.

A pupil's possessions can only be searched in the presence of the pupil and another member of staff, except where there is a risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.

The member of staff's power to search outlined above does not enable them to conduct a strip search.

If a pupil is found to be in possession of a prohibited item, then the staff member should alert the designated safeguarding lead (or deputy) and the pupil should be sanctioned in line with the School's behaviour policy to ensure consistency of approach.

5. Recording searches

Any search by a member of staff for a prohibited item and all searches conducted by police officers should be recorded in CPOMS, including whether or not an item is found. This will allow the designated safeguarding lead (or deputy) to identify possible risks and initiate a safeguarding response if required.

Staff should record the following for each search:

- the date, time and location of the search;
- which pupil was searched;
- who conducted the search and any other adults or pupils present;
- what was being searched for;
- the reason for searching;
- what items, if any, were found; and
- what follow-up action was taken as a consequence of the search.

Confiscation

Under the School's general power to discipline, a member of staff may confiscate, retain or dispose of a pupil's property as a disciplinary penalty where it is reasonable to do so.

Confiscation of an item may take place following a lawful search, as set out above, or however the item is found if the member of staff considers it to be harmful or detrimental to School discipline.

Searching electronic devices

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 School Rules, any data or files on the device may be searched and, where appropriate, data or files may be erased before the device is returned to its owner. Any search of an electronic device should be conducted in the presence of a member of the IT staff.

Any data or files will only be erased, if there is good reason to suspect that the data or files have been, or could be used to cause harm, to disrupt teaching or break School Rules.

If inappropriate material is found on an electronic device, the member of staff may delete the material, retain it as evidence of a breach of School discipline or criminal offence or hand it over to the police if the material is of such seriousness that police involvement is required.

Disposal of confiscated items

Alcohol: alcohol which has been confiscated will be destroyed.

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.

Other substances: substances which are not believed to be illegal drugs but which are harmful or detrimental to good order and discipline (for example "legal highs") 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.

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.

Tobacco/cigarette papers or e-cigarettes/vape pens: tobacco or cigarette papers will be destroyed. E- cigarettes and vape pens will be disposed of.

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.

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 has been abused, the Designated Safeguarding Lead will also be notified and will decide whether to make a referral to children's social care.

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.

Articles 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.

Weapons or items which are evidence of an offence: such items will be passed to the police as soon as possible.

An item banned under School Rules: such items may, at the discretion of the Head 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 phone that has been used in breach of School Rules to disrupt teaching, the phone 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. If a pupil persists in using a mobile phone in breach of School Rules, the phone will be confiscated and must be collected by a parent.

Electronic devices: if it is found that a mobile phone, laptop or tablet computer or any other electronic device has been used to cause harm, disrupt teaching or break School Rules, including carrying out 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 or carer and the pupil may be prohibited from bringing such a device onto School premises or on educational visits. In serious cases, the device may be handed to the police for investigation.

Communication with parents

There is no legal requirement for the School to inform parents before a search for banned or prohibited items takes place or to seek their consent to search their child and it will not generally be practicable to do so. In appropriate cases we will inform parents on how the School will dispose of certain items.

We will keep a record of all searches carried out, whether the search is with or without the consent of the pupil, which can be inspected by the parents of the pupil(s) involved subject to any restrictions under the Data Protection Act 1998. The record will include details of any disposal of items confiscated.

Complaints about searching or confiscation will be dealt with through the School's Complaints Procedure. A copy of the procedure is posted on the School website and hard copies are available on request.

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