Exclusions policy

Behaviour Policy

Reviewed Sept 2026

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1 Aims

1.1 This is the behaviour policy of St Giles' and St George's Academy

1.2 The aims of this policy are as follows:

1.2.1 To create a calm, safe and supportive environment free from disruption in which pupil can thrive and flourish both in and out of the classroom and reach their full potential;

1.2.2 to create, promote and maintain high expectations of good behaviour amongst pupils through a whole school approach to behaviour;

1.2.3 to actively promote and safeguard the welfare of pupils at the Academy and to protect all who come into contact with the Academy from harm;

1.2.4 to ensure, so far as possible, that every pupil in the Academy is able to benefit from and make their full contribution to the life of the Academy, consistent always with the needs of the Academy's community;

1.2.5 to set out a clear and fair process for the proper investigations of allegations of poor behaviour and / or breaches of discipline;

1.2.6 to encourage pupils to accept responsibility for their behaviour;

1.2.7 to consider how negative behaviours can be prevented or prevented from recurring;

1.2.8 to enable staff to respond to incidents of misbehaviour promptly, predictably and with confidence;

1.2.9 to set out the sanctions available to the Academy in the event of pupil misbehaviour; positive reminders, missed playtimes, missed reward time, reflection time, suspension and exclusion.

1.2.10 to help promote a whole school culture of safety, equality, inclusion and protection.

At St Giles' and St George's Academy we firmly believe that everyone has the right to feel safe, the right to learn without distraction or disruption and the right to be respected and receive fair treatment. By promoting these core rights through positive behaviour, we aspire for everyone to aspire, believe and achieve to be the very best they can be.

1.3 This policy forms part of the Academy's whole school approach to promoting child safeguarding and wellbeing, which seeks to involve everyone at the Academy to ensure that the best interests of pupils underpins and is at the heart of all decisions, systems, processes and policies.

1.4 Although this policy is necessarily detailed, it is important to the Academy that our policies and procedures are transparent, clear and easy to understand for staff, pupils, parents and carers. The Academy welcomes feedback on how we can continue to improve our policies.

2 Scope and application

2.1 This policy applies to the whole Academy including the Early Years Foundation Stage (**EYFS**)].

2.2 This policy and all other Academy policies on behaviour and discipline applies to all pupils at the Academy and at all times when a pupil is:

2.2.1 in or at the Academy (to include any period of remote education);

2.2.2 representing the Academy or wearing school uniform;

2.2.3 travelling to or from the Academy;

2.2.4 on Academy organised trips;

2.2.5 associated with the Academy at any time.

2.3 This policy shall also apply to pupils at all times and places including out of school hours and off school premises in circumstances where failing to apply this policy may:

2.3.1 affect the health, safety or well-being of a member of the Academy's community or a member of the public;

2.3.2 have repercussions for the orderly running of the Academy; or

2.3.3 bring the Academy into disrepute.

3 Regulatory framework

3.1 This policy has been prepared to meet the Academy's responsibilities under:

3.1.1 Education Act 2002, as amended by the Education Act 2011;

3.1.2 The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 as amended by The School Discipline (Pupil Exclusions and Reviews) (England) (Amendment) Regulations 2022;

3.1.3 The Education and Inspections Act 2006;

3.1.4 The Education Act 1996;

3.1.5 The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended by the Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014;

3.1.6 Education (Independent School Standards) Regulations 2014;

3.1.7 Statutory framework for the Early Years Foundation Stage (DfE, September 2021);

3.1.8 Education and Skills Act 2008;

3.1.9 Children Act 1989;

3.1.10 Childcare Act 2006;

3.1.11 Data Protection Act 2018 and UK General Data Protection Regulation (**UK GDPR**);

3.1.12 Human Rights Act 1998; and

3.1.13 Equality Act 2010.

3.2 This policy has regard to the following guidance and advice:

3.2.1 Keeping children safe in education (DfE) (**KCSIE**);

3.2.2 Working together to safeguard children (DfE, July 2018 updated July 2022);

3.2.3 Information sharing advice for safeguarding practitioners (DfE, July 2018)

3.2.4 Behaviour in Schools (DFE)

3.2.5 Preventing and tackling bullying, advice for Headteachers, staff and governing bodies (DfE, July 2017)

3.2.6 Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement (DfE, September 2023) (**Suspension and Permanent Exclusion Guidance**);

3.2.7 Use of reasonable force (DfE, July 2013);

3.2.8 Searching, screening and confiscation (DfE, July 2022);

3.2.9 Alternative provision (DfE, January 2013) (**AP Guidance**);

3.2.10 Sharing nudes and semi-nudes: advice for education settings working with children and young people (UKCIS, December 2020);

3.2.11 Mental health and behaviour in schools (DfE, November 2018);

3.2.12 Suspension and Exclusion guidance (DfE July 2026)

3.2.13 Equality Act 2010: advice for schools (DfE, June 2018);

3.2.14 Police and Criminal Evidence Act 1984 (PACE) PACE Code C (Home Office, 2019);

3.2.15 Guidance for appropriate adults (Home Office, April 2003);

3.2.16 Relationships education, relationships and sex education and health education (DfE, June 2019); and

3.2.17 The designated teacher for looked-after and previously looked-after children (DfE, February 2018)

3.3 The following Academy policies, procedures and resource materials are relevant to this policy and, where applicable, breach of them will constitute a breach of this Behaviour Policy:

3.3.1 Anti-bullying policy;

3.3.2 School uniform policy;

3.3.3 Acceptable use policy for pupils;

3.3.4 Online safety policy;

3.3.5 Safeguarding and child protection policy and procedures;

3.3.6 Child-on-child abuse policy;

3.3.7 Special educational needs and learning difficulties policy;

3.3.8 Staff code of conduct;

3.3.9 Use of reasonable force and physical restraint policy;

3.3.10 Exclusions Policy

3.3.11 And relationships education and / or Relationships and sex education policy]

4 Publication and availability

4.1 This policy is published on the Academy's website.

4.2 This policy is available in hard copy on request.

4.3 A copy of the policy is available in: the school office and Parents will be reminded of this on an annual basis.

4.4 A copy of the policy is available for inspection from 8:00am-4:00pm during the school day.

4.5 This policy can be made available in large print or other accessible format if required.

5 Definitions

5.1 Where the following words or phrases are used in this policy:

5.1.1 References to the **Proprietor** are references to the **Academy Trust**

5.1.2 References to **Parent** or **Parents** means the natural or adoptive Parents of the pupil (irrespective of whether they are or have ever been married, with whom the pupil lives, or whether they have contact with the pupil) as well as any person who is not the natural or adoptive Parent of the pupil, but who has care of, or Parental responsibility for, the pupil (e.g. foster carer / legal guardian).

5.1.3 References to **school days** mean Monday to Friday, when the Academy is open to pupils during term time. The dates of terms are published on the Academy's website.

6 Responsibility statement and allocation of tasks

6.1 The Proprietor has overall responsibility for all matters which are the subject of this policy.

6.2 The Proprietor is aware of its duties under the Equality Act 2010 and the requirement under S.149 of the Equality Act 2010 to meet the Public Sector Equality Duty. This means in carrying out its functions, the Proprietor is required to have due regard to the need to:

6.2.1 eliminate discrimination and other conduct that is prohibited by the Act;

6.2.2 advance equality of opportunity between people who share a protected characteristic and people who do not share it; and

6.2.3 foster good relations across all characteristics - between people who share a protected characteristic and people who do not share it.

6.3 Any punishment imposed on a pupil will be legal and proportionate. The punishment will be reasonable in all the circumstances and account will be taken of the pupil’s age, any special educational needs or disability they may have, and any religious requirements affecting them.

6.4 In discharging of its responsibilities under this policy, the Proprietor expects school leaders and staff to undertake the following roles:

6.5 School leaders will:

6.5.1 Be highly visible, routinely engage with pupils, parents and staff on setting and maintaining the behaviour culture and an environment where everyone feels safe and supported;

6.5.2 Play a crucial role in making sure all staff understand behavioural expectations and the importance of maintaining them;

6.5.3 Make sure all new staff are inducted clearly into the School's behaviour culture to ensure they understand its rules and routines and how best to support all pupils to participate in creating the culture of the school;

6.5.4 Consider any appropriate training which is required for staff to meet their duties and functions within the behaviour policy;

6.5.5 Ensure staff have adequate training on matters such as: how certain special educational needs, disabilities or mental health needs may at time affect a pupil's behaviour;

6.5.6 Encourage engagement with experts e.g. educational psychologists, counsellors and mental health support teams to inform effective implementation and design of behaviour policies and this links to the whole school approach to mental health and wellbeing.

6.6 School staff will:

6.6.1 play an important role in developing calm and safe environment for pupils and establish clear boundaries of acceptable pupil behaviour;

6.6.2 uphold the whole school approach to behaviour by teaching and modelling expected behaviour and positive relationships; as defined in this policy, so pupils can see examples of good habits and confident to ask for help when needed;

6.6.3 challenge pupils to meet the school expectations and maintain boundaries of acceptable conducts;

6.6.4 communicate school expectations, routines, values and standards (set out in Appendix 1) both explicitly through teaching behaviour and in every interaction with pupils;

6.6.5 consider the impact of their own behaviour on school culture and how they can uphold the school rules and expectations in addition to those set out in the staff code of conduct

6.7 In order to achieve this, the Proprietor has allocated the following tasks:

Task	**Allocated to**	**When / frequency of review**
Keeping the policy up to date and compliant with the law and best practice	Catherine Pointon	As a minimum annually, ideally termly, and as required
Reviewing induction and ongoing training for staff	Catherine Pointon	As required, and at least termly
Monitoring the implementation of the policy, relevant risk assessments and	Catherine Pointon	As a minimum annually, ideally termly, and as required

Task	Allocated to	When / frequency of review
any action taken in response and evaluating effectiveness		
Seeking input from interested groups (such as pupils, staff, Parents) to consider improvements to the Academy's processes under the policy	Catherine Pointon	As a minimum annually, ideally termly, and as required
Formal annual review including effectiveness of policy and procedures in promoting good behaviour and trends relating to disciplinary measures taken	Catherine Pointon	As a minimum annually, and as required
Overall responsibility for content and implementation	Catherine Pointon	As a minimum annually.
Communicate the contents of this policy to all pupils and parents to ensure that the Trust's expectations are transparent to all pupils and parents, and that expectations of responses to behaviour are consistent, fair, proportionate and predictable.	Class teachers	Staff will do this through regular dojo posts, assesmbliues, PSHE lessons.

7 Promoting high expectations of good behaviour

7.1 Pupils are educated about good behaviour through the operation of the Academy's curriculum, PSHRE, and the Academy's pastoral support systems. Pupils are encouraged to act responsibly and, through the operation of this policy, to accept responsibility for their behaviour. This includes teaching pupils explicitly what good behaviour looks like (for example, through the teaching of good habits and routines). Illustrative of the ways in which the Academy teaches the behaviour curriculum are set out in Appendix 1. This will also include induction to school systems and routines on joining the Academy and re-induction after removal from the classroom, time spent at off-site provision or in Pupil Support Units and following suspension.

7.2 The Academy understands that rewards can be more effective than punishment in motivating pupils. The ways in which the Academy may reward good behaviour are set out in 0.

7.3 The Academy recognises that where challenging behaviour is related to a pupil's disability, use of positive discipline and reward methods may enable the Academy to manage the pupil's behaviour more effectively and improve their educational outcomes.

7.4 Where appropriate, staff should also take account of any contributing factors that are identified after a behaviour incident has occurred e.g. if the pupil has suffered a

bereavement, experienced abuse or neglect, has mental health needs, has bene subject to bullying, has needs including SEND (including any not previously identified), has been subject to criminal exploitation, or is experiencing significant challenges at home.

8 Responding to unacceptable behaviour

8.1 When a member of school staff becomes aware of misbehaviour, they should respond in a consistent, fair, proportionate and timely manner in accordance with the Academy's behaviour policy.

8.2 The first priority will be to ensure the safety of pupils and de-escalation techniques can be used to prevent further behaviour issues arising.

8.3 The Academy recognises that taking disciplinary action and providing appropriate support are not mutually exclusive actions. They can and should be used at the same time if necessary.

9 Minor breaches of discipline / this policy[1]

9.1 The Academy adopts a culture of openness and transparency and, where there are any concerns regarding breaches of discipline, contact should be made with the Academy at the earliest opportunity. All concerns are taken seriously including scenarios where suspicions or breaches of discipline appear minor.

9.2 The Academy has pastoral support systems in place to assist pupils in managing their behaviour. A range of sanctions are available for those who breach the Academy's policies on behaviour.

9.3 The decision to issue a sanction and the sanction itself must be made on the Academy's premises or whilst the pupil is under the charge of the relevant member of staff.

9.4 Allegations, complaints or rumours of minor breaches of discipline are dealt with by staff as they occur. Staff may carry out informal investigations and / or interviews with the pupils involved. Low level sanctions may be given following such processes (see 0 for details of possible sanctions).

9.5 A minor breach of discipline may be referred to a senior member of staff and external agencies (where appropriate) prior to, during or following an informal investigation.

9.6 When considering the appropriate sanction, the risks posed to pupil welfare by an individual's behaviour will be assessed. This may include consideration of how any action taken, sanctions applied or inaction may affect that individual's welfare and, where appropriate, how it may affect other pupils' welfare and / or the Academy's community as a whole.

10 Serious and / or persistent breaches of discipline / this policy

10.1 Allegations, complaints or rumours of serious and / or persistent breaches of discipline should be referred to the Principal.

10.2 The decision to issue a sanction and the sanction itself must be made on the Academy's premises or whilst the pupil is under the charge of the relevant member of staff.

10.3 The main categories of misconduct which are likely to be considered to be serious breaches

[1] *Drafting note: minor / serious breaches of discipline may be defined in separate documentation. If relevant academies may cross refer to these here.*]

of discipline include, but are not limited to:

10.3.1 supply which means providing or sharing (whether or not for money or other consideration) or facilitation of supply e.g. sale, exchange or sharing (which includes promotion / advertisement or facilitating supply) / possession / use of drugs and solvents or their paraphernalia or substances intended to resemble them, or alcohol or tobacco as prohibited by the school policy on smoking, drugs and substances;

10.3.2 actual or attempted theft, blackmail, intimidation, cyber-based bullying or prejudice based bullying, discriminatory based bullying or other potentially criminal offences including being an accessory or conspirator;

10.3.3 physical violence and / or abuse (which may include but is not limited to hitting, kicking, shaking, biting and hair pulling

10.3.4 physical or emotional abuse or harassment (to include behaviour that may be categorised as "banter", "just having a laugh", "part of growing up" or "boys being boys");

10.3.5 initiation / hazing type violence and rituals (which may include but is not limited to activities involving harassment, abuse or humiliation used as a way of initiating a person into a group);

10.3.6 abuse in intimate personal relationships between peers (teenage relationship abuse);

10.3.7 sexual violence, sexual harassment and upskirting and other harmful / inappropriate sexual behaviour;

10.3.8 consensual and non-consensual sharing of nudes and semi-nude images and / or videos;

10.3.9 behaviour in contravention of the Academy's policies on the acceptable use of technologies or online safety;

10.3.10 supply or possession of pornography;

10.3.11 behaviour which may constitute a criminal offence, such as:

(a) possession or use of firearms, knives or other weapons;

(b) vandalism, defacement and / or destruction of school property

10.3.12 persistent breaches of discipline or attitudes or behaviour which are inconsistent with the Academy's ethos;

10.3.13 other misconduct which affects the welfare of a member or members of the Academy's community or which brings the Academy into disrepute (single or repeated episodes) on or off the Academy's premises;

10.3.14 other misconduct specifically provided for in the Academy's various policies on behaviour.

10.4 The Academy aims to operate within the principles of fairness and natural justice. A decision to exclude a pupil permanently will only be taken:

10.4.1 in response to a serious breach and / or persistent breaches of the Academy's Behaviour policy; and

10.4.2 where allowing the pupil to remain in school would seriously harm the education and / or welfare of the pupil and / or others such as staff or pupils in the school.

10.5 An allegation, complaint or rumour of a serious breach of discipline will be investigated in accordance with the procedures set out in Appendix 2.

10.6 Complainants will be taken seriously and the Academy will carefully discharge its duty of care to both complainants and those pupil(s) accused. Reporting concerns is encouraged by the Academy. A complainant is not creating a problem by reporting an allegation, complaint or rumour and should not feel ashamed or embarrassed for making a report.

10.7 If the findings of the investigation, on the balance of probabilities, support the allegation, complaint or rumour of a serious breach of discipline, a disciplinary meeting may be held in accordance with the procedures set out in Appendix 2.

10.8 0Appendix 1 sets out a non-exhaustive list of possible sanctions which may be imposed for serious and / or persistent breaches of discipline / this policy.

11 Suspected criminal behaviour

11.1 Before investigating a behaviour incident, the Academy will consider whether a criminal offence may have been committed and should be reported to the Police.

11.2 The Academy will carry out the minimum investigation required to be able to establish this, and before making a decision, will consider its duty to safeguard the pupils of the Academy (including any victims or alleged perpetrators) by assessing and balancing the risk of reporting the matter to the Police on the mental health and wellbeing of the pupil and others, as well as the risk of not making a report to the Police.

11.3 Where a report is made to the Police, the Academy will not act in a way which could prejudice a criminal investigation, or tip off anyone who may be involved. The Academy will keep in mind that any records created (including witness statements) may be requested by the Police, Crown Prosecution or Defence Solicitors for use within criminal proceedings, with disclosure to other parties.

11.4 Depending on the individual circumstances of the case, and usually having liaised with the Police, the Academy may decide to continue its investigation and impose sanctions.

11.5 The Academy will follow its safeguarding and child protection policy and procedures at all times, and when making a report to the Police it may also be appropriate to make a report to Children's Social Care Services, usually led by the DSL.

12 Removal from the classroom

12.1 This section must be read alongside 0 below.

12.2 The Academy will only remove a pupil from the classroom for serious disciplinary reasons, as a formal sanction under this policy. Removal from the classroom is different to the use of separate spaces (for example, sensory/nurture rooms used for non-disciplinary reasons to meet a pupil's needs).

12.3 Removal from the classroom will only happen for the following reasons:

12.3.1 to maintain the safety of all pupils and to restore stability following an unreasonably high level of disruption;

12.3.2 to enable disruptive pupils to be taken to a place where education can be continued in a managed environment; and

12.3.3 to allow the pupil to regain calm in a safe space.

12.4 The Academy will consider whether removal from the classroom is proportionate, and will take into account the circumstances of each individual case, with parents being notified on the day.

12.5 The Academy will provide any pupil who is removed from the classroom continuous meaningful education during any period of removal.

12.6 The Principal will maintain overall strategic oversight of the use of removal from the classroom.

13 Intervention, support and reintegration

13.1 The Academy will, as far as practicable, adopt a range of initial intervention strategies to help pupils manage their behaviour and reduce the likelihood of suspension and permanent exclusion. The Academy has a system in place to ensure leaders are aware of pupils whose behaviour is a cause for concern.

13.2 The range of intervention strategies that the Academy will put in place include as appropriate, include for example, but are not limited to:

13.2.1 frequent and open engagement with parents, including home visits if deemed necessary;

13.2.2 providing mentoring and coaching;

13.2.3 short-term behaviour report cards or longer-term behaviour plans;

13.2.4 Pupil Support Units; and

13.2.5 engaging with local partners and agencies to address specific challenges such as poor anger management, a lack of resilience and difficulties with peer relationships and social skills.]

13.3 Where the Academy has serious concerns about a pupil's behaviour it will consider appropriate interventions, including but not limited to, whether an assessment of a pupil's SEND is appropriate; where a pupil has an Education, Care and Health Plan, whether an emergency review is appropriate and/or whether a multi-agency assessment is appropriate.

13.4 The Academy has a Pupil Support Unit called 'The Orchard' where planned interventions for individual pupils takes place in place of mainstream lessons. The Orchard may be used for planned interventions for behavioural and pastoral reasons and /or a final preventative measure to support pupils at risk of exclusion.]

13.5 Following a sanction, the Academy will consider appropriate strategies to help the pupil(s) involved understand how to improve their behaviour and meet the behaviour expectations of the Academy. As far as reasonably practicable, this support will be delivered by appropriately trained designated staff.

13.6 The Academy will consider and apply appropriate strategies for the reintegration of a pupil following removal from the classroom, time at a Pupil Support Unit, time at an alternative site under an off-site direction or suspension.

14 The role of Parents

14.1 The Academy seeks to work in partnership with Parents over matters of discipline and helping schools develop and maintain good behaviour. This might include the DSL making enquiries into circumstances outside the academy and/or have tragted discussion wiuth the pupil, including explaining what they did wrong, the impact of their actions, how they can do better in the future amd what will happen if their behaviour fails to improve. It is part of the Parents' obligations to the Academy to support the Academy's policies on behaviour.

14.2 The Academy recognises that communication the Academy policy to all members of the school community, including parents, is an important way of building and maintaining the Academy's culture. The academy will endeavour to communicate with paremnts and the virtual school head for looked after children, regarding pupils behaviour when necessary. When a sanction is imposed parents will be notified in writing.

14.3 Where a parent has a concern about the management of behaviour, they should raise this directly with the Academy whilst continuing to work in partnership with them.

14.4 Parents will normally be informed as soon as reasonably practicable of any suspicion that their child has been involved in serious misconduct, but may be prevented from doing so immediately e.g. by the police if they are involved.

14.5 Parents will be notified of any pending disciplinary action in accordance with paragraph 9.4.

14.6 Parents will also be notified of disciplinary sanctions:

14.6.1 imposed for significant minor breaches of discipline (persistent minor breaches such as demerits / detention); and

14.6.2 those imposed for serious breaches of discipline and any rights of review

as required and / or within school reports.

14.7 Parents will be consulted about the child's conduct and the application of this policy to their child where the Academy considers, in its professional judgement, that these give rise to a significant concern about pupil welfare.

14.8 Whenever the Principal excludes a pupil they must, without delay, notify parents of the period of the exclusion and the reason(s) for it, in accordance with section 51A Education Act 2002 and the statutory Suspension and Permanent Exclusion Guidance.

15 The role of pupils

15.1 Every pupil will be made aware of the school behaviour standards, expectations, pastoral support and the school's approach to a failure to meet required standards consequence processes. Pupils will be taught they have a duty to follow the school behaviour policy and uphold the school rules and should contribute to the school culture.

15.2 Pupils should be asked about their experience of behaviour and asked to provided feedback on the school's behaviour culture. Every pupil will be supported to achieve the behaviour standards, including an induction process that familiarise them with the school behaviour culture.

16 Additional needs

16.1 Where the Academy has concerns about the behaviour, or risk of exclusion, of a child with additional needs, a pupil with an EHC plan or a looked after child, it should, in partnership with others (including the local authority where required), consider what additional support or alternative provision may be required. This should involve assessing the suitability of

provision for a pupil's SEN or disability. Where a pupil has an EHC plan, the Academy should consider requesting an early annual review or interim / emergency review.

16.2 The Academy will, as far as possible, to anticipate likely triggers of misbehaviour and put in place support to prevent these. Any preventative measure should take into account the specific circumstances and requirements of the pupil concerned.

16.3 The Principal and proprietor must comply with their statutory duties in relation to SEN and disability and the Equality Act when administering the exclusion process. This includes having regard to the SEND Code of Practice.

16.4 Whilst an exclusion may still be an appropriate sanction, the Principal should take account of any contributing factors that are identified after an incident of poor behaviour has occurred. For example, where it comes to light that the pupil has suffered bereavement, has mental health issues or has been subject to bullying.

16.5 The Academy will make reasonable adjustments for managing behaviour which is related to a pupil's disability. Staff should seek advice from the Principal if they are unsure about how to manage a pupil's behaviour where this is related to a disability.

16.6 If there is a concern that a pupil's behaviour is as a result of unmet educational or other needs, advice should be sought from the Principal/ SENCO] and further action in accordance with the Academy's Special educational needs and disability policy will be considered.

16.7 Where a suspension or permanent exclusion is being considered, the Academy 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.

16.8 The academy will follow the Trust's exclusions policy and the DfE statutory guidance on suspensions and exclusions when taking a decision to suspend or exclude.

17 Safeguarding and child-on-child abuse

17.1 Some behaviour by a pupil towards another may be of such a nature that safeguarding concerns are raised. The Academy will adopt a zero tolerance approach to abuse in order to prevent harm to pupils. Safeguarding issues can manifest themselves via child-on-child abuse. This includes, but is not limited to:

17.1.1 bullying (including cyber-bullying prejudiced-based and discriminatory-based bullying);

17.1.2 physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (which may include an online element which facilitates, threatens and / or encourages physical abuse);

17.1.3 sexual violence and / or sexual harassment;

17.1.4 causing somebody to engage in sexual activity without consent

17.1.5 upskirting and / or attempts to commit upskirting;

17.1.6 consensual and non-consensual sharing nudes and semi-nudes and or videos (also known as sexting or youth produced sexual imagery); and

17.1.7 initiation / hazing type violence and rituals (which may include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element).

17.2 Child-on-child abuse can occur both inside and outside of the Academy and may be taking place whilst not being reported. A one size fits all approach is not appropriate for all pupils, and a contextualised approach for more vulnerable pupils, victims of abuse and pupils with special educational needs and disabilities may be required. Certain behaviours, for example dismissing sexual harassment as "just banter", "just having a laugh", "part of growing up" or "boys being boys" can lead to a culture of unacceptable behaviours and create an unsafe environment for pupils. In worst case scenarios, dismissing sexual harassment can lead to a culture that normalises abuse and pupils accepting it as normal and not coming forward to report it.

17.3 Technology is a significant component in many safeguarding and wellbeing issues. Pupils are at risk of abuse online as well as face to face. This can take the form of abusive, harassing, and misogynistic messages, the non-consensual sharing of indecent images, especially around chat groups, and the sharing of abusive images and pornography.

17.4 In line with the Academy's aims and culture of openness and encouragement to report, the Academy's policy and procedures with regard to child-on-child abuse are set out in the Academy's Safeguarding and child protection policy and procedures and the Child-on-child abuse policy. If behaviour matters give rise to a safeguarding concern, either in relation to the alleged victim(s) or perpetrator(s) or, more widely, in relation to ensuring the safety and welfare of pupils and / or staff, the DSL (or a deputy) should take a leading role in decision making and the procedures in the Safeguarding and child protection policy and procedures]will take priority).

18 Malicious allegations

18.1 Where a pupil makes an allegation which is determined to be unsubstantiated, unfounded, false or malicious, the DSL will consider whether the pupil is in need of help or may have been abused by someone else and this is a cry for help. A referral to external agencies may be appropriate in these circumstances. The Principal will also consider whether to take disciplinary action against the pupil in accordance with this policy.

18.2 Where such an allegation is made, appropriate support will be provided to the member(s) of staff affected.

18.3 The Academy will consider a malicious allegation to be one where there is sufficient evidence on the balance of probabilities to disprove the allegation and that, by the same test there is sufficient evidence that there has been a deliberate act to deceive.

19 Use of reasonable force

19.1 Corporal punishment is not used at the Academy and force must never be used as a form of punishment.

19.2 Any use of force by staff will be reasonable, proportionate and lawful. More detailed guidance about the use of reasonable force is provided to staff in the Staff code of conduct.

20 Physical intervention

In line with the school’s Physical Intervention Policy, trained members of staff have the legal right to use reasonable force to prevent pupils from committing an offence, injuring themselves or others, or damaging school property, and to maintain good order and discipline in the classroom.Physical restraint will only be used as a last resort and as a method of restraint. Staff members will use their professional judgement of the incident to decide whether physical intervention is necessary. The

situations in which physical restraint may be appropriate are detailed in the Physical Intervention Policy. Wherever possible, staff will ensure that a second member of staff is present to witness the physical intervention used. After an instance of physical intervention, the pupil will be immediately taken to the principal and the pupil's parent will be contacted.Any violent or threatening behaviour will not be tolerated by the school and may result in a fixed-term exclusion in the first instance. It is at the discretion of the principal as to what behaviour constitutes for an exclusion, in line with the Exclusion Policy.When using reasonable force in response to risks presented by incidents involving pupils with SEND or medical conditions, staff will recognise and consider the vulnerability of these groups.

21 Searching pupils

21.1 Academy staff may search a pupil and their possessions for any item if the pupil agrees. The member of staff must ensure the pupil understands the reasons for the search and how it will be conducted, so that their agreement is informed. Appropriate consideration will be given to the age and needs of pupils being searched and the factors that may influence the pupil's ability to agree[2].

21.2 The Academy will follow its safeguarding and child protection policy and procedures at all times if a safeguarding concern arising as a result of any actions connected with a search of a pupil.

21.3 If a pupil is not willing to co-operate with the search, the Academy will consider why this is. If a search is necessary but not required urgently, the staff member will seek advice from the DSL, Principal or appropriate member of pastoral staff.

21.4 If a pupil refuses to co-operate with a search, the Principal and staff authorised by the Principal, may use reasonable force to search a pupils' possessions. Where they have reasonable grounds for suspecting that a pupil has an item prohibited by law in their possession (see Appendix 3 for further details in this respect). Reasonable force cannot be used to search for items that are banned by the Academy.

21.5 If a pupil continues to refuse to co-operate, they may be sanctioned in line with the Academy's behaviour policy where this appropriate, in a consistent, fair and proportionate way.

22 Staff training

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

22.1.1 how staff can support pupils in meeting high standards of behaviour

22.1.2 how staff can to ensure that this policy and sanctions is applied in a way that is consistent, fair, proportionate and predictable way

[2][• *Drafting note - academies will need to bear in mind the need to consider the age and needs of pupils being searched . This includes the individual needs or learning difficulties of pupils with SEN and making reasonable adjustments that may be required where a pupil has a disability and whether the pupil has sufficient age and understanding to give informed consent - it may be difficult to establish this if younger than 10 and parental consent is suggested.]*

22.1.3 where applicable to reflect the need of particular pupils.

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

22.3 The Academy maintains written records of all staff training.

23 Risk assessment

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

23.2 The format of risk assessment may vary and may be included as part of the Academy's overall response to a welfare issue, including the use of individual pupil welfare plans (including Education, Health and Care Plans, behaviour plans, as appropriate). Regardless of the form used, the Academy's approach to promoting pupil welfare will be systematic and pupil focused.

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

23.4 Day to day responsibility to carry out risk assessments under this policy will be delegated to the SENCo, the principal and the Have tea, who have been properly trained in, and tasked with, carrying out the particular assessment

24 Record keeping

24.1 All records created in accordance with this policy are managed in accordance with Academy policies that apply to the retention and destruction of records.

24.2 the Academy will establish and maintain a strong and effective system for data recording including all parts of behaviour culture that is collected from a rage of sources and that is regularly objectively analysed and monitored by appropriate skilled staff.

24.3 The Academy will keep a separate record for:

24.3.1 allegations and concerns reported in respect of:

(a) sexual harassment or sexual violence;

(b) bullying, discriminatory and prejudiced behaviour, either directly or indirectly, including racist, sexist, disability and homophobic / bi-phobic / transphobic bullying, use of derogatory language and racist incidents.

24.4 The Academy will keep a record of any search be a member of staff for a 'prohibited item' and all searches conducted by police officers. This will be recorded in the academy's safeguarding reporting system.

24.5 The Academy will keep a separate record of sanctions imposed for serious misbehaviour. The record will include:

24.5.1 the name and year group of the pupil concerned;

24.5.2 the nature and date of the offence;

24.5.3 the sanction imposed and reason for it; and

24.5.4 the name of the person imposing the sanction

24.6 This record will be reviewed regularly by the Principal, the SENCO and the DDSLs so that patterns in behaviour can be identified and managed appropriately. This will also help if / when responding to any complaints about the way a case has been handled by the Academy.

24.7 This record will be review by the Proprietor will in order to evaluate all data recorded in order to meet their obligations under this policy and, in particular, establish any trends (for example, in respect of particular socio-economical groups, or groups with a protected characteristic).

24.8 The records created in accordance with this policy may contain personal data. The Academy's use of this personal data will be in accordance with data protection law. The Academy has published on its website privacy notices which explain how the Academy will use personal data.

25 Version control

Date of adoption of this policy	September 2023
Date of last review of this policy	August 2026
Date for next review of this policy	July 2027

Appendix 1 School behaviour expectations and routines

Teaching Positive Behaviour

Positive behaviour expectations will be taught to all pupils, in order to enable them to understand what behaviour is expected and encouraged and what is unacceptable. Whole-school expectations will be shared in school assemblies and PSHRE sessions and positive reinforcement will be used by staff to celebrate and show thankfulness where expectations are met to acknowledge good behaviour and encourage repetition. Staff and pupils will be very clear of expectations when following routines expected at St Thomas' for example, walking through school, lining up, entering the classroom, working in classes and sitting in the hall.

Whole-school routines will be used to teach and reinforce the expected behaviours of all pupils and ensure consistency for all. Appropriate and reasonable adjustments to routines for pupils with additional needs, e.g. SEND, will be made. Consistent and clear language will be used when acknowledging positive behaviour and addressing misbehaviour.

Our Golden Rules

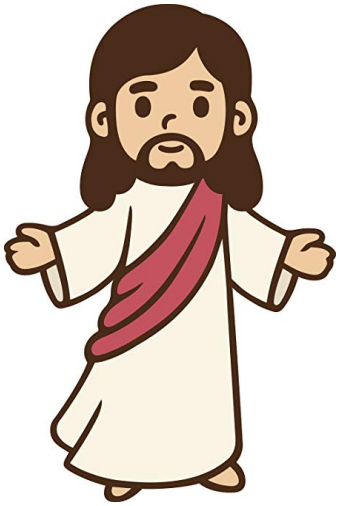
We are kind and helpful.

We treat everyone as a special person.

We are honest and forgiving.

We do our best.

We look after the world we live in.



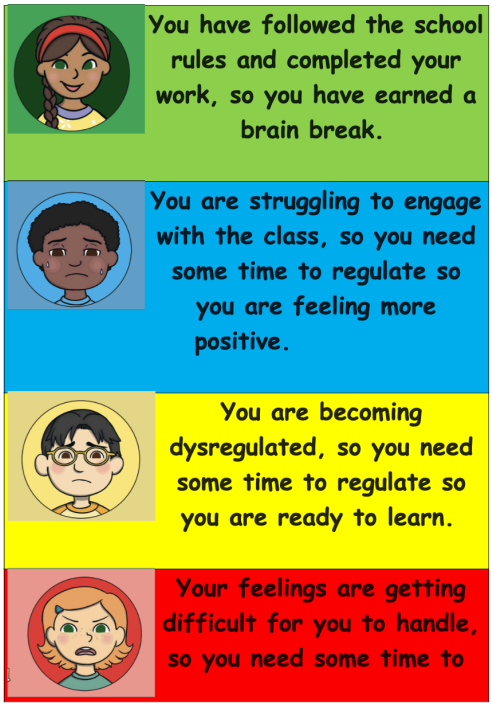
What would Jesus do?

Preventative measures for pupils with SEND

Behaviour will always be considered in relation to a pupil's SEND. Where a pupil is identified as having SEND, the graduated approach will be used to assess, plan, deliver and review the impact of support being provided.

The school will aim to anticipate likely triggers of misbehaviour and put in place support to prevent these, taking into account the specific circumstances and requirements of the pupil concerned. Measures the school will implement where appropriate include, but are not limited to, the following:

Cognition and Learning	Communication and Interaction	SEMH	Physical and Sensory
• Alternative methods of recording (talking tins, laptops, creative tasks) • Differentiated tasks • Visual supports • Word banks/phonic maps • Pre-teaching of vocabulary • Teaching of key skills • Coloured overlays • Timers and chunked activities • Use of practical apparatus • Sit close to the board • Allow extra time	• Talking tins • Pre-teaching language • Visuals to support • Now/Next • Increased focus on Oracy and developing talk opportunities • Thinking time • Explicit instructions • Makaton signs • Steps to success (one task at a time)	• Brain and movement breaks • Calm Brain • Reward time • Reflection areas (weighted blankets) • Sensory/fidget toys • Sit near to the teacher • Steps to success (one task at a time) • Peer buddies	• Own learning space (workstation) • Brain breaks • Appropriate seating • Fidget toys • Adapted resources (scissors, rulers etc.) • Sloping board • Alternative methods of recording • Wobble cushions • Use of a sensory areas (tent) • Chew buddies • Pencil grips/sloping boards



Zones of regulation are also used for children who are struggling. Regulation areas are found outside each classroom and contain items which allow children to regulate their emotions before returning to the classroom.

Rewards and sanctions

1 **Introduction**

1.1 Examples of the rewards and sanctions the Academy ordinarily uses are set out in the paragraphs below. These are not, however, exhaustive lists, and other rewards and sanctions may be used insofar as they comply with good education practice, and promote good behaviour and compliance with the Academy's Policies on behaviour.

1.2 Where particular types of good behaviour or misbehaviour are expressly referred to in this policy, these are not to be taken as an exhaustive list of all types of good behaviour or misbehaviour for which rewards can be given, and sanctions imposed.

1.3 Where a particular reward or sanction is identified as the usual response to a specific type of good behaviour or misbehaviour, this will not prevent a different reward being given, or a different sanction imposed, where it is appropriate to do so.

1.4 As a school we embrace Restorative Approaches which aim to build the school communityand to repair and strengthen relationships within it. These approaches foster an awareness of how othershave been affected by inappropriate behaviour. This is done by actively engaging participants in aprocess allowing participators to make amends for the harm caused. Restorative Approaches acknowledges the intrinsic worth of the person and their potential contribution to the school community.

Restorative Approaches aim to:

- improve behaviour and attitudes;
- provide explicit tools within a defined framework to challenge unacceptable behaviour,resolve conflict and repair harm;
- improve relationships; establish rights, accountabilities and responsibilities to thecommunity;
- provide a safe philosophical basis for staff pupils and parents to share ideas and discussissues.

2 **Rewards**

Rewards for good behaviour will include, but are not limited to:

- Verbal praise
- Stickers and postcards home
- Communicating praise to parents either verbally or through the communication system
- Dojos where children can earn prizes and class rewards
- Certificates and special assemblies
- Star of the Week
- Principal’s Award
- Opportunities to share work with the principal or a senior leader.
- Achievements shared on the school social media

3 **Sanctions**

It is important to teach children positive behaviours. When children misbehave, staff ask children to stop the behaviour and discuss the incident.

Staff encourage children to try and resolve disputes themselves and take responsibility for their own actions. There is a stepped approach to the agreed system of consequences.

1. **Verbal warning**

2. **Written warning**

3. **Yellow card (teacher to complete restorative conversation with child during the next most appropriate moment) – parent informed**

4. **Red Card (leaders to complete restorative conversation with the child during time out) – parent informed**

5. **Reflection time in the HIVE with a trained ELSA (Class teacher to invite parent into school by sending letter home)**

All children who receive a yellow or red card will have a text sent home on the day and attend the next session of time out at lunchtime with senior leaders.

<u>Restorative Practice Questions</u>

Sanctions are only to be issued by paid members of school staff and not by adult school volunteers or students. Lunchtime supervisors have a varied set of sanctions in comparison to other paid staff.

All staff will ensure that mitigating circumstances are considered before issuing a sanction. Mitigating circumstances may but not exclusively include:

bereavement, abuse, neglect, mental health need, subjected to bullying, SEND, criminal exploitation, significant challenges at home.

Examples of behaviour which results in a warning
Consistently shouting out
Threatening/ aggressive behaviour
Refusal to co - operate
Harmful/offensive name calling
Affecting other pupil's learning
Inappropriate remark to other pupils
Minor challenge to authority
Not completing learning within reasonable time
Hurting another child in retaliation

Serious Level which may result in a direct yellow or red card
Throwing objects with intent to harm
Continued or more serious challenge to authority
Stealing
Repeated refusal to do set task
Vandalism (damage to school property)
Serious physical, verbal threats made to staff/children
Refusal to come into school from playground
Violent outbursts
Racial incidents
Online abuse
Persistent verbal abuse to a member of staff
Physical abuse to any member of staff/adult
Malicious physical assault on another pupil

EYFS

The Schools' EYFS classes follow this behaviour policy but amend the Rewards and Sanctions in line with and age and stage of the children in their care. EYFS use a cloud system and thinking spot to mirror the sanctions model in this policy (see below). All EYFS classes embed positive behaviours through the Characteristics of learning in their learning environments and reward positive behaviours immediately and share with parents through class dojo.

EYFS Restorative Practice questions/sentence stems to be led by staff:

- What happened? You are here because…
- How has it made you feel? I can see you are… because…
- How has it made your friend feel? …. Is …. Because…
- How can we do it differently? Next time you could/should…

Positive Behaviour Plans

If a child is issued with 5 Red Cards a letter will be sent home raising the awareness of unacceptable behaviour together with an invite into school to meet the class teacher to create a Behaviour Support Plan

If a child is issued with 10 Red Cards a letter will be sent home inviting parents into school to see the head teacher to discuss the problems, review the behaviour management plan and the way forward. Parents will be made aware that this level of unacceptable behaviour could result in suspension from school.

Example Positive Behaviour Plan

St Giles' and St George's C of E Academy			Zones of regulation – Behaviour Support Plan
Name and Year:			
Strengths	**Interests**	**I am learning to**	**Key teaching strategies**
• Super artist • Enjoys being with friends • Great at having an articulate conversation 1:1 with an adult • Like to support younger children. • Enjoys responsbility	• Art • Reading	• Regulate my behaviour in the classroom • Use my reasonable adjustements to complete my work. • Be kind to others	• Meet and greet where expectations for the day are shared • Own workspace where needed • Sensory circuits (pm) • Sensory toolkit and choice box • Calm space outside the classroom • Rocksteady sessions • Brain breaks- drawing, reading, lego. • Time with Mrs Williamson to calm down. • Time helping in KS1 on a Friday afternoon

When I am in the 'green' zone, I will:	**When I am in the 'orange/ yellow' zone, I will: ;**	**When I am in the 'red' zone, I will:**
How to keep me here: Visual timetable Now and Next board wth clear expectations of task and choice from my choice box as the next activity. One fidget toy to use at my desk. My own work space Frequent positive reinforcement	**My co-regulation strategies:** • An adult will give me a reminder of the expectations on my Now and Next board • Use my Orange card for time out/ brain break • Use my red card to vist Mrs Williamson	**What I need:** Directed to use my red card to spend time with Mrs Williamson. Time out of class to support younger children.
Try to avoid: Unclear expectations Conflicting instructions Becoming involved with the management of other children in the class.	**Try to avoid**: Having an argument with the teacher. Changing your expectations.	**Try to avoid:** • Direct confrontation with an adult.

Managing incidents of unacceptable or inappropriate behaviour during break and lunchtime

Lunchtime supervisors should use a positive approach of praise and encouragement for good behaviour, which may involve their participation in playground games as a role model. There will also be occasions when they will need to discourage children from indulging in unacceptable behaviour by anticipating problems and intervening restoratively. Sanctions used by lunchtime supervisors will depend on the problem and may include:

- A reminder to play and speak kindly
- Giving a warning to improve behaviour
- Child to stand with adult for 5 mins, adult to have an Informal restorative chat
- Sending the child to a member of the SLT with a lunchtime behaviour card.

In order to maintain a consistent approach in dealing with good and/or unacceptable behaviour, there is regular communication between mid-day supervisors and class teachers. Children need tosee that the class teacher and mid-day supervisors work in partnership. At the start of the lunch hour, teachers may ask mid-day supervisors to help or monitor specific children's behaviour and then report back to the teacher at the end of the lunch hour.

Managing incidents of unacceptable or inappropriate behaviour outside of school

The DfE state the following in their guidance;

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

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

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

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1089687/Behaviour_in_Schools_guidance_July_2022.pdf

All behaviour will be dealt with as if the incident had happened within school and parents will be informed.

4. Removal from the classroom

1 Removal of a pupil from the classroom is a formal sanction imposed for serious disciplinary reasons, which allows for the continuation of the pupil's education in a supervised setting. The education provided may differ from that provided in the mainstream classroom but will still be meaningful for the pupil.

2 Removal from the classroom will only be used for the following reasons:

- to maintain the safety of all pupils and to restore stability following an unreasonably high level of disruption;
- to enable disruptive pupils to be taken to a place where education can be continued in a managed environment; and
- to allow the pupil to regain calm in a safe space.

3 The Academy's arrangements for removal from the classroom are:

The pupil will be moved to a room that is:

- In an appropriate area of the school
- Stocked with appropriate resources
- Suitable to learn and refocus
- Supervised by trained members of staff

The amount of time that a pupil spends removed from the classroom will be up to the school to decide. This could be for more than one school day. The school will ensure that the pupil is not removed from the classroom any longer than necessary.

The staff member in charge and supervising the pupil will decide what the pupil may and may not do during their time spent removed from the classroom. The principal will request that the pupil’s class teachers set them appropriate work to complete. During this time, restorative practice will be employed, enabling pupils to reflect on how to reconcile with any affected parties and how they may

behave differently if the incident happened again. Pupils are also given the opportunity to talk about how they felt at different stages in the incident.

The principal will establish a clear process for the reintegration of a pupil who has been removed from the classroom when it is deemed appropriate and safe for them to return. Consideration will be given to what support is needed to help the pupil return and meet the expected standards of behaviour. Reintegration meetings will be held between the school, pupil and their parents, and other agencies if relevant, where necessary.

Pupils are permitted to eat during the allocated times of the school day and may use the toilet as required.

4 It is the responsibility of the Principal or a senior leader to maintain overall strategic oversight of the school's arrangements for any removals.

5 The Academy will collect, monitor and analyse the data on the removal of pupils from the classroom in order to interrogate its use and effectiveness.

6 When dealing with the removal of a pupil from the classroom each case will be dealt with on its own individual facts and circumstances. The Principal and teachers will:

6.1 consider whether any assessment of underlying factors of disruptive behaviour is needed;

6.2 inform parents of the removal from the classroom on the same day;

6.3 facilitate reflection by the pupil on the behaviour that led to their removal from the classroom and what they can do to improve and avoid such behaviour in the future;

6.4 ensure that pupils are never locked in the room of their removal except in limited exceptional situations.

6.5 if a pupil has a social worker, including if they have a Child in Need plan, a Child Protection plan or are looked-after, notify their social worker. If the pupil is looked-after, ensure their Personal Education Plan is appropriately reviewed and amended and notify their Virtual School Head.

7 **Suspension and permanent exclusion from school**

7.1 Only the Principal has the power to impose a suspension or permanent exclusion from school. An 'Acting Head' who has been formally appointed to this position while the Principal is on extended leave, or the post is vacant, will also have this power.

7.2 Suspension and permanent exclusion from school can take the form of:

7.2.1 Suspension for a fixed term (including lunch time suspensions, which each count as half a day); or

7.2.2 permanent exclusion.

7.3 Permanent exclusion from school will only be imposed for:

7.3.1 a serious breach or breaches and / or persistent breaches of this policy; and

7.3.2 where allowing the pupil to remain in school would seriously harm the education and / or welfare of the pupil and / or others (such as staff or pupils) in the school.

7.4 **The principles, guidance and procedure set out in the Exclusion Guidance will be followed at all times**. This includes the statutory procedure for notifying parents, challenging the decision, and holding meetings / hearings, including the deadlines for these.

7.5 The Principal may cancel (i.e. withdraw) any suspension or permanent exclusion for whicha Governors' Discipline Committee meeting has not yet commenced to review that decision. This may include where additional information has been received from the parents, Virtual School Head, Social Worker or other health or educational professional after the original decision was made.

7.6 In all cases, the Principal will comply with the requirements of the Exclusion Guidance in respect of notifying/reporting the cancellation to parents and others, and offering a meeting with parents to explain the reasons for the cancellation.

Appendix 2 Investigations of incidents and alternative action

1 **Investigation**

1.1 The Principal may investigate incidents which potentially give rise to a breach of the Academy's policies on behaviour and discipline, or she may appoint a member of staff (usually a member of the Senior Leadership Team) to carry out the investigation.

1.2 The investigation and any interviews or meetings which take place with pupils will be conducted fairly, in a way which is appropriate in a school environment, and without being formal or legalistic in nature.

1.3 The pupils involved will be interviewed as part of the investigation and given the opportunity to state their version of events. Where pupils are at risk of disciplinary action, they will usually be accompanied by a member of staff not involved in the incident or the investigation while they are interviewed.

1.4 Pupils who are clearly only witnesses and not at risk of disciplinary action may be interviewed without an additional member of staff being present.

1.5 Parents do *not* need to be notified in advance that interviews are taking place, and their consent is not required (although they may be invited to attend an interview in the case of potentially serious breaches, where the Academy deems it appropriate to do so).

1.6 The pupil will be asked to make a statement, and / or a written record of the interview will be made by the interviewing member of staff. Pupils will be asked to sign and date their statement or the written record of interview, confirming it to be true and accurate.

1.7 Personal belongings may be searched during the course of an investigation. See Appendix 4 of this policy for the Academy's policy on searching and confiscation.

1.8 It may sometimes be necessary to delay or suspend an investigation where external agencies such as the police or social services are involved and have recommended this. A decision to delay or suspend an investigation will take into account advice from appropriate external agencies, and will be subject to periodic review. In relation to alleged sexual violence or sexual harassment, the Academy will have regard to KCSIE and the Academy's designated safeguarding lead (or a deputy) will take a leading role on decisions.

1.9 Where the Principal has appointed a senior member of staff to investigate an incident which may result in formal exclusion from the Academy, the investigating member of staff will fully report the outcome of their investigation to the Principal to enable an informed decision to be made.

2 **Removal from the classroom / suspension pending further investigation / enquiries**

2.1 Where the incident is serious and / or complex and it has not been possible to complete the full investigation and / or conduct all enquiries on the day that the incident occurred or was brought to the attention of the Academy, the pupil may be removed from the classroom while the investigation continues and / or enquiries are made (for example, consideration of a managed move). During this time the pupil is entitled to receive the equivalent of full-time education provision. The period of removal from the classroom should be taken into account by the Principal when determining the final sanction.

2.2 Alternatively, where it is not appropriate for the pupil to remain on the Academy's premises while the investigation continues / enquiries are made, the pupil may be formally suspended from the Academy for a fixed number of days pending further investigation / enquiries. The length of the suspension will be kept to the minimum required to complete the further investigation / enquiries.

2.3 Before a suspension pending further investigation / enquiries is imposed, the Principal must be satisfied that a prima facie case has already been established in relation to the pupil's involvement in the incident to an extent that merits a suspension of at least that length.

2.4 A suspension pending further investigation / enquiries is still a serious disciplinary measure and the statutory procedure set out in the Exclusion Guidance will be followed (including sending a notification letter to the Parents containing all mandatory information).

2.5 Once the investigation / enquiries are complete, the Principal will be in a position to make a final decision. This may include imposing a further suspension or permanent exclusion to run consecutively (i.e. back to back, without a break in between) with the original suspension pending further investigation / enquiries. A second suspension notification letter containing all mandatory information will be sent to the Parents confirming the further suspension or permanent exclusion.

3 Decision

3.1 Once the investigation has concluded, all of the information gathered will be considered and a decision will be made as to what facts have been established to be true, to the civil standard of proof (i.e. on a balance of probabilities, or more likely than not).

3.2 Pupils' behaviour and discipline records will be taken into account, together with the pupils' background, and any special educational needs and / or disabilities they may have. The Academy will follow its special educational needs and learning difficulties policy and Equality policy, these are relevant.

3.3 All disciplinary sanctions imposed will be a fair, reasonable and proportionate response to the misbehaviour involved, taking into account the pupil's own account, aggravating features, mitigation, background, and special educational needs and / or disabilities.

3.4 Disciplinary sanctions will be recorded in the pupil's behaviour and discipline record.

3.5 The Academy will usually notify the Parents of disciplinary sanctions imposed and the reasons for them (parents must always be notified of removals from the classroom, suspension and permanent exclusions).

4 Off-site directions

4.1 The Academy has the power to direct that a pupil be educated off-site with the aim of improving their future behaviour. It must **not** be used as a disciplinary sanction or punishment for misconduct.

4.2 The off-site direction may be to a Pupil Referral Unit (**PRU**), and Alternative Provision Academy, or another academy / school (or unit therein).

4.3 Parental consent is **not** required for an off-site direction, and pupils are expected to attend the other setting as directed. If they do not attend, their absence will be

unauthorised and dealt with in the same way as it would if they failed to attend the Academy.

4.4 The arrangements for the off-site placement will be based on an understanding of the support the pupil needs in order to improve their behaviour, as well as any SEND or health needs the pupil has. It may be full-time, or part-time in combination with attendance at the Academy or another setting. The expectation is that the pupil will continue to receive full-time broad and balanced education.

4.5 A 'personalised plan for intervention' will be put in place, which sets out the objectives for the pupil's improvement and attainment, the timeframe involved, the arrangements for assessment and monitoring progress, and with a baseline of the pupil's current position against which to measure their progress.

4.6 The off-site placement will be regularly reviewed, and Parents will be involved in the review. The purpose of the review is to ensure that the off-site placement is achieving its objectives and that the pupil is benefitting from it.

4.7 during the period of an off-site direction by the Academy to another school / academy, the pupil must be dual registered which means that they will be registered at both the Academy and the school / academy to which the pupil is directed off-site.

4.8 The Academy will follow the Alternative Provision Guidance when exercising this power.

5 Managed moves

5.1 A 'managed move' is used to initiate a process which leads to the permanent transfer of a pupil to another mainstream school / academy following a trial period. It is designed to give pupils who are **at risk of** permanent exclusion a fresh start in another school / academy without a permanent exclusion on their educational record.

5.2 As it is a proposed permanent transfer to another setting, parental consent is required, and Parents will be consulted when while this is being explored.

5.3 If a temporary move to another setting is needed with the aim of improving the pupil's behaviour, rather than as a trial period before a proposed permanent transfer to that setting, then off-site direction (as described above) must be used. An off-site direction can be made without parental consent.

5.4 A planned managed move will only happen when it is in the pupil's best interests.

5.5 During the trial period, the pupil will be dual registered at both the Academy and the new school / academy. If the managed move breaks down during the trail period, the new school / academy will terminate the trail period and delete the pupil's name from the register. The pupil will then return to the Academy.

5.6 For this reason, a managed move will not be appropriate following a serious breach and / or persistent breaches of the behaviour policy for which permanent exclusion is deemed by the Principal to be the only appropriate sanction, where the Academy would not be prepared to accept the pupil back at the Academy if the managed move broke down during a trial period.

5.7 The Academy will agree a fixed period for the trial period at the outset, after which the new school / academy will be expected to give permission to the Academy for

the pupil's name to be deleted from the Academy's roll, at which time the transfer becomes permanent.

Appendix 3 Use of reasonable force

1 Any use of reasonable force will be in accordance with the DfE guidance Use of reasonable force (DfE, July 2013)

2 Reasonable force may be used to prevent a pupil from doing or continuing to do any of the following:

2.1 committing a criminal offence;

2.2 injuring themselves or others;

2.3 causing damage to property, including their own; or

2.4 engaging in any behaviour prejudicial to good order and discipline at the Academy or among any of its pupils, whether that behaviour occurs in a classroom or elsewhere

3 In these circumstances, force will be used for two main purposes: to control pupils or to restrain them. Reasonable force may be used, for example, to restrain a pupil at risk of harming themselves or another individual or to prevent a pupil leaving a classroom where allowing them to do so would risk their safety or lead to behaviour that disrupts the behaviour of others. Force is never used as a form of punishment.

4 In addition, reasonable force may be used to conduct a search for certain "prohibited items" (see Appendix 4 below).

5 In these circumstances, "reasonable" means using no more force than is needed.

6 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. The Academy will establish proactive and positive behaviour support strategies for pupils with particular needs, in consultation with their Parents, to reduce the occurrence of challenging behaviour and the need to use reasonable force.

7 Where reasonable force is used by a member of staff, the Principal must be informed of the incident and it will be recorded in writing. The Parents will be informed about serious incidents involving the use of force. In the EYFS setting, the pupil's Parents will be informed about any use of force on the day of the incident or as soon as reasonably practicable. (See also the Academy's separate policy on the Use of physical restraint.)

Appendix 4 Searching, screening and confiscation

1 All Academies have a general power to impose reasonable and proportionate disciplinary measures (Education and Inspections Act 2006). This enables a member of staff to confiscate, retain or dispose of a pupil's property as a disciplinary penalty where it is reasonable to do so.

2 The Academy's policy on searching and confiscation has regard to the DfE guidance Searching, screening and confiscation: advice for schools (DfE, July 2022).

3 **Prohibited items**

3.1 The following are 'prohibited items' by law under Section 550ZA(3) of the Education Act 1996 and Regulation 3 of the Schools (Specification and Disposal of Articles) Regulations (SI 2012 / 951):

3.1.1 Knives or weapons, alcohol, illegal drugs and stolen items;

3.1.2 Tobacco and cigarette papers, fireworks and pornographic images;

3.1.3 Any article that a member of staff reasonably suspects has been, or is likely to be used:

(a) to commit an offence; or

(b) to cause personal injury to, or damage to the property of, any person (including the pupil); and

3.2 In addition to the above, the Academy has prohibited or restricted the use of the following items on the grounds that they are reasonably believed to be likely to cause harm or disruption:

3.2.1 Mobile phones. Year 6 pupils may bring them and store them in the locked classroom tin. Younger pupils who may need their phone with them will leave it in the school office. Pictures are not to be taken on the playground.

3.2.2 Vaping and cigarettes

3.2.3 Laptops

3.2.4 Hand-held gaming devices

3.3 Pupils must not have these items in their possession or use them in a way which is restricted, on the Academy's premises, or at any time when they are in the lawful charge and control of Academy staff (e.g. on educational visits).

3.4 Pupils may be searched for any item which is prohibited or its use restricted] by the Academy (as set out above) with their agreement (note that the Academy will never use force to search for these items: see paragraph 4.3 below).

4 **Searching pupils**

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

4.2 When exercising these powers, the school must consider the age and needs to pupils being searched or screened. This includes the individual needs or learning difficulties of pupils with Special Educational Needs (SEN) and making reasonable adjustments that may be required where a pupil has a disability.

4.3 If a pupil refuses to co-operate with a search for an item prohibited by law as listed in section 3.1 above, the member of staff should assess whether it is appropriate to use such force as is reasonable to conduct the search. Force will never be used to search for items that the Academy has prohibited, as set out in 3.4 above.

4.4 The decision to use reasonable force should be made on a case-by-case basis. Consideration will be given as to whether conducting the search will prevent the pupil harming themselves or others, damaging property or causing disorder.

4.5 Where a pupil is not willing to co-operate with a search and is not deemed to have sufficient maturity or understanding of the situation, then a parent's co-operation will be sought.

4.6 If a pupil refuses to co-operate with a search for items that are **not** items prohibited by law as listed in section 3.1 above, disciplinary action may be taken in accordance with this policy.

4.7 Where a search is considered necessary, but does not need to be carried out urgently, the advice of the Principal/ DSL and / or pastoral member staff will be sought. During this time the pupil should be supervised and kept away from other pupils.

4.8 Searches will be carried out on the School premises or, if elsewhere, where the member of staff has lawful control or charge of the pupil, for example on an educational visit or in training settings[3].

4.9 If it is believed that a pupil has a prohibited item, it may be appropriate for a member of staff to carry out:

4.9.1 search of outer clothing; and / or

4.9.2 search of the School property (e.g. pupils' lockers or desks, bed, studies or dormitories); and / or

4.9.3 search of personal property (e.g. bag or pencil case).

4.10 Staff will be the same sex as the pupil being searched and there will be a witness (also a staff member) who, if possible, will be the same sex as the pupil being searched. As a limited exception to this rule, staff can carry out a search of a pupil of the opposite sex and / or without a witness present, but only where staff reasonably believe that there is a risk that serious harm will be caused to a person if a search is not carried out as a matter of urgency and in the time available it is not reasonably practicable to summon another member of staff.

4.11 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.

[3] The power to search a pupil on an educational visit only applies in England. When on a trip outside England, the law of that country should be followed.

4.12 Where the Principal, or staff authorised by the Principal, find anything which they have reasonable grounds for suspecting is a prohibited item, they may seize, retain and dispose of that item in accordance with this policy. The staff member should also alert the designated safeguarding lead (DSL) or deputy and the pupil will be sanctioned in line with the school's behaviour policy to ensure consistency of approach.

5 Strip searching

5.1 A strip search is a search involving the removal of more than outer clothing and can only be carried out on school premises by police officers under the Police and Criminal Evidence Act 1984 (PACE) Code A and in accordance with PACE Code C. More information is contained within the DfE advice to schools on Searching, Screening and Confiscation (July 2022).

5.2 While the decision to undertake a strip search itself and its conduct are police matters, school staff retain a duty of care to the pupil(s) involved and should advocate for pupil wellbeing at all times.

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

5.4 In order to ensure a pupil's wellbeing, the school may wish to involve an appropriate adult as a matter of course during all searches conducted by police in school.

5.5 Except where there is an immediate risk of harm, parents will be informed before a strip search takes place, where reasonably possible. Parents will always be notified after a strip search has taken place.

6 After a search

6.1 Whether or not any items have been found as a result of any search the school will consider whether the reasons for the search or outcome give cause to suspect whether a pupil is suffering or likely to suffer harm and whether any specific support is needed.

6.2 Where appropriate school staff will follow the school's child protection policy and procedures and speak to the designated safeguarding lead about possible pastoral support, early help intervention or a referral to children's social care.

7 Recording searches

7.1 Any search by a member of staff for an item prohibited by law as listed in section 3.1 above, items banned by the school rules in section 3.2 above] and all searches conducted by police officers will be recorded in the school's safeguarding reporting system, including whether or not an item is found. This will allow the DSL or deputy to identify possible risks and initiate a safeguarding response if required.

7.2 Records of the search will include:

7.2.1 the date, time and location of the search;

7.2.2 which pupil was searched;

7.2.3 who conducted the search and any other adults or pupils present;

7.2.4 what was being searched for;

7.2.5 the reason for searching;

7.2.6 what items, if any, were found; and

7.2.7 what follow-up action was taken as a consequence of the search.

7.3 The school will analyse any data gathered to consider whether searching falls disproportionately on any group / or groups and whether any actions should be taken to prevent this.

8 Confiscation

8.1 Under the Academy'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.

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

9 Searching electronic devices

9.1 An electronic device such as a mobile phone or a tablet computer may be confiscated in appropriate circumstances in accordance with this policy. If there is good reason to suspect that the device has been, or could be used to cause harm, to disrupt teaching or breach the Academy's policies on behaviour, 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.

9.2 Any data or files will only be erased, if there is good reason to suspect that the data or files have been, or could be used to cause harm, to disrupt teaching or breach the Academy's policies on behaviour.

9.3 Subject to **Error! Reference source not found.** below and the requirements set out in KCSIE 2023 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 Academy discipline or criminal offence or hand it over to the police if the material is suspected to be evidence relevant to an offence.

9.4 Staff should consider the appropriate safeguarding response if they find images, data or files on an electronic device that they reasonably suspect will put a person at risk.

9.5 Staff should not view or forward illegal images of a child. When viewing an image is unavoidable staff should follow the Academy's policy on sexting as set out in the Safeguarding and child protection policy / consult the advice set out in the Searching screening and confiscation advice (for schools) and UKCIS sexting advice.

9.6 The School will comply with data protection law in relation to any search of an electronic device.

10 Disposal of confiscated items

10.1 **Alcohol**: Alcohol which has been confiscated will be destroyed.

10.2 **Controlled drugs**: Controlled drugs will usually be delivered to the police as soon as possible. In exceptional circumstances and at the discretion of the Principal 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.

10.3 **Other substances**: Substances which are not believed to be controlled 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 a controlled drug, it will be treated as such and disposed of as above.

10.4 **Stolen items**: Stolen items will usually be delivered to the police as soon as possible. However, if, in the opinion of the Principal 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. In taking into account the relevant circumstances, the member of staff should consider: the value of the item; whether the item is banned by the school; whether retraining or returning the item may place any person at risk of harm; and whether the item can be disposed of safely.

10.5 **Tobacco or cigarette papers**: Tobacco or cigarette papers will be destroyed.

10.6 **Fireworks**: Fireworks will not be returned to the pupil. They will be disposed of safely at the discretion of the Principal or other authorised member of staff which may include donation to an appropriate charity].

10.7 **Pornographic images**: Pornographic images involving children or images that constitute "extreme pornography" under section 63 of the Criminal Justice and Immigration Act 2008 will be handed to the police as soon as practicable. As possession of such images may indicate that the pupil has been abused, the Designated Safeguarding Lead will also be notified and will decide whether to make a referral to children's social care.

10.8 Other pornographic images will also be discussed with the Designated Safeguarding Lead. The images may then be passed to children's social care for consideration of any further action. If no action is to be taken by the local authority the images will be erased after a note has been made for disciplinary purposes, confirming the nature of the material.

10.9 **Article used to commit an offence or to cause personal injury or damage to property**: Such articles may, at the discretion of the Principal or authorised member of staff taking all the circumstances into account, be delivered to the police, returned to the owner, retained or disposed of. In taking into account all relevant circumstances the member of staff should consider: whether it is safe to dispose of the item; and when it is safe to return the item.

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

10.11 **An item prohibited or its use restricted by the Academy**: Such items may, at the discretion of the Principal or authorised member of staff taking all the circumstances into account, be returned to its owner, retained or disposed of. In taking into account all relevant circumstances, the member of staff should consider: the value of the item; whether it is appropriate to return the item to the pupil or parent; and whether the item is likely to disrupt learning or the calm, safe and supportive environment of the school.

10.12 Where staff confiscate a mobile phone that has been used 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 Principal considers it necessary to retain the device for evidence in disciplinary proceedings in accordance with 10.13 below. If a pupil persists in using a mobile phone in breach of the restriction, the phone will be confiscated and must be collected by a Parent.

10.13 **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 breach the Academy's policies on behaviour, including carrying out cyberbullying, the device will be confiscated and may be used as evidence in disciplinary proceedings. Once the proceedings have been concluded the device must be collected by a Parent and the pupil may be prohibited from bringing such a device onto Academy premises or on educational visits. In serious cases, the device may be handed to the police for investigation.

11 Communication with Parents

11.1 There is no legal requirement for the Academy to inform Parents before a search for prohibited items takes place or to seek their consent to search their child and it will not generally be practicable to do so.

11.2 Parents should always be informed of any search for a 'prohibited item' listed above that has taken place and the outcome of the search as soon as practicable. A member of staff should inform parents of what, if anything, has been confiscated and the resulting action the school has taken, including any sanctions applied.

11.3 In some circumstances it might also be necessary to inform parents of a search for an item banned by the school policy.

11.4 We will keep a record of all searches carried out, in accordance with paragraph 7 above, which can be inspected by the Parents of the pupil(s) involved subject to any restrictions under the Data Protection Act 2018.

11.5 Complaints about searching or confiscation will be dealt with through the Academy's published Complaints policy and procedures.

11.6 The Academy 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 Academy does not accept responsibility for loss or damage to property.