



BROADSTONE MIDDLE SCHOOL



POLICY :

Behaviour

Author: Head Teacher

Date: July 2016

Review Body: Broadstone Middle School

Date Adopted:

Review Date: Summer 2017

Note : Jan 16 – suggested that review takes place in summer term annually so that amendments are in place for new academic year.

BROADSTONE MIDDLE SCHOOL

Behaviour Policy

The Castleman Academy Trust believes that all pupils should be empowered to achieve in all areas of school life, be treated with respect and treat others the way they wish to be treated. We want them to enjoy school life. We are therefore committed to providing a caring and safe environment for all our students so they can learn in an atmosphere of mutual respect for each other's views and approaches to life and feel happy, safe and secure.

This policy acknowledges the Trust's legal duties under the Equality Act 2010, in respect of safeguarding and in respect of pupils with Special Educational Needs or Disabilities (SEND).

This policy focuses on positive behaviour which supports learning and promotes, celebrates and rewards achievement. The purpose of this policy is to ensure that if a pupil chooses to behave in a way that stops either themselves or others learning, or breaks the school ethos of mutual respect amongst all its members, all staff, pupils and parents/carers have a clear understanding of the procedures and sanctions that will be applied.

This policy has been written in line with the following guidance:

- DfE Behaviour & Discipline in Schools; Guidance for Governors (July 2013)
- DfE Behaviour & Discipline in Schools; Guidance for Headteachers and School Staff (July 2013)
- DfE Statutory Guidance on School Exclusions from September 2012
- DfE School Discipline Regulations (April 2012)
- DfE Behaviour & Discipline in schools: Advice for Headteachers and School Staff (February 2014)

It should also be read in conjunction with the School's Teaching and Learning policy, Anti Bullying Policy, Equal Opportunities policy and SEND Policy.

Our Aim

We want every member of the school community to feel valued and respected, and that each person is treated fairly and well. Our staff, governors and all who work with the school aim to fully develop each pupil's personality and potential, create an effective learning environment and promote inclusion and equality of opportunity, whilst promoting British values, preparing them for life in modern Britain.

The overarching school rule of "Treat others as you wish to be treated" underpins all behaviour. We are a caring community, and all our decisions and actions are based on the school values of Care, Courtesy and Co-operation. The school behaviour policy is therefore designed to support the way in which all members of the school community can live and work together in a supportive way.

At Broadstone Middle School we have pupils and staff who care for each other and respond well to the problems others are experiencing. The school has a number of rules, but the primary aim of the behaviour policy is not to be a system to enforce rules. It is a means of promoting good relationships, so that everyone can work together with the common purpose of helping others to learn. This policy supports the school community in aiming to allow everyone to work together in an effective and considerate way. It aims to help pupils grow in a safe and secure environment, and to become caring, considerate and co-operative members of the school community.

The school expects **every** member of the school community to behave in a considerate way towards others at all times. When pupils do not adhere to the school rules, sanctions will be applied. It is impossible for the school to identify every situation where behaviour might fall short of our high expectations. Each situation will be analysed and acted on to ensure individuals learn from the event, hence making it less likely for the situation to arise again.

Positive and Negative Consequences

We firmly believe that if pupils are actively and purposefully engaged, they are unlikely to misbehave. If the lessons are related to their own lives and the challenges set for them are appropriate, pupils will be motivated and enthusiastic to be involved in their day to day learning. We strive to ensure that learning is engaging and purposeful to ensure behaviour issues are minimal (refer to the Teaching and Learning Policy).

Through our teaching and learning, pupils are encouraged and expected to take responsibility for their behaviour. Through various methods, pupils are led to understand that our actions have consequences which can be both negative and positive – depending on behaviour.

Self-esteem is the personal picture we have of ourselves – our strengths and our limitations. This self-image is affected by all the positive or negative responses of the people with whom we come into contact. We all, pupils and staff, need praise, success, recognition and affection and through this we can accept learning challenges and failure.

We promote positive behaviour through:

- Setting, modelling and promoting clear expectations and rules with pupils – in classrooms, around the school and in the community
- Absolute consistency amongst all staff in implementing School/Academy policies
- Understanding that pupils are valued as individuals
- Taking into account the individual needs of all pupils including vulnerable those from vulnerable groups (for example, but not exclusively, Children Looked After (CLA), Pupil Premium, pupils with medical needs, those in families under stress, those with poor literacy skills, those at risk of exclusion)
- Ensuring the curriculum is appropriate for each individual pupil
- High quality teaching and learning using a variety of teaching styles and methods
- Recognising achievement including the regular use of praise and a relevant and valued reward system, agreed by pupils and staff.
- Target setting and individual support programmes
- Assemblies
- Use of home/school link books to report home about success
- Discussions with pupils and the School Council
- All adults modelling the behaviour we want to encourage
- Whole Staff CPD to support Behaviour Management

School Rules

Through the clear enforcement of simple rules and the rewarding of good work and behaviour we aim to create a positive environment where pupils and adults share a sense of belonging to the school community.

- 1. Respect ourselves, others, the learning environment and the wider community.** The school actively teaches what we mean by "respect" and what it looks like in the school environment and the wider community.
- 2. Ensure we are ready to learn.** All in school, both staff and pupils, will be prepared for lessons in terms of resources. Staff will strive to ensure that pupils are also emotionally prepared for lessons and are in a "State for Learning".
- 3. Wear the correct uniform or clothing suitable to the task at hand.** Pupils are expected to wear school uniform at all times, except when a particular learning experience requires different clothing (eg. A trip to a river to explore geographical features).

4. Behave in a safe manner to ensure our own and others' safety. We are all responsible for behaving so that we are all safe. Behaviour that is unsafe will not be acceptable.

5. Always do your best. We are aware that at times we experience difficulties and it is difficult to engage in learning. However, the expectation is that we will always try our hardest to complete tasks, take part in activities and make the learning environment a safe and happy one to learn in.

6. Follow policy with regard to mobile phones and other ICT. ICT is a wonderful tool to help make us more effective in our daily lives, but must be used responsibly.

Rewards and Sanctions – the choices system

Each classroom has a choices board which identifies elements of behaviour that will be rewarded and elements that will be sanctioned. Staff use the language of choice in order to encourage positive behaviours and limit persistent disruptive behaviour.

Rewards - Vivos

Vivos are awarded for a variety of positive behaviours these include: positive contributions to lessons, good behaviour, good class work, good homework, good lunchtime behaviour, smart appearance (Uniform), care, courtesy and co-operation. Choices boards within classrooms display these examples in order to act as a reminder.

Vivo works electronically so pupils can log on to the interactive website www.vivomiles.com or on to the Vivo App to check their Vivo balance or to activate Vivo credit slips. Their Vivo balance will show which member of staff awarded the Vivos as well as the reason for the award.

As Vivo reward point milestones are met, pupils are presented with a certificate and privilege passes, for example a day's non uniform pass; use of the ICT suite at lunchtime pass or a week's lunchtime pass with the opportunity to eat with friends from another tutor room.

At the end of each term, the highest Vivo earners across the school are rewarded with a Vivo outing such as spending the afternoon ice-skating, bowling or at the cinema.

Sanctions – the strike system

The school employs a number of sanctions to enforce the school rules, and to ensure a safe and positive learning environment. We employ each sanction appropriately to each individual situation.

The school does not tolerate bullying of any kind. If we discover that an act of bullying or intimidation has taken place, we act immediately to stop any further occurrences of such behaviour. Please see our Anti-Bullying Policy for further information and guidance.

Limiting low level persistent disruptive behaviour

There will always be pupils who choose to misbehave. One of the biggest barriers to learning is low level persistent disruptive behaviour examples of this type of behaviour are: shouting out, talking over others, non-learning discussions, being out of seat, being slow to start work, ignoring the instructions given, arriving without learning equipment. Choices boards within classrooms display these examples in order to act as a gentle reminder.

Teachers will always use, in the first instance, their professional strategies to support disruptive behaviour (eg. A “look”, moving to the part of the classroom where the learner is).

How the strike system is implemented

- Warning – name on board
- Strike 1 – name ticked – pupils will go to room 5 the following playtime to meet with that teacher for a short detention (centralised room enables all pupils to attend all detentions and ensures that pupils are not earning consecutive strikes). Strike discussion recorded on centralised spreadsheet.
- Lunchtime detention given if 2 strikes are recorded on central record. Class teachers to monitor when lunchtime detentions need to be given.
- After school Detention – 30 mins – 3 strikes on central record – triggers a report card – Year Leader and tutor meets with parents. Class teachers and Year Leaders to monitor when detentions need to be given
- After school Detention – 1 hour – 4 strikes on central record – continues contact with parents
- Pm Isolation – 5 strikes on central record – triggers meeting with Parents/Year Leader and Assistant head
- Am Isolation – 6 strikes on central record – continued contact with home
- Day isolation – 7 strikes on central record – Triggers meeting with Parents Year Leader/Assistant Head and Head.

NB: Referral to a senior teacher could result in a range of sanctions, including detention, loss of social time, parental interview, specified community service, fixed term suspension or permanent exclusion.

Severity Clause: Sometimes, teachers have to act quickly and decisively to stop a pupil's disruptive behaviour. In cases of severe misbehaviour, such as fighting, vandalism, defying a teacher or in some way stopping the entire class from functioning calls for an immediate consequence that will remove the pupil from the classroom; in this instance a member of the SLT will be sent for. Parents/carers will be informed. If a pupil needs to leave the room the pupil is *never* just sent to stand outside of the room, without direct adult supervision.

Consistency between members of staff is very important. Midday Supervisory Assistants (MDSAs) will have their own warning cards. They will also inform the teacher of poor behaviour.

We believe that co-operation between home and school is vital if pupils are to develop into responsible adults. We aim to inform parents/carers whenever a child's behaviour gives cause for real concern. We would also aim to share good news with parents/carers too!

Where a pupil shows consistent difficulty with aspects of behaviour a pastoral support plan will be drawn up by the Inclusion Leader or the Head of Year. This may include counselling, support groups or special arrangements for lessons or break times.

Playground supervision

All staff are responsible for the health, safety and welfare of all pupils on site, but our MDSAs take specific responsibility for this at lunch time. Breaks should allow pupils the freedom to make their own decisions about who to be with and what to do. Staff support and encourage pupils by:

- being positive and friendly
- looking out for any pupil who has difficulty with social relationships and finding opportunities for them to join in constructively
- sharing ideas for games and helping pupils learn new skills
- intervening if any activity is likely to harm or hurt anyone

Pupils who are preventing others from having an enjoyable break will be sent inside to the member of on duty in room 5.

Exclusions

The school views exclusion as a last resort. It usually occurs only in extreme cases where behaviour of pupils directly affects the health and safety of themselves or others. Before making a decision to exclude, the school will ensure that a thorough investigation has been carried out, including allowing the pupil to give their version of the events, seeking any witness statements and considering any evidence of provocation. Any record of previous misdemeanours may be taken into consideration.

No pupil will be sent off site before the end of the day unless contact has been established with parents/carers/nominated responsible adult. In the event of contact not being made, the pupil must remain on site, withdrawn from class until the end of the normal school day. At the point of exclusion, a letter will be sent home via first class post (and email if the responsible adult has an email address), stating the reason for the exclusion. Telephone contact will be made with the parents/carers of the student informing them of the exclusion. All exclusions will be recorded centrally in the School Exclusion Record by the Head of Year and on school record keeping systems (eg. Integris). The Chair of Governors will be informed of all exclusions, both fixed term and permanent on a monthly basis.

Exclusion will be enforced after investigating the circumstances of an event or on an immediate basis. The decision to exclude is at the discretion Head Teacher, Senior Leadership Team or Head of Year.

Exclusion may take one of three forms:

- Internal exclusion – the decision to follow this course of action and to determine its duration will be taken by a Head of Year or a member of the Senior Leadership Team. The pupil will be removed from a whole class teaching environment and, although following their normal daily curriculum, be required to work on their own under close supervision.
- Fixed term exclusion – the decision to follow this course of action and determine its duration will be taken by the Head Teacher or, in the Head Teacher's absence, a member of the Senior Leadership Team. Any action taken will adhere to the Borough of Poole's policy. Parents/carers will be contacted immediately and required to withdraw the pupil from the school premises, at which point the pupil becomes the responsibility of their parents/carers. An excluded pupil must not be present in a public place during school hours. The school will provide work for the period of the exclusion. On the pupil's return to school a reintegration meeting will be held with the Head of Year to discuss how best to manage the pupil's return to school and establish a behaviour contract.
- Permanent exclusion – this is the school's ultimate sanction. Parents will be fully involved in the process. Pupils face permanent exclusion when their behaviour constitutes a serious breach of school rules and/or is considered a significant threat to the health and safety of themselves or others.

See Appendix 1 for further details and guidance on exclusions.

Restraint

In extreme cases where physical danger to self or others seems likely it may be necessary to restrain a pupil. All members of staff are aware of the regulations regarding the use of force by teachers, as set out in DfE Circular 10/98, relating to section 550A of the Education Act 1996: *The Use of Force to Control or Restrain Pupils*. Teachers in our school do not hit, push or slap children. Staff only intervene physically to restrain pupil or to prevent injury to a pupil, or if a pupil is in danger of hurting him/herself. The actions that we take are in line with government guidelines on the restraint of pupils. Pupils will always be advised of the steps to be

taken before and during any restraint and a 'cooling off' period will be applied. This may take the form of an internal or external exclusion.

Review and Monitoring

Sanction systems are reviewed regularly. Pastoral team meetings, which include Senior Leadership Team/Head of Year and Pastoral Support staff, review and discuss behaviour management on a half termly basis.

Working with Parents as Partners

Parenting is a difficult and vulnerable task. Parents/carers play a crucial role in enhancing pupils' self-esteem. Every parent/carer has the right to hear regular "good news" about pupils.

We regularly invite families in to celebrate learning. This is done in a variety of ways. Families can enjoy a range of displays, presentations, art galleries, museums, drama, music and dance. Pupils thoroughly enjoy sharing their learning with their families and as such, present a very positive outlook.

We will strive to ensure pupils receive consistent messages about how to behave at home and at school. We would expect parents/carers to support the school in their expectations too. We expect parents/carers to support pupil's learning and to co-operate with the school. We try to build a supportive dialogue between the home and the school, and we inform parents/carers as soon as possible if we have concerns about a pupil's welfare or behaviour.

If the school has to use reasonable sanctions to punish a pupil, parents/carers should support the actions of the school. If parents/carers have any concern about the way pupils has been treated, they should initially contact the Class Teacher. If the concern remains, they should contact the Head of Year, Inclusion Lead, Assistant Headteacher or Head Teacher. As per the school's Complaints Policy, if parents are still not satisfied, they should contact the Chair of Governors at the school.

It is important to remember that the vast majority of pupils will respond to and benefit from the above policy. However, from time to time, there may be pupils who are "beyond" normal incentives and sanctions. Within many of this type of pupil there is an 'inner chaos' which results in the absence of internal boundaries. These pupils will need an individual contract. Points to remember when establishing a contract:

- Targets, to begin with, must be small and attainable (success breeds success)
- Reinforcement must be daily
- The contract will need constant assessment
- 'Pay off' must be clear – the consequences should be clear and suit the misdemeanour.
- A simple statement agreed between child and teacher is written down

The contract will need to be signed by the pupil and teacher and strictly adhered to. There will be regular discussion with the pupil what might prevent him/her from succeeding. Parents/carers will also be involved in the contract.

The role of the Class Teacher

It is the responsibility of the Class Teacher to ensure that the school rules are enforced in their class, and that their class behaves in a responsible manner during lesson time.

The Class Teachers in our school have high expectations of pupils in terms of behaviour, and they strive to ensure that all pupils work to the best of their ability.

The Class Teacher treats each pupil fairly and enforces the 'choices' system consistently. The teacher treats all pupils in their class with respect and understanding.

If a pupil misbehaves repeatedly in class, the Class Teacher keeps a record of all such incidents. Sanctions are applied via the strike system. If misbehaviour continues, the Class Teacher will seek help and advice from the Head of Year, Inclusion Lead, Assistant Headteacher or the Head Teacher.

The Class Teacher liaises with external agencies, as necessary, to support and guide the progress of each pupil.

The Class Teacher reports to parents/carers about the progress of each pupil in their class, in line with the whole-school policy. The Class Teacher may also contact a parent/carer if there are concerns about the behaviour or welfare of a pupil.

The role of the Head Teacher

It is the responsibility of the Head Teacher, under the School Standards and Framework Act 1998, to implement the school Behaviour Policy consistently throughout the school, and to report to governors, when requested, on the effectiveness of the policy. It is also the responsibility of the Head Teacher to ensure the health, safety and welfare of all pupils in the school.

The Head Teacher supports the staff by implementing the policy, by setting the standards of behaviour, and by supporting staff in the implementation of the policy.

The Head Teacher ensures that records are kept of all reported serious incidents of misbehaviour.

The Head Teacher has the responsibility for giving fixed-term exclusions to individual pupils for serious acts of misbehaviour. For repeated or very serious acts of anti-social behaviour, the Head Teacher may permanently exclude a pupil (see Exclusion guidance – Appendix 1).

The role of Governors

The Governing Body has the responsibility of setting down these general guidelines on standards of discipline and behaviour, and of reviewing their effectiveness. The Governors support the Head Teacher in carrying out these guidelines.

The Head Teacher has the day-to-day authority to implement the school Behaviour Policy, but Governors may give advice to the Head Teacher about particular disciplinary issues. The Head Teacher must take this into account when making decisions about matters of behaviour.

Monitoring

The Head Teacher monitors the effectiveness of this policy on a regular basis, reporting to the Executive Headteacher. She/he also reports to the governing body on the effectiveness of the policy and, if necessary, makes recommendations for further improvements.

The school keeps a variety of records of incidents of misbehaviour. The Class Teacher records minor classroom incidents. The Head Teacher records those incidents where a pupil is sent to him/her on account of bad behaviour. We also keep a record of any incidents that occur at break or lunchtimes: MDSAs give written details of any incident in the incidents which are then passed onto Heads of Year.

The Head Teacher keeps a record of any pupil who is suspended for a fixed-term, or who is permanently excluded.

It is the responsibility of the Governing Body to monitor the rate of suspensions and exclusions, and to ensure that the school policy is administered fairly and consistently.

Appendix 1

GUIDANCE ON EXCLUSIONS

Fixed Period Exclusions of five days or less

For all fixed period exclusions work will be set and marked by the school. The responsibility for this rests with Heads of Year to collect work and Class Teachers to mark work.

For one day exclusions the Head of Year will speak to the pupil on their return to the School. For exclusions which are longer than one day, or if an exclusion is one of a number of exclusions that a pupil has had, the pupil will be re-admitted by their Head of Year. Their Head of Year will remind them of the standard of behaviour expected. At this stage, the Head of Year may discuss the incident and any arising issues with the parent/carer. All discussions with parents/carers will be recorded on Pupil Tracker or Integris.

If a pupil has a further fixed term exclusion, the same process is followed as for first exclusion. However if there are repeated fixed term exclusions for the same misdemeanour, the Head of Year will involve parents/carers and external agencies as required.

Where a pupil is causing concern and may have had a number of fixed term exclusions, a Behaviour Plan and Risk Assessment will be completed.

The parents/carers may wish to make written representation to the Chair of the Governor Panel about an exclusion. A parent/carer wishing to make representation should do so in writing within 5 school days of the date of notification via recorded delivery. Governors will respond as appropriate within 50 school days. The Chair of the Governor Panel has discretion as to whether to call a meeting or not. Whatever is done, will be recorded and placed on the student file.

If a meeting is held, it will be after the period of exclusion has been served. The parents/carers may, if they wish, have someone of their choice to accompany and assist them at the meeting. The meeting is not an appeal and will not cause an interim postponement of the exclusion.

The purpose of the meeting is to enable the parents/carers to be satisfied that their views have been heard and consideration given as to whether more information should be added to the pupil's record. The decision of the Governors will be final in respect of matters regarding temporary exclusions for fixed periods in any one term of 5 days or less.

In the event of a meeting being called, Governors cannot overturn the exclusion, but can add a note to the pupil's file. The letter informing parents/carers of the exclusion will explain the procedure to make representations.

Fixed Period Exclusions of more than 5 and less than 15 days in any one term

For an exclusion (or series of exclusions) of more than 5 days but not more than 15 days in any one term, a reintegration meeting with the student's Head of Year and parents/carers will take place. The Head Teacher will attend the meeting. A Governors' meeting should take place between the 6th and 50th school day after the date of notification, if the parents/carers request it. The parents/carers must request an appeal within 5 school days of notification by recorded delivery.

The parents/carers and the school will be invited to present evidence to the Governors challenging the decision to impose a fixed term exclusion. Governors will make a decision, which will be provided via the Clerk to Governors in writing to the parents/carers and posted within 5 school days after the meeting.

Fixed Period Exclusions of more than 15 days in any one term

For a fixed period exclusion (or series of temporary exclusions) adding up to more than 15 days in any one term, a Governors' Disciplinary Panel must meet between 6 and 15 days from the date of exclusion whether the parents/carers request it or not.

The parents/carers and the school will be invited to present evidence. Governors will make a decision as to whether the 15 plus exclusion days are merited, which will be provided via the Clerk to Governors in writing to the parents/carers and posted within 5 school days after the meeting. The governors will also discuss with the parents/carers how the student is going to change their behaviour.

Off site provision

When a pupil is excluded for 6 or more days, it starts with a home based exclusion of 5 days. The school will provide off site provision from the 6th day of exclusion onwards. The provision will be arranged by the school. The pupil will be expected to report to a named member of staff at the start of the school day, where they will be provided with appropriate work and supervised to complete the tasks set. The parents/carers will be contacted and informed of the provision being made. Permission for the pupil to attend off site provision will be sought verbally and the pupil will be expected to bring a signed agreement to the named member of staff the following morning.

All temporarily excluded pupils will be put on Report on their re-admittance to the school. This programme is intended to ensure the positive re-integration of pupil into the life of the school and improve behaviour.

Permanent Exclusion

The decision to permanently exclude a student will be taken in response to a serious breach, or persistent breaches, of this policy, and where allowing a student to remain in the school would seriously harm the education or welfare of the student or others in the School.

Only the Head Teacher shall have the discretionary power to permanently exclude any pupil after consultation with the Executive Headteacher and the Chair of Governors. In exceptional circumstances, the Head Teacher may decide to take this course of action without the pupil having had any previous fixed term exclusions.

For example for:

- Possession, using or supplying of drugs, including medicines or alcohol
- Serious and ongoing bullying
- Being in possession of an offensive weapon
- Serious actual or threatened violence against another student or a member of staff
- Sexual or indecent assault
- Extremely serious damage of school property or building
- Any pupil found smoking anywhere on the school site, and on school trips, camps etc, a first offence will incur a one day exclusion, and a second offence may lead to permanent exclusion
- Persistent high levels of defiance or misbehaviour, in breach of the school's policies and ethos

When a pupil's behaviour record shows persistently high levels of misbehaviour the school will work fully with the pupil, parents/carers and external agencies to prevent a decision on a permanent exclusion from occurring. This can take the form of:

- Behaviour Plan and Risk Assessment being put in place with appropriate mentor support, external agency support

- Managed move procedure being investigated
- Investigating alternative curriculum provision models, either full time or part time, on a temporary short term or long term basis, that might be more appropriate for the pupil's needs. This will lead to subsequent and structure re-integration of the pupil back into the life of the school.

The parents/carers will be informed in writing by the Head Teacher of their right of appeal against a decision to exclude permanently. The parents/carers will be advised that they may, if they wish, have someone of their choice to accompany and assist them at the appeal meeting. Appeals should be made in writing to the Chair of the Governor Panel via the Clerk to Governors within 10 school days of notification of the exclusion. A minimum of 3 Governors will constitute the Governor Panel convened for the purpose of considering appeals against permanent exclusions. The Chair of Governors, who will have previously been consulted regarding permanent exclusions, will not be a member of this Committee.

For permanent exclusions the Governor Panel should meet between the 6th and 15th school day after notification by parents/ carers of their wish to appeal.

There is no restriction on Governors who have served on a fixed period exclusion panel serving on any subsequent exclusion panel for the same pupil. The decision of the Governors will be final.

Any meeting of the Governor Panel may, at their discretion, consider in sequence more than one exclusion case at that meeting.

If a pupil is being referred to a Pupil Referral Unit, contact with the LA must be initiated. Appropriate permanent exclusion forms will also be completed.

Parents/Carers have the right to an independent appeal against a permanent exclusion. Details of this process will be communicated to parents/carers from the Governor's Panel.

If any exclusion would result in a pupil missing a public examination, the Head Teacher will review this decision. In the event of the Head Teacher deciding it is not appropriate for a pupil to take an examination, this will be referred to the Governor Panel. The Panel should attempt to meet before the examination. If, exceptionally, it is not practical for the Panel to meet before the examination is due to be taken, the Chair of the Panel or the Chair of Governors has the discretion to allow the pupil on site to take the examination.

Appendix 2

GUIDANCE ON SEARCHING PUPILS

Searching with consent

Schools' common law powers to search: School staff can search pupils **with their consent** for any item.

1. Schools are not required to have formal written consent from the pupil for this sort of search – it is enough for the teacher to ask the pupil to turn out his or her pockets or if the teacher can look in the pupil's bag or locker and for the pupil to agree.
2. Our Behaviour policy and occasional updates to parents/carers and pupils indicate what items are banned.
3. If a member of staff suspects a pupil has a banned item in his/her possession, they can instruct the pupil to turn out his or her pockets or bag and if the pupil refuses, the teacher can apply an appropriate punishment as set out in the school's Behaviour policy.
4. A pupil refusing to co-operate with such a search raises the same kind of issues as where a pupil refuses to stay in a detention or refuses to stop any other unacceptable behaviour when instructed by a member of staff – in such circumstances, schools can apply an appropriate disciplinary penalty.

Searching without consent – What the law says:

What can be searched for:

1. knives or weapons, alcohol, illegal drugs and stolen items;
2. tobacco and cigarette papers, fireworks and pornographic images;
3. any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to property; and
4. Any item banned by the school rules which has also been identified in the rules as an item which may be searched for.

The Head Teacher and those staff authorised by the Head Teacher have a statutory power to search pupils without consent. School staff can seize and confiscate any banned or prohibited item found as a result of a search or which they consider harmful or detrimental to school discipline. Parents/carers will be informed when this happens. In the case of weapons we will call the police to carry out the search if any reluctance or resistance to co-operate from the pupil is encountered. In other cases we will seek to be as effective and discreet as possible by using the following guidelines:

- 1) She/he will be invited to hand over any suspected items or have a parent/carer or police attend if they choose not to comply. There may be circumstances when school staff will call the police for assistance if they consider it is appropriate.
- 2) Unless there are exceptional circumstances or an emergency, both members of staff will be the same gender as the pupil and the process will be conducted in a dignified manner.
- 3) Searches will be conducted with two or more members of staff present
- 4) Intimate body searches will not be conducted

Under Article 8 of the European Convention on Human Rights, students have the right to expect a reasonable level of personal privacy. The strategies outlined above are the school's practical response to its philosophy of inclusion.