



# Behaviour Policy and Procedures

## DOCUMENT CONTROL

<b>Author/Contact</b>	Jonathan Rush Tel: 01946 820356 Email: <a href="mailto:contactus.wla@westlakesacademy.org.uk">contactus.wla@westlakesacademy.org.uk</a>
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12	September 2022	Updated to remove reference to the Covid-19 addendum and to reflect changes made by ' <a href="#">Keeping Children Safe in Education</a> ' 2022 and the introduction of the revised DfE advice ' <a href="#">Behaviour in schools</a> ' July 2022 and <a href="#">Searching, screening and confiscation: advice for schools</a> July 2022	M Relph
13	November 2023	Updated Appendix 1 – Table of sanctions. (Page 48) <ul style="list-style-type: none"> <li>Additions made to details regarding fixed term exclusions/suspensions. (nicotine pouches)</li> <li>Wording amended regarding details of 'illegal highs.</li> <li>Amendments made to the logistics of Head of Year and Subject detentions.</li> </ul> Amendments made to Appendix 2: List of prohibited items. (page 49 and 50) <ul style="list-style-type: none"> <li>Updated policy on the prohibiting of mobile phones in the academy. (in effect since September 2023)</li> <li>Addition to the policy regarding nicotine pouches as a banned substance.</li> </ul> Amendments made to procedures relating to bullying. (17)	J. Rush

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## **POLICY STATEMENT**

### **1. DEFINITIONS**

For the purposes of this Policy and procedures a child, young person, student, or student is referred to as a 'child' or a 'student' and they are normally under 18 years of age.

Wherever the term 'parent' is used this includes any person with parental authority over the child concerned e.g., carers, legal guardians etc.

Wherever the term 'Principal' is used this also refers to any Manager with the equivalent responsibility for children.

Wherever the term 'school' is used this also refers to academies and Student Referral Units (PRU) and references to Governing Bodies include Proprietors in academies and the Management Committees of PRUs.

### **2. INTRODUCTION**

In their document 'Behaviour in Schools – Advice for head teachers and school staff', the Department for Education (DfE) have set out the legal powers and duties that govern behaviour and attendance in schools and explains how they apply to teachers, governing bodies, students, and parents.

Legislation requires that every school must have a Behaviour Policy. Good behaviour in schools is central to a good education. Managing behaviour successfully allows us to provide a calm, safe and supportive environment which children and young people want to attend and where they can learn and thrive. Being taught how to behave well and appropriately within the context they are in is vital for all students to succeed personally.

Our aim is to create an environment where positive behaviours are more likely by proactively supporting students to behave appropriately. Our students will be taught explicitly what good behaviour looks like although it is recognised that some students will need additional support to reach the expected standard of behaviour. Where this is required, we will identify individual support required and put this in place as soon as possible.

In some cases, particularly when a student is persistently disruptive and support or sanctions are not deterring misbehaviour, further action may be needed. In serious instances, a student may need to be suspended or excluded. This will, however, be a last resort. Where suspension or exclusion is deemed absolutely necessary, we will make reference to the DfE guidance on suspension and permanent exclusion to ensure that these interventions are used appropriately.

In the event of a national Public Health Emergency, there may be situations where additional measures need to be introduced to reduce the risk of ill health as a result of the emergency. Where this is the case, the Governors may introduce an Addendum to this Policy and procedures to properly impose recommended control measures on the

academy community. The academy community will be advised by the academy in advance and prior to additional recommended measures being imposed.

Section 78 of the Education Act 2002 requires that the curriculum for a maintained school must promote the spiritual, moral, social and cultural (SMSC), mental, and physical development of students at the school and of society which, in turn, prepares students at the school for the opportunities, responsibilities and experiences of later life.

The school pays regard to the DfE Departmental advice for maintained schools 'Promoting fundamental British values as part of SMSC in schools'.

The Proprietor of an Academy or Independent school must ensure that a written Policy to promote good behaviour among students is drawn up and implemented by the principal and others effectively. The Behaviour Policy must also set out the disciplinary sanctions. The Proprietor must also ensure that an effective anti-bullying strategy is drawn up and implemented so that bullying (in all its forms) is prevented as far as is reasonably practicable.

Academy leaders have a crucial role to play in making sure all staff understand the behavioural expectations and the importance of maintaining them. We will actively engage with students, parents and staff on setting and maintaining the behaviour culture and an environment where everyone feels safe and supported. Our leaders will make sure that all new staff are inducted clearly into the academy's behaviour culture to ensure they understand its rules and routines and how best to support all students to participate in creating the culture of the academy. Our leaders will also consider any appropriate training which is required for staff, both at induction and at regular intervals to meet their duties and functions within this Behaviour Policy.

In terms of staff and other adults, any person whose work brings them into contact with children including volunteers must follow the principles and guidance outlined in the Trust's Code of Conduct for staff and other adults. In addition to this Code of Conduct, all employees engaged to work under Teachers' Terms and Conditions of Employment have a statutory obligation to adhere to the Teachers' Standards 2011 (updated 2013 and 2021) which set out the expectation that all teachers manage behaviour effectively to ensure a good and safe educational environment and requires teachers to have a clear understanding of the needs of all students.

Students deserve to learn in an environment that is calm, safe, supportive and where they are treated with dignity. To achieve this, every student will be made aware of the academy's behaviour standards, expectations, pastoral support, and consequence processes. Students will be asked about their experience of behaviour and given the opportunity to provide feedback on the academy's behaviour culture to help support the evaluation, improvement and implementation of the Behaviour Policy. Where the behaviour of students is deteriorating or becoming problematic, as well as reinforcing our behaviour expectations at every opportunity, additional support will be made available. Where necessary, extra support and induction will be provided for students who are mid-phase arrivals.

The procedures which support the academy's Behaviour Policy include measures to prevent all forms of bullying, harassment and intimidation among students.

This Policy and procedures should be read in conjunction with the following academy Policies and procedures:

- Overarching Safeguarding Statement
- Health and Safety Policy and procedures
- Online Safety & ICT Policy and procedures
- Child Protection Policy and procedures
- Relationships Education, Relationships and Sex Education (RSE) policy and procedures
- Whistleblowing procedures
- Child on child abuse Policy and procedures
- Supporting Students with Medical Conditions Policy and Procedures
- Single Equality Scheme/Objectives
- Special Educational Needs Policy/Information Report
- Admissions Arrangements
- Attendance Policy
- Missing Child procedures
- Complaints procedure
- Positive Handling, Support, and Intervention procedures
- Code of Conduct for Staff and other Adults
- Educational Visits procedures (including procedures for assessing risk)
- Risk Assessments (including Behaviour Management Plans)
- Data Protection Policy

### **3. ETHOS**

West Lakes Academy is built upon mutual respect. We say, “thank you”. We say, “excuse me”. We say “please”. We smile when we greet people both inside and outside of the academy. Our five values of respect, appreciation, achievement, freedom, and resilience are the foundations of the academy and form the bedrock of everything we do. We work to enable students to develop the strong and positive learning habits and unfailing self-discipline. Students at West Lakes Academy will understand that success needs hard work. We show respect and appreciation.

For the academy to achieve a positive ethos it is essential that all members of the academy community work well alongside each other and develop positive working relationships (this includes all staff and other adults working in the academy, students, and parents). Having a positive ethos helps to ensure good behaviour from students in the academy. Young people learn by example and as such, having high standards of behaviour expectations from all parties involved in their education will create adults with similarly high behaviour standards. We encourage and expect parental and family involvement in taking an active part in their child’s education. We expect parents to support our staff and value our ethos and approach. Parents are required to engage with the academy.

Through the promotion of students’ spiritual, moral, social, and cultural (SMSC) development within the curriculum, we will positively promote fundamental British values. To achieve this, we will:

- enable students to develop their self-knowledge, self-esteem, and self-confidence.



- enable students to distinguish right from wrong and to respect the civil and criminal law of England;
- encourage students to accept responsibility for their behaviour, show initiative, and to understand how they can contribute positively to the lives of those living and working in the locality of the academy and to society more widely;
- enable students to acquire a broad general knowledge of and respect for public institutions and services in England;
- further tolerance and harmony between different cultural traditions by enabling students to acquire an appreciation of and respect of their own and other cultures;
- encourage respect for other people; and
- encourage respect for democracy and support for participation in the democratic processes, including respect for the basis on which the law is made and applied in England.

We recognise that consistency is crucial in maintaining high standards of behaviour alongside a culture that celebrates success and is not based solely on sanctions. To this end, the academy is committed to promoting and rewarding good behaviour. We are also committed to a united approach to managing behaviour in and out of the academy.

The academy will not tolerate bullying (including cyberbullying, prejudice-based and discriminatory bullying), harassment or intimidation of any description. A complaint of bullying will always be taken seriously.

#### **4. AIMS**

Our academy and staff aim to ensure that every member of the academy community feels valued and respected, and that each person is treated fairly and well. We are a caring community, whose values are built on mutual trust and respect for all. Our academy's Behaviour Policy and procedures is therefore designed to support the way in which all members of the academy can live and work together in a supportive way. It aims to promote the overall wellbeing of students and staff and an environment in which everyone feels happy, safe, and secure.

The Behaviour Policy and procedures confirms the academy commitment to:

- ensure that each child can develop and achieve his/her full potential, educationally, morally and spiritually
- provide a safe and attractive environment where everyone feels welcome, happy, and secure; free from disruption, violence, bullying (including cyber-bullying, prejudice-based and discriminatory bullying) and any form of harassment;
- provide each young person with the motivation and confidence to learn effectively;
- promote self-esteem, self-discipline, proper regard for authority and positive relationships based on mutual respect;
- promote a culture of praise and encouragement in which all students can achieve;
- provide every student with appropriate high-quality teaching through a broad and balanced curriculum which is appropriately differentiated to meet each student's individual needs;
- teach children to respect themselves and others and to take responsibility for their own action and behaviour;

- help teachers and other staff manage behaviour problems that can inhibit effective learning for all children, and to realise that we cannot always deal with problems by ourselves and that we have colleagues and other agencies who are willing to assist;
- help all adults who work with students in the academy to recognise and understand that safeguarding incidents and/or behaviours can be associated with factors outside the academy and/or can occur between children outside of these environments;
- help young people to understand how behaviour affects others and the world around them;
- create a partnership of support and effective communication between home, academy, and the wider community;
- provide young people with an informed view of life and develop a strong sense of right and wrong enabling them to become thoughtful, caring members of society;
- value every child regardless of ability, race, gender, or religion;
- maintain, develop, and consistently apply high standards within the academy and enable teachers and other academy staff to develop and use their own professional expertise.

The aim of this Policy and supporting procedures is to determine the boundaries of acceptable and unacceptable behaviour, introduce rewards and sanctions and determine how they will be fairly and consistently applied.

To achieve this, the academy will:

- make clear its expectations of exceptional behaviour, through assemblies, tutor/school council meetings and in published documents;
- reward achievements, awarding reward points, certificates of merit, merit points leading to certificates and prizes etc.; including Principal Learner of the Week
- treat every member of the community as individuals and respect their rights, values and beliefs;
- create a zero-tolerance environment against all instances of bullying or discrimination (both online and offline) based on race, gender, ability, or cultural differences;
- provide positive examples for modelling behaviour;
- promote good relationships and a sense of belonging to the community;
- intervene early to challenge undesirable behaviour and place social and emotional interventions in place to support behaviour to improve ;
- follow and apply consistently clear guidelines when responding to instances of unacceptable behaviour.

## **5. COMMUNICATION**

Communicating the academy policy to all members of the community is an important way of building and maintaining the academy's culture. It helps make behaviour expectations transparent to all students, parents, and staff members, and provides reassurance that expectations of, and responses to, behaviour are consistent, fair, proportionate, and predictable.

We will publish details of the academy's Behaviour Policy on the academy web

## **PROCEDURES**

### **1. RESPONSIBILITIES**

The commitment of staff, students and parents is vital in developing a positive whole academy ethos. The expectations of staff, students and parents are outlined below.

Our academy leaders have a crucial role to play in making sure all staff understand the behavioural expectations and the importance of maintaining them. The principal, in particular, is responsible for implementing measures to secure acceptable standards of behaviour and will support all staff in managing student behaviour through successful implementation of this Behaviour Policy.

Staff and other adults also have an important role in developing a calm and safe environment for students and establishing clear boundaries of acceptable student behaviour. Staff and other adults will therefore uphold the whole-academy approach to behaviour by teaching and modelling expected behaviour and positive relationships so that students can see examples of good habits and are confident to ask for help when needed.

All staff and other adults will communicate the academy expectations, routines, values and standards both explicitly through teaching behaviour and in every interaction with students. Staff should consider the impact of their own behaviour on the academy culture and how they can uphold the academy rules and expectations. Staff have received clear guidance about academy expectations of their own conduct at the academy and this is set out explicitly in the Trust's Staff Code of Conduct.

The role of parents is also crucial in helping us to develop and maintain good behaviour. Parents will be encouraged to get to know our academy's Behaviour Policy and, where possible, take part in the life of the academy and its culture. Parents will also be encouraged to reinforce the Policy at home as appropriate. Where a parent has a concern about management of behaviour, they are advised to raise this directly with the principal or other Senior Leaders whilst continuing to work in partnership with us. Where appropriate, we will involve and include parents in any pastoral work following misbehaviour.

#### **1.1 What students can expect from staff**

Students may expect staff and other adults in the academy to:

- create a positive, safe environment in which bullying, physical threats or abuse and intimidation are not tolerated.
- plan and deliver good to outstanding lessons which engage and motivate you to achieve.
- allocate sufficient time for each task;
- be enthusiastic and develop positive working relationships with you and your peers in their classes;
- celebrate the success of students in lessons, after school activities and assemblies;
- encourage all students to contribute to the work in hand;

- communicate both successes and concerns with parents;
- have a well organised room;
- mark or give feedback on work as soon as possible;
- set homework appropriate for the age and abilities of each student;
- treat you fairly with dignity, kindness and respect;
- eliminate or control hazards which may cause you harm;
- use a range of non-verbal and verbal cues to encourage good behaviour and limit inappropriate behaviour
- be approachable and listen to you at appropriate times;
- always take seriously any complaints or incidents of bullying (both online and offline), discrimination, harassment, aggression and derogatory language (including name calling) or other inappropriate behaviour reported to them;
- set high expectations, clear boundaries and regularly agree classroom and behaviour expectations;
- use rewards and, where necessary, sanctions consistently;
- model the behaviours you wish to see.

## **1.2 What staff can expect from students**

Staff may expect students to:

- arrive at lessons on time;
- enter the classrooms quietly;
- wear full academy uniform correctly;
- sit where you are told to sit by the teacher or any other member of the academy staff;
- have equipment and books for lessons
- follow classroom rules and procedures and not disrupt the learning of other students;
- follow instructions given by staff and other adults without arguing;
- listen attentively to the teacher who will explain the lesson, what you are going to do, why and how;
- put up your hand to indicate you wish to speak;
- treat all members of the academy community with dignity, kindness and respect;
- use appropriate language;
- listen to others' ideas and work co-operatively;
- tell the truth and learn from your mistakes;
- care for the classroom and resources, respecting others' property;
- value other individuals and their contributions to lessons;
- lead by example creating a good role model for younger students in the academy;
- accept responsibility for your behaviour;
- consider the needs of all the other people in the classroom;
- use ICT in accordance with Trust's Online Safety Policy and procedures;
- be responsible when using online technologies and not compromise staff or other adults in the academy's community;

- report to a teacher or other adult any bullying behaviour by others including bullying with the use of technology (cyber bullying), physical threats, abuse or harassment, intimidation, discrimination, aggression and derogatory language (including name calling);
- behave appropriately when outside the academy and in academy uniform;
- be an ambassador for the academy at all times.

### **1.3 What staff can expect from their colleagues**

Staff may expect colleagues and other adults in the academy to:

- treat each other with dignity, kindness and respect;
- work and co-operate together for the overall good of the academy community;
- respect each other's values and individual beliefs;
- treat all student and staff issues with the highest standards of confidentiality; offer support when appropriate;
- be aware of each other's job remit and respect its boundaries;
- use ICT appropriately and in accordance with the Trust's Online Safety Policy and procedures and staff Acceptable Use Agreement;
- be aware of and consider the possible implications for the academy, colleagues and themselves when posting on Social Network sites;
- use online technology appropriately and not compromise the professional integrity of colleagues or other adults in the academy community.

### **1.4 What staff can expect from parents**

Staff and other adults in the academy may expect parents to:

- treat all staff, students, other parents and other adults with dignity, kindness and respect;
- behave responsibly whilst on school premises;
- report any incidents of bullying both online and offline (cyberbullying), physical threats, abuse or harassment, intimidation, discrimination, aggression and derogatory language (including name calling) as soon as they are discovered so that the issue can be dealt with promptly by school staff;
- ensure that their child arrives at the academy on time;
- ensure that their child is dressed appropriately, in academy uniform with any necessary equipment e.g., PE kit;
- ensure that their child attends school regularly and contact the academy as soon as possible in the event of an absence or lateness;
- encourage their child to achieve their very best in the academy;
- reinforce the value of good behaviour at home;
- encourage their child to have high standards of behaviour in and out of the academy; support the academy's policies, strategies, and guidelines for behaviour;
- work with academy staff to help their child accept responsibility for their behaviour and actions;
- inform the academy of any concerns or problems that may affect the child's work or behaviour;
- support their child's homework and other home-based learning activities;
- support the academy in its use of rewards and sanctions;

- take some responsibility for the behaviour of their child;
  - discuss any issues of concern with the class teacher, tutor or Principal in a calm and non-aggressive or threatening manner;
  - refrain from smoking on the academy premises or around entrances/exits, especially at busy times before and after school. This includes the use of e cigarettes and vaping;
  - refrain from using foul, threatening, abusive or derogatory language at any time in or around the academy premises;
  - refrain from bringing dogs onto the academy's premises (regardless of their size or temperament) or stand with them close to the entrance gate at busy times before and after school;
  - consider the implications of posting inappropriate or defamatory details on Social Network sites and the detrimental effect inappropriate comments can have on individuals and the academy;
  - support the academy's approach to online safety which includes not uploading or posting to the internet any pictures, video or text that could upset, offend, or threaten the safety of any member of the academy community or bring the academy into disrepute;
- recognise the need for security and not create online media "on behalf" of the academy without the Principal's express permission.

### **1.5 What parents can expect from staff and other adults in the academy**

Parents may expect staff and other adults working in the academy to:

- treat all adults with dignity, kindness and respect;
- set high standards of work and behaviour for all children in their care;
- encourage your child to always do their best;
- deal promptly with any incidents of bullying (including cyberbullying, prejudice based and discriminatory bullying) regardless of whether your child is seen as either the perpetrator or the victim;
- impose sanctions consistently in accordance with this Policy and procedures;
- promote positive behaviour and reward such behaviour in accordance with this Policy and procedures;
- promote positive behaviour beyond the academy gates and impose sanctions for inappropriate behaviour which reflects negatively on the academy and its values; □ discuss your child's actions with them, give a warning and ensure that your child knows what the penalty will be should they continue to misbehave. All penalties will be carried out;
- provide a balanced curriculum to meet the needs of each child;
- keep you informed about general academy matters, and your child's individual progress;
- let you know if there are any concerns about a child's work, attendance, or behaviour;
- support the child's homework and other home-based learning activities.

## **6. THE ACADEMY'S BEHAVIOUR CURRICULUM**

Positive behaviour reflects the values and ethos of the academy, readiness to learn and respect for others. It is established through creating an environment where good

conduct is more likely than poor. This behaviour strategy will be taught to all students so that they understand what behaviour is expected and encouraged and what is unacceptable or prohibited. All staff and other adults are expected to positively reinforce when expectations are met and impose appropriate sanctions when rules are broken. Positive reinforcement and sanctions are both important and necessary to support the whole academy culture.

Our behaviour curriculum defines the expected behaviours in the academy, rather than only a list of unacceptable or prohibited behaviours and is outlined in our expectations of each member of the academy community described in section 1 above. Our behaviour curriculum represents the key habits and routines required in the academy. Routines will be used to teach and reinforce the behaviours expected of all students. Repeated practices promote the values of the school, positive behavioural norms, and certainty on the consequences of unacceptable behaviour.

## **CELEBRATING SUCCESS**

At our academy, we regularly celebrate the success of all students in a variety of ways as we recognise that focussing on success and positively reinforcing the behaviour which reflects the values of the school is essential in developing a positive culture and ethos across the academy. The many ways we celebrate success are listed below and will be reviewed by students, parents, and staff during the academic year.

- Verbal praise in class
- Communicating praise to parents via a phone call or written correspondence
- Written praise in marked work
- Sharing and celebrating success during lesson time, including showcasing learning to a Head of Department or member of the Academy Leadership Group (ALG)
- Allocating positions of responsibility e.g. class monitor
- Sharing and celebrating success in assemblies
- Merits awarded across our five values in lessons
- Certificates in assemblies which are awarded for a wide range of reasons such as exceptional work or exceptional reading
- Principal Learner of the Week
- Teacher and Tutor stars of the Week

### **7.1 Rewards**

- Honorary trophies for outstanding students in specific disciplines through our Sixth Form, Year 11 and annual whole academy awards
- Awarding of merits for displaying behaviours we expect at the academy and values we have here
- Postcards home
- Rewards for most improved students in specific subjects
- End of term/year special events

## **8. RESPONDING TO MISBEHAVIOUR**

Although this academy aims to focus on positives, there are unfortunately occasions when a minority of students let themselves, the academy, and others down through their unacceptable or inappropriate behaviour.

In such circumstances, staff should respond predictably, promptly, and assertively in accordance with this Behaviour Policy and the training and direction they have received. The first priority will be to ensure the safety of students and staff and to restore a calm environment. It is important for staff across the academy to respond in a consistent, fair and proportionate manner so students know with certainty that misbehaviour will always be addressed. Where appropriate, staff will take account of any contributing factors that are identified after a behaviour incident has occurred: for example, if the student has suffered bereavement, experienced abuse or neglect, has mental health needs, has been subject to bullying, has needs including SEND or other health condition (including any not previously identified), has been subject to criminal exploitation, or is experiencing significant challenges at home.

We want students to take responsibility for their behaviour and will encourage students to do this through restorative justice approaches which enable students to reflect on their behaviour and to make amends. This process does not, however, replace consequences. At our academy, we know that consistency is essential for students to understand what is expected of them and to avoid mixed messages. It is vital that children learn early on in life that there are always consequences for poor and unacceptable behaviour which undermine the positive atmosphere of our academy community.

Students, who are persistently causing concern, including vulnerable children, those with social worker involvement or children who may have an Education, Health and Care Plan, will have a personalised plan that all staff will be familiar with. This will support staff with the identification of the individual needs of vulnerable children and allow them to adapt and differentiate their approaches to teaching and learning based on the student's unique profile of need. This plan will be formulated in conjunction with parents and any other appropriate agencies who may be involved with the student. If misbehaviour is displayed by a student, a consequence will then be given. The stage of the consequence will depend on the extremity of the misbehaviour. Behaviour recovery practices are used to reinforce with students that certain behaviour is unacceptable and to deter a student from repeating the same behaviour.

Taking disciplinary action and providing appropriate support are not mutually exclusive actions. They can and should occur at the same time if necessary. We will be clear about our approach and in which category any action falls, ensuring that the action complies with the law relating to each category.

Consideration will also be given as to whether the misbehaviour gives cause to suspect that a child is suffering, or likely to suffer, harm. Where we consider this to be the case, we will follow the academy's Child Protection Policy and procedures and staff are advised to alert the Designated Safeguarding Lead (or deputy) as soon as possible.



They will consider if pastoral support, an early help intervention or a referral to children's social care is appropriate.

Please see appendix 1 for the table of sanctions we use at the academy.

## **8.1 Restorative justice/Reflection on actions**

Restorative justice is a process which restores relationships where there have been problems. It is an opportunity for both sides to explain what happened and to try and establish a solution. Where there has been an issue the individuals involved will meet with a mediator who will ask them three main questions:

- What happened?
- Who else has been affected by this?
- What can be done to prevent this happening again?

The questions have been designed so that both sides have an opportunity to hear the situation from each other. It enables them to think about how this may have affected the other person but also the other students and their learning. By doing this and coming up with solutions it encourages both parties to take responsibility for their actions and make them aware of the impact they are having on others. It is also very helpful to hear the other side of the story and really appreciate why others may be upset.

Restorative justice works extremely well if there has been a repeated problem for a student and member of staff. This is because it gives them an opportunity to air their differences, appreciate how the other feels, and move on in a positive light, always with the aim to solve the problem, move on and prevent the same situation arising again.

Restorative justice also works very well when students fall out with each other, allowing them to see the impact of their actions, apologise if necessary and put it behind them. Meetings are always held in a neutral place with a mediator who is not involved. The mediator's job is to keep everyone calm and civil and help those involved to move forward to restore the relationship.

Reflection on actions is normally used to allow the individual to reflect on their behaviour and to allow the student to decide for themselves why their behaviour was inappropriate and how it might have affected others in the academy. Students are generally asked to write down their reasons for the behaviour and how that behaviour could be improved or what alternatives to the inappropriate behaviour might have been possible if the same circumstances arise again. This may ultimately include advising the perpetrator to apologise to the relevant person, if appropriate.

In any event, it is absolutely crucial to consider the views of the victim before embarking on any type of restorative justice. Depending on the circumstances of the issue or concern, the victim may not wish to speak to the perpetrator face to face under any circumstances and such a situation may be extremely detrimental to the victim's recovery.

## **8.2 Sanctions and disciplinary action**

Teachers can sanction students whose conduct falls below the standard which could reasonably be expected of them. This means that if a student misbehaves, breaks a rule or fails to follow a reasonable instruction, the teacher can apply a sanction on that student. Staff can issue sanctions at any time students are in the academy or elsewhere under the charge of a member of staff, including on academy visits. This also applies in certain circumstances when a student's misbehaviour occurs outside of the academy.

– see section 8. The principal has the authority to extend the power to discipline to adult volunteers e.g. parents who have volunteered to help on an academy trip.

There is a clearly defined process for issuing sanctions in this academy. Where possible, and appropriate, students are issued with a warning to enable them to rectify their behaviour though there are times when the nature of the behaviour does not warrant a warning as it is so serious. The academy uses a wide range of consequences for poor behaviour which are outlined in appendix 1.

### ***Searching, screening and Confiscation***

The academy follows the DfE advice when searching, screening and confiscating items from students which is outlined in their document Searching, Screening and Confiscation – Advice for schools.

Head teachers and staff they authorise have a statutory power to search a student or their possessions where they have reasonable grounds to suspect that the student may have a prohibited or illegal items (listed in appendix 2) or any other item that the academy rules identify as an item which may be searched for.

Under no circumstances will individual students be searched on the academy premises by anyone other than academy staff unless they are accompanied by a parent or appropriate adult designated by the principal.

The following items are what are termed 'Prohibited or illegal Items' and their presence on academy premises, or if found on an individual student, will lead to the highest sanctions and consequences:

- Knives and weapons
- Controlled drugs
- Alcohol
- Fireworks
- Tobacco and cigarette papers
- Legal and illegal highs
- Stimulants such as nicotine pouches
- Pornographic images (including those found on electronic devices)
- Stolen items
- Any article that the member of staff (or other authorised person) reasonably suspects has been, or is likely to be, used:
  - i) to commit an offence,
  - ii) to cause personal injury to, or damage to the property of, any person (including the student).

Academy staff have the power to search a student for any item if the student agrees. In all cases, staff will explain the reason for the search and how it will be conducted so that the student's agreement is informed.

Members of staff can use such force as is reasonable given the circumstances when conducting a search for knives or weapons, alcohol, controlled drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm. Such force **cannot** be used to search for other items which are banned under the academy rules.

Academy staff can seize any prohibited or illegal item found during a search. They can also seize any item, however found, which they consider harmful or detrimental to school discipline.

Where items are 'prohibited or illegal' as outlined above, these will not be returned to students and will be disposed of by the academy according to the DfE guidance 'Searching, Screening and Confiscation – Advice for schools'. The law protects staff from liability in any proceedings brought against them for any loss or damage to items they have confiscated, provided they acted lawfully. Staff will consider whether the confiscation is proportionate and consider any special circumstances relevant to the case. Students must not bring any of the items listed above on to academy premises. The academy will automatically confiscate any of the 'prohibited or illegal' items and staff have the power to search students **without** their consent for such items. There will be severe penalties for students found to have 'prohibited or illegal' items in the academy. In certain circumstances, this may lead to permanent exclusion.

The principal will ensure that a sufficient number of staff are appropriately trained in how to lawfully and safely search a student who is not co-operating so that they fully understand their rights and the rights of the student who is being searched.

Alcohol will be disposed of. Under no circumstances will alcohol be returned to the student. Tobacco, cigarette papers, nicotine pouches, or fireworks will either be retained or disposed of, but not returned to the student. Students will also receive sanctions for smoking near the academy and on their way to and from the academy.

Where a member of staff finds stolen items, these must be delivered to the Police as soon as reasonably practicable. However, if there is good reason to do so, the member of staff may also return the item to the owner or retain or dispose of it if returning them to their owner is not practicable. In determining whether there is a good reason to return the stolen item to its owner or retain or dispose of the item, the member of staff will take account of all relevant circumstances and use their professional judgement to determine whether they can safely dispose of the seized article.

In taking into account the relevant circumstances, the member of staff should consider the following:

- the value of the item - it would not be reasonable or desirable to involve the Police in dealing with low value items such as pencil cases, though academy staff may judge it appropriate to contact the Police if the items are valuable;
- whether the item is banned by the academy;
- whether retaining or returning the item to the owner may place any person at risk of harm; and,
- whether the item can be disposed of safely.

Any weapons or items which are evidence of a suspected offence will be passed to the Police as soon as possible.

Please see appendix 2 detailing items which are prohibited by the academy.

Students wearing any accessories or jewellery which do not follow the Academy's Uniform Policy can expect to have these items confiscated. Any confiscated items will be logged and made available for collection at the end of the academy day. Where a

student repeatedly flouts the rules, they may be asked to hand in items at the beginning of each day to reduce unnecessary time wasting for teachers. For repeated offences of this nature, parents will be asked to collect confiscated items. Where items are not collected, the academy will dispose of them at the end of each term.

We do not allow vapes or nicotine pouches to be on site. If students are found with a vape on their person or have been vaping on site, they will receive a suspension as per sanctions outlined in appendix 1.

Staff have the power to search students **with their consent** for prohibited or illegal items **and** any item banned under the academy rules. This includes searching lockers and bags. A condition of having a locker in this academy is that it may be searched where there is a suspicion that prohibited, illegal or banned items are being held within it and reasonable grounds for the search have been established.

- We are not required to have formal written consent from the student for this sort of search – it is enough for the authorised member of staff to ask the student to turn out his/her pockets or if the staff member can look in the student's bag or locker and for the student to agree.
- It is clear in our Behaviour Policy and procedures and in communications to parents and students what items are banned.
- If a member of staff suspects a student has a banned item in his/her possession, they can instruct the student to turn out his/her pockets or bag and if the student refuses, the authorised member of staff can apply an appropriate punishment as set out in the Behaviour Policy and procedures.

A student refusing to co-operate with such a search raises the same kind of issues as where a student refuses to stop any other unacceptable behaviour when instructed by a member of staff – in such circumstances, we can apply an appropriate disciplinary sanction in line with our Behaviour Policy and procedures.

### ***Electronic devices/Mobile Phones***

Allowing access to mobile phones in the academy introduces complexity and risks, including distraction, disruption, bullying and abuse, and can be a detriment to learning.

Electronic devices, including mobile phones, can contain files or data which relate to an offence, or which may cause harm to another person. This includes, but is not limited to, indecent images of children, pornography, abusive messages, images or videos, or evidence relating to suspected criminal behaviour.

Mobile phones use is banned for students in the academy. Students can bring their phone on site but it must remain in their bag or locker all day and should not be out under any circumstances. Students who are found with their mobile phone out will have it removed for the day. The device can be collected from 15.30 by a parent. (please see appendix 4)

As with all prohibited or illegal items, staff will first consider the appropriate safeguarding response if they find images, data or files on an electronic device that they reasonably suspect are likely to put a person at risk.

If the member of staff conducting the search suspects, they may find an indecent image of a child (sometimes known as nude or semi-nude images), the member of staff should never intentionally view the image, and must never copy, print, share, store or save such images. When an incident might involve an indecent image of a child and/or video, the member of staff will confiscate the device, avoid looking at the device and refer the incident to the DSL (or deputy). Reference will be made to the academy's Child Protection Procedures and DfE statutory guidance Keeping children safe in education. The UK Council for Internet Safety also provides the following guidance to support academy staff and DSLs: Sharing nudes and semi-nudes: advice for education settings working with children and young people.

If a member of staff finds any image, data or file that they suspect might constitute a specified offence, then they must be delivered to the Police as soon as is reasonably practicable. In exceptional circumstances members of staff may dispose of the image or data if there is a good reason to do so. In determining a 'good reason' to examine or erase the data or files, the member of staff and/or DSL must refer to the DfE advice for schools on Searching, Screening and Confiscation.

### ***Removal from class***

Where a student fails to respond to repeated warnings and reminders to improve an aspect of behaviour which disrupts the learning of others, they can be removed from class and sent to Head of Department/member of ALG. The length of time a student may be removed from the class will be explicitly determined by the principal or other senior leader. Removal from the classroom is different from circumstances in which a student is asked to step outside the classroom briefly for a conversation with a staff member and asked to return following this.

Removal from the classroom is considered to be a serious sanction and will only be used when necessary and once other behavioural strategies in the classroom have been attempted unless the behaviour is so extreme as to warrant immediate removal. The use of removal will allow for continuation of the student's education in a supervised setting and we will design a clear process for the reintegration of any student in removal into the classroom when appropriate and safe to do so.

Removal will be used for the following reasons:

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

The above are not to be confused with the use of separation spaces (sometimes known as sensory or nurture rooms) for non-disciplinary reasons.

When dealing with individual removal cases, we will:

- consider whether any assessment of underlying factors of disruptive behaviour is needed;
- facilitate reflection by the student 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;

- ensure that students are never locked in the room of their removal. There may be exceptional situations in which it is necessary to physically prevent a student from leaving a room in order to protect the safety of students and staff from immediate risk, but this would be a safety measure and not a disciplinary sanction;
- ensure that the Children and Families Act 2014, the Equality Act 2010 and regulations under those Acts are being complied with;
- if a student 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 student is looked after, ensure their Personal Education Plan is appropriately reviewed and amended and notify their Virtual School Head.

Parents will be informed on the same day if their child has been removed from the classroom and as with other disciplinary measures, we will consider whether the sanction is proportionate and consider whether there are any special considerations relevant to its imposition e.g. SEND or other health conditions.

Data relating to removals will be collected, monitored and analysed in order to interrogate repeat patterns and the effectiveness of the use of removal. Consideration will be given to whether frequently removed students may benefit from additional and alternative approaches, a pastoral review or investigation by the SENCo, or whether specific classes or teachers may require more support. Analysis will also be used to identify patterns relating to students sharing any of the protected characteristics and to ensure the removal is not having a disproportionate effect on those sharing particular protected characteristics.

### ***Detention***

Teachers have authority to issue detention to students, including same-day detentions.

If detentions are given at lunchtimes, staff will allow reasonable time for the student to eat, drink and use the toilet. Detention, including detention outside of academy hours, may be used as a sanction and may be held at any of the following times:

- any academy day where the student does not have permission to be absent;
- weekends – except the weekend preceding or following the half term break;
- non-teaching days – usually referred to as ‘training days’, INSET days or noncontact days

The Education and Inspections Act 2006 (amended by the Education Act 2011) determines that schools can issue detentions outside school hours **without parental consent**.

However, before issuing a detention outside academy hours staff will consider the following:

- whether there is any reasonable concern that doing so would compromise a student’s safety i.e. whether the detention is likely to put the student at increased risk;
- whether the student has known caring responsibilities;
- whether the detention timing conflicts with a medical appointment;
- whether suitable travel arrangements can reasonably be made by the parent for the student. It does not matter if making these arrangements is inconvenient for the parent.

### ***Other examples of sanctions***

- Verbal reprimand and reminder of the expectations of behaviour
- Moved seat or place – to sit by an adult / or to work on your own
- The setting of written tasks such as an account of their behaviour
- Time out in another class – completing work in another class – this will be in parallel class or class above or below or to Key Stage Leader's classroom
- Time out with senior staff

### **8.3 Suspension, permanent exclusion and managed moves**

The Government supports Principals in using exclusion from school as a sanction where it is warranted but we understand this is a last resort. We recognise it is our responsibility as a academy to communicate to students, staff, and parents our behaviour expectations and the responsibility of all individuals working with students to ensure that no exclusion will be initiated without first exhausting other strategies or in the case of a serious incident, a thorough investigation. We have a range of policies and procedures in place to promote good behaviour and appropriate conduct, we take steps to access local support services like Inclusion Support Officers and Early Help Services, and we strive to foster good parental engagement.

The decision to exclude a student will be taken in the following circumstances:

- In response to a serious breach of the academy's Behaviour Policy.
- If allowing the student to remain in academy would seriously harm the education or welfare of other people or the student themselves in the academy.

Exclusion from school in any form will be a last resort. Where exclusion, either fixed term or permanent, is considered appropriate and/or necessary, we will refer to our Exclusion Policy and the DfE guidance Suspension and Permanent Exclusion from maintained schools, academies and student referral units in England, including student movement.

A managed move is used to initiate a process which leads to the transfer of a student to another mainstream school permanently. If a temporary move needs to occur to improve a student's behaviour, then off-site direction as described in the DfE guidance outlined above, will be used. Managed moves will only occur when it is in the student's best interests.

## **9. RESPONDING TO THE BEHAVIOUR OF STUDENTS WITH SEND OR OTHER HEALTH CONDITIONS**

We will consistently and fairly promote high standards of behaviour for all students and provide additional support where needed to ensure students can achieve and learn as well as possible.

Adjustments will be made to routines for students with additional needs, where appropriate and reasonable to ensure all students can meet behavioural expectations. These adjustments may be temporary, but always to support the individual needs of the student. By planning positive and proactive behaviour support, e.g. through drawing up individual behaviour plans for more vulnerable children, and agreeing them with parents, jointly we can work towards a reduction in incidents of challenging behaviour.



Consideration will be given as to whether a student's SEND has contributed to the misbehaviour and if so, whether it is appropriate and lawful to sanction the student. In considering this, we will refer to the DfE guidance for schools on the Equality Act 2010 to ascertain whether the student understood the rule or instruction and whether the student was unable to act differently at this time as a result of their SEND.

We will also consider whether any reasonable adjustments need to be made to the sanction in response to any disability the student may have and to try and ascertain the underlying causes of behaviour and whether additional support is needed.

We are, however, mindful that not all students requiring support with behaviour will have identified special educational needs, other health conditions or disabilities. Children experiencing a mental health problem, or at risk of developing one, can have an effect on a child's behaviour as can instances of adversity and trauma experienced by children. We will engage with other agencies and, where necessary, make links to the whole academy approach to mental health and wellbeing as set out in the DfE guidance on Mental health and behaviour in schools.

## **10. STUDENT SUPPORT**

We aim to support all our students to ensure that every child succeeds during their time at the academy. Where it becomes clear that a child is having on-going difficulties in managing their behaviour, there are a wide range of strategies which are used to support students.

- Targeted discussion with the student, including explaining what they did wrong, the impact of their actions, how they can do better in the future and what will happen if their behaviour fails to improve.
- Increased communication between home and academy (call to Virtual School Head for looked after children and social care if necessary).
- Individual behaviour support plans led by our Inclusion Manager and Head of Year
- Referral to a staff or student mentor.
- Inquiries into circumstances outside of academy including at home, conducted by the DSL or deputy.
- Small group work or 1:1 support in our Nurture centre on self-esteem, emotional literacy, anger management, nurture group sessions etc.
- Additional literacy or numeracy support where this is identified as a barrier to learning and impacts on the child's behaviour.
- Alternative curriculum provision.

Referral to outside agencies such as Educational Psychologist, Mental Health Worker, Behaviour Specialists etc.

## **11. ATTENDANCE AND PUNCTUALITY**

The academy is required by law to keep a record of student attendance. In an emergency, such as a fire, it is essential that we have an accurate record of who is in academy. Good attendance and punctuality are essential for good learning. They are also essential skills for later life. Students who are late and are recorded as late on a regular basis are put on a senior staff detention on a Friday.

For further information, see the Academy's Attendance Policy and procedures available to download from the academy website.

## **12. STUDENT CONDUCT AND MISBEHAVIOUR OUTSIDE THE ACADEMY PREMISES**

### **12.1 What the law allows**

Schools have the statutory power to sanction students for misbehaviour outside of the academy premises to such an extent as is reasonable. In the main, sanctions will be imposed in response to non-criminal poor behaviour and bullying which occurs off the academy premises or online and which is either witnessed by a staff member or reported to the academy, will be in line with this Behaviour Policy taking individual circumstances into account.

Conduct outside the academy premises, including online conduct, the academy might sanction students for include misbehaviour:

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

The decision to sanction a student will be lawful where it is made on the academy premises or elsewhere at a time when the student is under the control or charge of a member of academy staff.

### **12.2 Out of academy behaviour**

This academy is committed to ensuring our students act as positive ambassadors for us. Taking the above into account, we expect the following:

- good order on all transport (including public transport) to and from academy, educational visits, or other placements such as work experience or college courses;
- good behaviour on the way to and from academy;

- positive behaviour which does not threaten the health, safety or welfare of our students, staff, volunteers, or members of the public;
- reassurance to members of the public about academy care and control over students to protect the reputation of the academy;
- protection for individual staff and students from harmful conduct by students of the academy when not on the academy site.

The same behaviour expectations for students on the academy premises apply to off-site behaviour.

### **12.3 Sanctions and disciplinary action – off-site behaviour**

Sanctions may be given for poor behaviour off the academy premises which undermines any of the above expectations and regardless of whether it is an activity supervised directly by academy staff. Sanctions may be in the form of detention, fixed term exclusion or in very serious cases, permanent exclusion. In issuing sanctions, the following will be considered:

- The severity of the misbehaviour.
- The extent to which the reputation of the academy has been affected.
- Whether students were directly identifiable as being members of the academy.
- The extent to which the behaviour in question could have repercussions for the orderly running of the academy and/or might pose a threat to another student or member of staff (e.g., bullying (in all its forms) another student or insulting a member of staff).
- Whether the misbehaviour was whilst the student was on work experience, taking part in a course as part of an academy programme, participating in a sports event (and in any situation where the student is acting as an ambassador for the academy) which might affect the chances or opportunities being offered to other students in the future.

## **13. THE USE OF REASONABLE FORCE**

There are circumstances when it is appropriate for staff to use reasonable force to safeguard children. Schools do not require parental consent to use force on a student. The term 'reasonable force' covers the broad range of actions used by staff that involve a degree of physical contact to control or restrain children. This can range from guiding a child to safety by the arm, to more extreme circumstances such as breaking up a fight or where a young person needs to be restrained to prevent violence or injury. 'Reasonable' in these circumstances means 'using no more force than is needed'. The use of force may involve either passive physical contact, such as standing between students or blocking a student's path, or active physical contact such as leading a student by the arm out of the classroom. The decision on whether to not to use reasonable force to control or restrain a child is down to the professional judgement of the staff concerned and will always depend on individual circumstances.

The Governing Body have taken account of advice provided by the DfE - Use of reasonable force: advice for head teachers, staff and governing bodies and the school's public sector equality duty set out in Section 149 of the Equality Act 2010.

All members of academy staff have a legal power to use reasonable force. This power also applies to people whom the principal has temporarily put in charge of students such as unpaid volunteers or parents accompanying students on a academy organised visit.

Any use of force by staff will be reasonable, lawful, and proportionate to the circumstances of the incident and the seriousness of the behaviour (or the consequences it is intended to prevent). Reasonable force will be used only when immediately necessary and for the minimum time necessary to achieve the desired result and to prevent a student from doing or continuing to do any of the following:

- committing a criminal offence;
- injuring themselves or others;  
causing damage to property, including their own;  
engaging in any behaviour prejudicial to good order and discipline at the academy or among any of its students, whether that behaviour occurs in a classroom or elsewhere.

Force will **never** be used as a punishment.

Whether it is reasonable to use force and to what degree, also depends on the age and understanding of the student and whether they have SEND, mental health needs or other health conditions. Medical advice will always be sought about the safest way to hold students with specific health needs, special educational needs and disabilities.

### **13.1 Action as a result of self-defence or in an emergency**

All staff including teaching assistants, lunchtime supervisors, admin staff and the site management have the right to defend themselves from attack, providing they do not use a disproportionate degree of force to do so. Similarly, in an emergency, if for example, a student was at immediate risk of injury or at the point of inflicting injury on someone else, any member of staff is entitled to intervene. A volunteer helping in academy would not be expected to work with a child who is known to need physical restraint as indicated in their Behaviour Management Plan.

### **13.2 Circumstances in which reasonable force might be used**

Circumstances in which reasonable force might be used include the following:

- Students found fighting will be physically separated.
- Students who refuse to leave a room when instructed to do so may be physically removed.
- Students who behave in a way which disrupts a academy event, or a academy trip or visit may be physically removed from the situation.
- Restraint may be used to prevent a student leaving a classroom, where allowing him or her to do so would risk their safety or lead to disruptive behaviour. This may also include leading a student by the arm out of a classroom.
- Students at risk of harming themselves or others through physical outbursts will be physically restrained.
- To prevent a student from attacking a member of staff or another student.

To prevent a student causing injury or damage by accident, by rough play, or by misuse of dangerous materials or an object.

### **13.3 Power to use reasonable force when searching without consent**

In addition to the general power to use reasonable force, the Principal and authorised staff can use such force as is reasonable given the circumstances to conduct a search for 'prohibited or illegal' items. See section 4.2 above.

### **13.4 Unreasonable force**

The type of force which will never be acceptable in our academy includes<sup>1</sup>:

- holding round the neck or any other hold that might restrict breathing; □ kicking, slapping, or punching;  
forcing limbs against joints (e.g., arm locks); tripping  
or holding by the hair or ear;
- holding face down on the ground.

In addition, a panel of national experts have identified that certain restraint techniques presented an unacceptable risk when used on children and young people. The techniques in question are:

- the 'seated double embrace' which involves two members of staff forcing a person into a sitting position and leaning them forward, while a third monitors breathing; □ the 'double basket-hold' which involves holding a person's arms across their chest; and □ the 'nose distraction technique' which involves a sharp upward jab under the nose.

### **13.5 Staff training**

All members of staff will receive training about the use of reasonable force appropriate to their role to enable them to carry out their responsibilities. This will include training on any restraint techniques which must not be used because they are known to present an unacceptable risk when used on children and young people. Some staff will receive additional training on the appropriate techniques which may be used to physically restrain students. The training will be to an approved nationally acceptable level and will be regularly refreshed.

### **13.6 Behaviour Management Plans (BMPs)**

A student with a known challenging behaviour, a medical condition which affects behaviour patterns, has special educational needs or where there is evidence or suspicion of self-inflicted harm (i.e., is a risk to themselves) may be the subject of a Behaviour Management Plan. This Plan sets out specific ways in which the behaviour is controlled whilst on academy premises and during any off-site visit. It may also

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<sup>1</sup> Extract from DFEE Circular 10/98 "Section 500A of the Education Act 1996: The use of force to control or restrain students"

include details on managing the student's behaviour whilst travelling to academy on organised home academy transport.

By planning positive and proactive behaviour support, through the drawing up of an individual behaviour plan for more vulnerable children, and agreeing it with parents/carers, we may be able to reduce the occurrence of challenging behaviour and the need to use reasonable force.

In such circumstances, parents will always be made aware of their child's Behaviour Management Plan and will be asked to contribute to the content and control measures implemented in an attempt to apply consistency of sanctions and rewards both in academy and at home. Wherever possible and appropriate, the child concerned will also be involved in creating the Behaviour Management Plan.

### **13.7 Informing parents when reasonable force has been used**

In accordance with current good practice, the academy will speak to parents or in the case of a child looked after, the Social Worker/Virtual School Head, about serious incidents involving the use of force and will record such serious incidents.

In making a decision about informing parents, the following will be considered:

- the student's behaviour and level of risk presented at the time of the incident; the degree of force used; the effect on the student or member of staff concerned; and
- the child's age.

All incidents when 'physical restraint' as opposed to 'physical control' is used will be recorded as soon as possible and details passed on to the Principal(or deputy in the absence of the Head teacher) who will follow up the incident where necessary. The following must be recorded:

- all incidents where unreasonable use of force is used;
- any incident where substantial force has been used e.g., physically pushing a student out of a room;
- use of restraint;
- all incidents where either the child or the 'handler' is injured because of the intervention;
- an incident where a student is distressed though clearly not overreacting.

The following criteria will be used when considering the need for recording:

- (a) Did the incident cause injury or distress to a member of staff or student?
- (b) Even though there was no apparent injury or distress, was the incident sufficiently serious in its own right? Any use of restrictive holds, for example, fall into this category;
- (c) Did the incident justify force? This is particularly relevant where the judgement is finely balanced;
- (d) Does recording it help to identify and analyse patterns of student behaviour?

If the answer to any of the questions is 'yes', a written record should be made and held in a secure central location or recorded in the bound Record of Physical Intervention book (blue) and all other notes taken at the time are to be kept.

In all instances of the use of physical restraint, parents will be informed the same day, by phone, and invited into the academy to discuss the incident unless to do so would result in significant harm to the student, in which case, the incident will be reported to the Cumbria Safeguarding Hub by the Head teacher/DSL.

All injuries will be reported and recorded in accordance with academy procedures.

### **13.8 Post incident support**

Serious incidents can create upset and stress for all concerned. After the incident ends it is important to ensure any staff and students involved are given first aid treatment for any injuries. Emotional support may also be necessary. Where required, immediate action will be taken to access medical help for any injuries that go beyond basic first aid. The academy will then decide how and when to contact the parents of the student to engage them in discussing the incident and setting out subsequent actions. After the incident, the Principal and/or other staff will:

- (a) ensure the incident has been recorded;
- (b) decide whether multi-agency partners need to be engaged and, if so, which partners;
- (c) hold the student to account so that he or she recognises the harm caused or which might have been caused. This may involve the child having the chance to redress the relationship with staff and students affected by the incident. It may also mean the child is excluded. See section 4.3 above.
- (d) help the student develop strategies to avoid such crisis points in the future and inform relevant staff about these strategies and their roles;
- (e) ensure that staff and students affected by the incident have continuing support, if necessary, in respect of:
  - physical consequences
  - emotional stress or loss of confidence
  - analysis and reflection of the incident

### **13.9 Follow up**

In many cases there will be a follow-up meeting of key personnel to discuss the restraint incident and review the Behaviour Management Plan or other plans for students. It might also be appropriate to review the academy Behaviour Policy and/or supporting procedures.

### **13.10 Other physical contact with students**

This academy does not operate a 'No touch Policy'. There are occasions when physical contact, other than reasonable force, with a student is proper and necessary.

- When comforting a distressed student.
- When a student is being congratulated or praised.
- To demonstrate how to use a musical instrument.
- To demonstrate exercises or techniques during PE lessons or sports coaching.
- To administer first aid.
- To apply sunscreen to the arms, face, or lower legs of very young students or those with special educational needs who might struggle to apply it appropriately themselves.

#### **14. MENTAL HEALTH AND BEHAVIOUR**

This academy recognises that taking a coordinated and evidence-informed approach to mental health and wellbeing in academy, as outlined in the latest edition of the Promoting children and young people's mental health and wellbeing - a whole school or college approach issued by the Children and Young People's Mental Health Coalition, leads to improved student emotional health and wellbeing which can help readiness to learn.

All staff and other adults are made aware through regular training updates that mental health problems and changes in behaviour can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation.

Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem. Staff and other adults, however, are well placed to observe children day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one.

Where children have suffered abuse and neglect, or other potentially traumatic adverse childhood experiences, this can have a lasting impact throughout childhood, adolescence and into adulthood. It is key that staff are aware of how these children's experiences, can impact on their mental health, behaviour, and education.



If staff need more specific guidance on this, we can refer to the DfE guidance Mental health and behaviour in schools for support and our Mentally Healthy Schools Resources.

## **15. CHILD ON CHILD ABUSE**

We recognise that children can abuse their peers and all staff understand the importance of challenging inappropriate behaviours between peers. This is referred to as child on child abuse and can take many forms. This can include (but is not limited to) bullying (including cyberbullying, prejudice-based and discriminatory bullying); sexual violence and sexual harassment; physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm, abuse in intimate personal relationships between peers); the consensual or non-consensual sharing of nude and/or semi-nude images/videos and initiating/hazing type violence and rituals. Downplaying 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, an unsafe environment for children and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it.

We recognise that children with special educational needs or disabilities (SEND) or certain health conditions can face additional challenges. These can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child’s condition without further exploration;
- these children being more prone to peer group isolation or bullying (including prejudice-based bullying) than other children;
- the potential for children with SEND or certain medical conditions being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs; and
- communication barriers and difficulties in managing or reporting these challenges.

We recognise that even if there are no reported cases of child-on-child abuse, such abuse may still be taking place and is simply not being reported.

We will not dismiss abusive behaviour between children as ‘normal’ and our thresholds for investigating claims and allegations are the same as for any other type of abuse. We have a separate Child on child abuse Policy and procedures which will be followed in the event of an allegation being made against students in our academy by other students. This Policy and procedures is available on request from the academy office.

Consideration will also be given to the advice contained within the DfE statutory guidance Keeping Children Safe in Education, and the UKCIS Education Group publication Sharing nudes and semi-nudes: advice for education settings working with children and young people which outlines how to respond to an incident of nudes and semi-nudes being shared.

### 15.1 Minimising the risk of safeguarding concerns towards students from other students

On occasion, some students may present a safeguarding risk to other students. The academy may well be informed by the relevant agency (either Police or Social Care) that the young person raises safeguarding concerns. These students will need an individual Behaviour (or risk) Management Plan to ensure that other students are kept safe and they themselves are not laid open to malicious allegations.

Students are encouraged to report child on child abuse and the issue is discussed as part of our PD curriculum.

## 16. SEXUAL VIOLENCE AND SEXUAL HARASSMENT (SVSH)

Sexual violence and sexual harassment can occur between two children of **any age and sex**. It can occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and face to face (both physically and verbally) and are never acceptable.

We have a **zero-tolerance** in relation to any form of sexual discrimination, sexual violence, or sexual harassment amongst or directed at staff or students in the academy.

We believe that it is essential that all victims of SVSH are reassured that they are being taken seriously and that they will be supported and kept safe. A victim will never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor will a victim ever be made to feel ashamed for making a report.

We will consider sexual harassment in broad terms and understand that sexual harassment (as set out below) creates a culture that, if not challenged, can normalise inappropriate behaviours and provide an environment that may lead to sexual violence.

### 16.1 Types of SVSH conduct

Types of conduct that is inappropriate and may constitute sexual violence or sexual harassment include, but are not limited to, the following:

- unwelcome sexual flirtations or propositions, invitations, or requests for sexual activity;
- sexual comments, such as telling sexual stories, making lewd comments or sexual remarks about clothing and appearance, and calling someone sexualised names;
- sexual “jokes” or taunting, threats, verbal abuse, derogatory comments, or sexually degrading descriptions;
- unwelcome communication that is sexually suggestive, degrading or implies sexual intentions, including written, verbal, online etc.;
- physical behaviour, such as deliberately brushing against someone or interfering with someone’s clothes. Consideration will be given to when any of this crosses a line into sexual violence – it is important to talk to and consider the experience of the victim;
- displaying pictures, photos or drawings of a sexual nature;
- exposing, or causing exposure of, underclothing, genitalia, or other body parts that are normally covered by an individual, through means including, but not limited to, mooning, streaking, “upskirting” (which is a criminal offence), “down blousing”, or flashing;

- purposefully cornering or hindering an individual's normal movements;
- online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
  - consensual and non-consensual sharing of nude and semi-nude images and/or videos. Taking and having nude photographs of U18s is a criminal offence. UKCIS Sharing nudes and semi-nudes: advice for education settings working with children and young people provides detailed advice for schools and colleges. Offence;
  - sharing of unwanted explicit content;
  - sexualised online bullying;
  - unwanted sexual comments and messages, including on social media;
  - sexual exploitation coercion and threats; and,
  - coercing others into sharing images of themselves or performing acts they are not comfortable with online.

## 16.2 Managing a report of SVSH

We will consider every report on a case-by-case basis. How the academy responds to a report can encourage or undermine the confidence of future victims of sexual violence and sexual harassment to report or come forward.

It is essential that all victims are reassured that they are being taken seriously, regardless of how long it has taken for them to come forward and that they will be supported and kept safe. Abuse that occurs online or outside of the academy will not be downplayed and will be treated equally seriously. All concerns/allegations of child on child abuse will be handled sensitively, appropriately and promptly. The way in which they are responded to can have a significant impact on the academy environment.

It is important to understand that children may not find it easy to tell staff about their abuse verbally. Children can show signs or act in ways that they hope adults will notice and react to. In some cases, the victim may not make a direct report. For example, a friend may make a report, or a member of academy staff may overhear a conversation that suggests a child has been harmed or a child's own behaviour might indicate that something is wrong.

Sanctions for incidents of SVSH will be determined based on the nature of the case, the ages of those involved and any previously related incidents. In some cases, the academy may involve Local Authority Children's Social Care or the Police where it is determined that a crime has been committed.

Please see appendix 3 for a flowchart we consult with as we investigate any allegations within this area.

**Immediate** consideration will be given as to how best to support and protect the victim and the alleged perpetrator(s) and any other children involved/impacted including siblings and other close relatives.

Consideration will also be given to the wishes of the victim in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment. Victims will be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they

will be offered. This will, however, be balanced with the academy's duty and responsibilities to protect other children.

We will do all we reasonably can to protect the anonymity of any children involved in any report of sexual violence or sexual harassment, carefully considering, based on the nature of the report, which staff should know about the report and any support that will be put in place for the children involved. We will also consider the potential impact of social media in facilitating the spreading of rumours and exposing victims' identities.

- Staff who observe or suspect any form of child on child abuse (including sexual violence or sexual harassment) must inform the DSL as soon as possible so that further investigations can take place. It is important to understand that children may not find it easy to tell staff about their abuse verbally and that additional barriers such as the child's vulnerability, disability, sex, ethnicity and/or sexual orientation may be a factor.
- Staff, and this could be anyone in the academy who the child trusts, must not promise confidentiality at the initial stage as it is very likely a concern will have to be shared with the DSL to discuss next steps. Information must only be shared with those people who are necessary in order to progress the report and the child should be informed what the next steps will be and to whom the report will be passed.
- When an allegation is made by a student against another student, members of staff should consider whether the complaint raises a child protection concern. If there is a child protection concern the DSL must be informed as soon as possible.
- Reports that include an online element will be carefully managed in line with the DfE advice for academies on Searching, screening and confiscation. Staff will not view or forward illegal images of a child but will discuss with the DSL whether it may be more appropriate to confiscate any devices to preserve any evidence and hand them to the Police for inspection.
- A factual written or electronic record will be made of the concern/allegation, but no attempt at this stage should be made to investigate the circumstances.
- The DSL should contact Cumbria Safeguarding Hub (see details above) to discuss the case. It is possible that Safeguarding Hub is already aware of child protection concerns around this young person. The DSL will follow through the outcomes of the discussion and make a referral of either one or all of the students involved where appropriate.
- The DSL will make a written or electronic record of the concern, the discussion and any outcome and keep a copy in the files of both/all students.
- If the concern/allegation indicates a potential criminal offence has taken place e.g. rape, assault by penetration, sexual assault, sexual violence or sexual harassment (regardless of the age of the alleged perpetrator(s), the Police must be contacted at the earliest opportunity and parents informed (of both the student being complained about and the alleged victim). See 'When to call the Police' for further guidance.
- The academy will consider how best to keep victims and alleged perpetrators of sexual violence a reasonable distance apart while on academy premises and, where relevant, on transport to and from academy. While the facts are being investigated, the alleged perpetrator should be removed from any classes that they share with the victim. This is in the best interests of both children and should not be perceived to be a judgement on the guilt of the alleged perpetrator.
- It may be appropriate to exclude the student being complained about for a period of time in accordance with this Policy and procedures.
- Where a criminal investigation into sexual assault leads to a conviction or caution, we will consider any additional sanctions in light of this Policy including consideration of permanent exclusion. In any action we take, the nature of the conviction or caution and wishes of the victim will be taken into account.

- Both the immediate and future needs of the victim, the alleged perpetrator and any other children involved/affected will be assessed and, where necessary appropriate plans and strategies put in place.
- Where neither the Local Authority Children's Social Care nor the Police accept the complaint, a thorough academy investigation should take place into the matter using the Academy's usual disciplinary procedures.
- In situations where the academy considers a child protection risk is present, a risk assessment should be prepared along with a preventative, supervision plan.
- The plan should be monitored, and a date set for a follow-up evaluation with everyone concerned.

### 16.3 Internal Management of reports of SVSH

Ultimately, any decisions are for the academy to make on a case-by-case basis, with the DSL (or deputy) taking a leading role and using their professional judgement, supported by other agencies, such as Children's Social Care and the Police as required. Whatever the response, it will be underpinned by the principle that there is a **zero tolerance** approach to sexual violence and sexual harassment and it is never acceptable and will not be tolerated. Where behaviour between children is abusive or violent, the incident will be dealt with using methods such as an Early Help Assessment or where necessary a referral to the LA Children's Social Care or the Police. However, where support from local agencies is not available or the incident is considered to be inappropriate or problematic, the academy may need to handle allegations/concerns internally. It may be appropriate to handle the incident using this Policy and procedures and the procedures to be followed in the case of bullying. All concerns, discussions, decisions and reasons for the decisions will be recorded either in writing or electronically. The services of external specialists may be required to support the process.

### 16.4 Sanctions

Before deciding on appropriate action, the academy will always consider its duty to safeguard all children from harm; the underlying reasons for the alleged perpetrator(s) behaviour; any unmet needs, or harm or abuse suffered by the child; the risk that the child may pose to other children; and the severity of the abuse and the causes of it.

Taking disciplinary action and still providing appropriate support are not mutually exclusive actions. They can, and should, occur at the same time if necessary.

It is good practice for the academy (DSL) to meet the victim's parents with the victim present to discuss what arrangements are being put in place to safeguard the victim and understand their wishes in terms of support they may need and how the report will be progressed.

It is also good practice for the academy (DSL) to meet with alleged perpetrator's parents to discuss any arrangements that are being put into place that impact an alleged perpetrator, such as, for example, moving them out of classes with the victim and what this means for their education. The reason behind any decisions will be explained. Support for the alleged perpetrator will also be discussed.

Sanctions may include additional supervision of the student or protective strategies if the student feels at risk of engaging in further inappropriate or harmful behaviour.

The academy response might include a sanction (in accordance with this Policy and procedures) such as a detention, SLT supervision or a fixed-term exclusion to allow the student to reflect on their behaviour.

The academy will, where appropriate, consider the potential benefit, as well as challenge, of using managed moves or exclusion as a response, and not as an intervention, recognising that even if this is ultimately deemed to be necessary, some of the measures referred to in this Policy may still be required.

A permanent exclusion will only be considered as a last resort and only where necessary to ensure the safety and wellbeing of other children in the academy or, where the Head teacher, in their absolute discretion, considered the actions of the student(s) has damaged the academy's ethos or reputation.

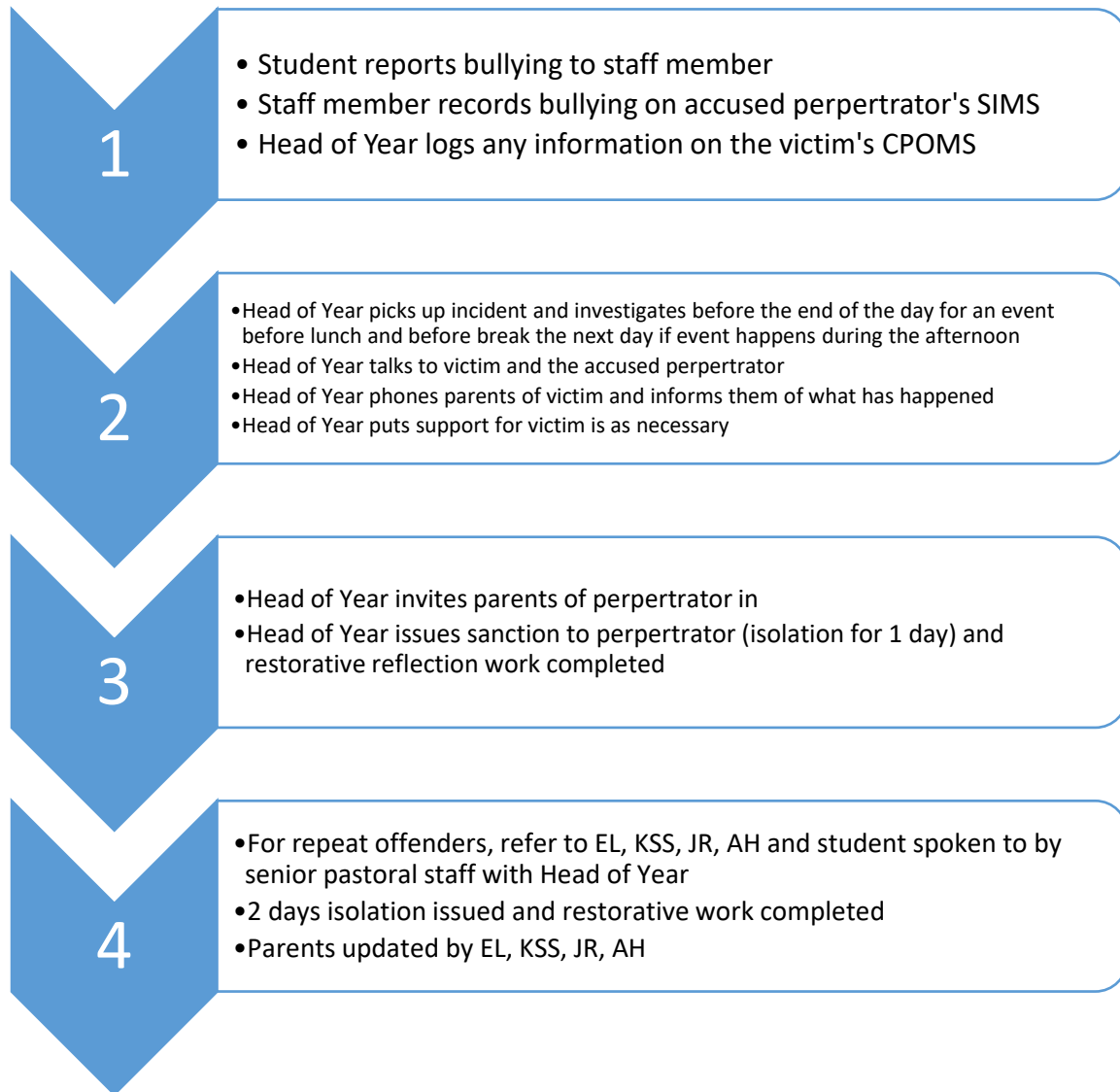
Disciplinary interventions alone are rarely able to solve issues of child on child abuse, and the academy will always consider the wider actions that may need to be taken, and any lessons that may need to be learnt going forward.

Part five of Keeping Children Safe in Education provides examples of situations where specific sanctions have been utilised.

### **Appendix 3**

- Amendments made to the procedures the academy uses to deal with cases of bullying.

#### **WLA approach to dealing with bullying.**



#### **Please note:**

1. All staff must have the mentality that “bullying can happen anywhere”

2. **Support for victim could include:**

Tutor check ins

Time to talk with an external service

Referred to our sixth form anti bullying ambassadors programme

Time with trusted adults

If KS3 student, referred to Fiona Morley MHST

## 17. **BULLYING**

In addition to the sections below, we have a separate Child on child abuse Policy and procedures, a copy of which is available on request from the academy office.

What is bullying?

According to the DfE document 'Preventing and Tackling Bullying – Advice for Head teachers, staff and Governing Bodies', bullying may be defined as:

“Behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally”.

Specific types of bullying (cyber-bullying, prejudice-based and discriminatory bullying) include those relating to:

- race, religion, culture, or gender;
- SEN or disabilities;
- appearance or health conditions;
- sexual orientation;
- young carers or looked after children or otherwise related to home circumstances; sexist or sexual bullying and sexual harassment.

It can take place between students, between students and staff, parents, and staff or between staff; by individuals or groups; face-to-face, indirectly or using a range of cyber bullying methods.

Acts of bullying can include:

- name-calling;
- taunting;
- mocking;
- making offensive comments;
- kicking;
- hitting;
- pushing;
- taking belongings;
- inappropriate text messaging, emailing, or 'posting' on social media sites;
- sending offensive or degrading images by phone or via the internet (consensual and non-consensual sharing of nude and/or semi-nude images/videos);
- upskirting;
- producing graffiti;
- excluding people from groups;
- spreading hurtful and/or untruthful rumours.

Many experts believe that bullying involves an imbalance of power between the perpetrator and the victim. This could involve perpetrators of bullying having control over the relationship which makes it difficult for those they bully to defend themselves. The imbalance of power can manifest itself in several ways. It may be physical, psychological (knowing what upsets someone), derive from an intellectual imbalance, or by having access to the support of a group, or the capacity to socially isolate. It can result in the intimidation of a person or persons through the threat of violence or by isolating them either physically or online.



All staff are made aware that technology is a significant component in many safeguarding and wellbeing issues and can also adversely affect the behaviour of all parties involved. Children are at risk of abuse online (cyber-bullying) as well as face to face. In many cases abuse will take place concurrently via online channels and in daily life. Children can also abuse their peers online, this can take the form of abusive, harassing, and misogynistic messages, the consensual or non-consensual sharing of nude and/or semi-nude images/videos or other indecent images, especially around chat groups, and the sharing of abusive images and pornography, to those who do not want to receive such content.

Cyber-bullying can be defined as the use of information and communications technology particularly mobile phones and the internet, deliberately to upset someone else. Cyberbullying that occurs while students are under the academy's direct supervision will be dealt with in line with this Policy and procedures.

In cases where cyber-bullying occurs while students are outside our direct supervision (i.e., at home), parents will be encouraged to report these incidents to the Police as criminal laws (such as those pertaining to harassment, threatening, and menacing communications) may apply. Parents are also encouraged to report such bullying to the academy. If the alleged perpetrator is a member of this academy community, the academy will act in line with this Behaviour Policy and procedures. The academy will, wherever possible, support parents in this and may impose a sanction upon the bully where this individual is recognisable.

### **17.1 Reporting and recording incidents of bullying.**

Students and parents are encouraged to report bullying to any member of staff. Incidents are, in the first instance, referred to the student's teacher or Head of Year to be investigated, appropriate action taken, and parents will be informed promptly using usual academy procedures. Student voice is important at this academy and students are encouraged through various means to report any incidents of bullying behaviour which they encounter personally or become aware of. This is reinforced via assemblies, AntiBullying Week, PD lessons and during tutor time. The Behaviour Policy and procedures also reinforce the academy's expectation as to how members of the academy community should conduct themselves. A log will be maintained of racist incidents and information on incidents of bullying. All reported incidents of bullying will be recorded regardless of the outcome of the investigation.

### **17.2 Tackling bullying**

The aim of any anti-bullying intervention is to safeguard and support the victim, discipline and modify the behaviour of the bully with a view to prevent, de-escalate and stop further incidents of harmful behaviour.

### **17.3 Strategies for dealing with bullying**

- Ensuring that there is a promotion of an open and honest anti-bullying ethos in the academy
- Investigate all allegations of bullying
- PD programmes that discuss issues such as diversity and anti-bullying messages
- Calendared anti-bullying week

- Poster and leaflet campaigns – designed and written by students
- Assemblies - both whole academy and class/form that promote a sense of community
- Class discussions and role plays in Drama, English, PD and RE that draw out antibullying messages
- Tutor time and Talking Tuesday activities based on the topic of bullying
- Acceptable Internet Use Agreement is signed by all, and online safety is discussed in Computing/ PD lessons and tutor time.
- Adequate staff supervision at lunch and break times
- Clear and consistently applied Policies for Behaviour and Uniform
- Anti-bullying ambassadors

#### **17.4 Strategies for dealing with the bully**

- Disciplinary sanction imposed either suspension or time in the inclusion room
- Engage promptly with parents to ensure their support and involvement
- Restorative justice approaches taken as appropriate
- One-to-one interview with staff or peer mentors
- Talk time offered with trusted adult
- Work with the educational psychologist or other outside agency
- Anger management strategies discussed and interventions put in place as needed

#### **17.5 Strategies to support a victim**

- Disciplinary sanctions as appropriate applied to the bully
- Support offered through a trusted adult and our nurture room
- Mediation
- Short term modification of academy timetable if needed
- One-to-one parental interview, parental support and involvement
- Self-assertive strategies discussed

### **18. SUSPECTED CRIMINAL BEHAVIOUR INCLUDING THE POSSESSION/USE OF DRUGS**

In cases when a member of staff or the Principal suspects criminal behaviour including the use of or possession of volatile substances or illegal drugs, the academy will make an initial assessment of whether an incident should be reported to the Police only by gathering enough information to establish the facts of the case. These initial investigations will be fully documented, and every effort will be made to preserve any relevant evidence.

Once a decision is made to report the incident to Police, we will ensure any further action they take does not interfere with any Police action taken. However, we retain the discretion to continue investigations and enforce our own sanctions so long as it does not conflict with Police action.

When making a report to the Police, it will often be appropriate to make in tandem a report to LA Children's Social Care. As set out in Keeping Children Safe in Education, it would be expected in most cases that the DSL (or deputy) would take the lead.

Reports of child on child sexual violence and abuse can be especially difficult to manage and Part 5 of Keeping Children Safe in Education provides additional guidance.

## **18.1 When to contact the Police/sanctions**

The Police will always be contacted in situations where controlled drugs are found unless there is good reason not to do so. In these cases, the member of staff must safely dispose of the drugs. In determining whether there is a good reason to dispose of controlled drugs, the member of staff should take account of all relevant circumstances and use their professional judgement to determine whether they can safely dispose of the controlled drug. When staff are unsure as to the legal status of a substance and have reason to believe it may be a controlled drug, they should treat it as such. If the member of staff is in doubt about the safe disposal of controlled drugs, they should deliver them to the police. Other substances which are not believed to be controlled should also be delivered to the Police, or disposed of as above, if the member of staff believes they could be harmful. Any decisions made on the appropriate sanctions to impose will consider the advice of the Police. Further advice on this subject can be found in the NPCC guidance document [When to call the Police – Guidance for schools and colleges](#).

If other substances are found which are not believed to be controlled drugs, but the member of staff believes they could be harmful, these will be confiscated and disposed of in accordance with the academy's procedures. This would include, for example, so called 'legal highs', and nicotine pouches.

In the event of a drug-related incident in the academy, the academy would co-operate with the Police should they wish to search the premises. Under no circumstances will individual students be searched on the academy premises by anyone other than academy staff unless they are accompanied by a parent or appropriate adult designated by the Head teacher.

As a result of a drug-related incident, the student(s) concerned will be subject to sanctions. This action may result in a fixed term exclusion and in the most serious of cases would result in permanent exclusion.

## **18.2 Procedures for dealing with drug-related incidents involving adults**

The following examples are situations where concerns about drug misuse or related behaviour involve a parent or other adult rather than students:

- Adults may attend academy premises under the influence of alcohol or drugs.
  - A parent or adult may attempt to remove a child from academy premises during or at the end of the academy day whilst under the influence of alcohol or drugs.
  - An adult may behave aggressively, intimidate or threaten staff or assault academy staff or students whilst appearing to be under the influence of alcohol or drugs.
  - Academy staff may be concerned that a parent or family member's drug misuse may put the child at risk.
  - An adult may be involving students in drug misuse or the supply of drugs to students.
- These examples are not exhaustive and, in each case, the Principal will consider the safety of the whole academy community including staff when determining the appropriate course of action.

Where, in the opinion of academy staff, it is thought that an adult is unable to provide appropriate care and supervision of a child because they are under the influence of

drugs or alcohol, they will first attempt to contact an alternative adult carer for the child before contacting the LA Social Care Services and, if necessary, the Police.

Where there are concerns over the safety of the child, academy staff will attempt to persuade the adult not to leave the premises with the child until appropriate assistance arrives. If the adult insists on leaving the academy, staff will immediately contact the Police. This will also be the case if an adult becomes threatening or aggressive.

If academy staff have concerns about an adult or adults supplying drugs on or near academy premises, or to any of the students outside academy premises, the Principal or other member of staff will consult with the Police.

## **19. ALLEGATIONS OF ABUSE/CONCERNS AGAINST STAFF AND OTHER ADULTS WORKING IN THE ACADEMY (INCLUDING VOLUNTEERS, CONTRACTORS AND SUPPLY STAFF)**

All children and adults have a fundamental right to be protected from harm. All allegations of abuse will be taken seriously. (For more information, refer to the Academy Allegations procedure which forms part of the Child Protection Policy and procedures).

To fulfil its commitment to the welfare of children, this Academy has a procedure for dealing with allegations of abuse/concerns against members of staff, supply staff, volunteers, contractors and other children.

The procedure aims to ensure that all allegations are dealt with fairly, consistently, and quickly and in a way that provides protection for the child, whilst supporting the person who is the subject of the allegation. Where an allegation is made against supply staff employed by an Agency, the academy will take the lead and will collect the facts when an allegation is made. In such cases, we will involve the Agency in any further investigations and follow-up procedures.

If a member of staff has a general concern about malpractice within the academy, reference can also be made to the academy's Whistleblowing procedures and procedures for reporting low-level concerns about another adult who works with children in the academy. Further information on how to report low-level concerns is outlined in the academy's Code of Conduct for staff and other adults.

If an allegation is shown to be deliberately invented or malicious, the academy will consider whether any disciplinary action is appropriate against the individual who made it in line with this Policy and procedures.

The procedure complies with the framework for managing cases of allegations of abuse/low-level concerns against people who work with children, as set out in Part four of the DfE statutory guidance Keeping Children Safe in Education and the Cumbria Safeguarding Children Partnership (CSCP) Core procedures.

## **20. BEHAVIOUR OF PARENTS AND OTHER VISITORS TO THE ACADEMY**

The academy encourages close links with parents and the community. We believe that students benefit when the relationship between home and academy is a positive one.

Most parents and others visiting our academy are keen to work with us and are supportive of the academy. However, on the rare occasions when a negative attitude towards the academy is expressed, this can result in aggression, threatening behaviour, written, verbal and/or physical abuse towards a member of the academy community.

Violence, threatening behaviour and abuse against academy staff or other members of the academy community will not be tolerated. When formulating our procedures, reference was made to the DfES document A Legal toolkit for schools – Tackling abuse, threats and violence towards members of the school community and DfE non-statutory guidance Controlling access to school premises. A poster indicating that such negative behaviour is not acceptable is displayed in the academy reception area.

Our academy expects and requires staff to behave professionally in these difficult situations, and to attempt to defuse the situation where possible, seeking the involvement as appropriate of other colleagues. However, all members of the academy community (including other parents and visitors) have the right to visit and work without fear of violence and abuse, and the right in an extreme case, of appropriate self-defence.

We expect parents and other visitors to behave in a reasonable way towards other members of the academy community. The following outlines the steps that will be taken where parent or visitor behaviour is unacceptable.

## **20.1 Types of behaviour that are considered serious and unacceptable**

The following list outlines the types of behaviour that are considered serious and unacceptable and will not be tolerated towards any member of the academy community. This is not an exhaustive list but seeks to provide illustrations of such behaviour:

- Shouting, either in person or over the telephone
- Speaking in an aggressive/threatening tone
- Physical intimidation e.g., standing very close to her/him
- The use of aggressive hand gestures/exaggerated movements
- Physical threats
- Shaking or holding a fist towards another person
- Swearing
- Pushing
- Hitting, e.g., slapping, punching, or kicking
- Spitting
- Racist, sexist, defamatory or other derogatory comments
- All types of sexual violence and sexual harassment as outlined above
- Sending inappropriate or abusive e-mails to academy staff or to the general academy e-mail address
- Publishing or posting derogatory or inappropriate comments which relate to the academy, its students or staff/volunteers on a social networking site
- Breaking the academy's security procedures

Unacceptable behaviour may result in the Police being informed of the incident.

## **20.2 Procedures for dealing with unacceptable behaviour**

When a parent or member of the public behaves in an unacceptable way during a telephone conversation, staff at the academy have the right to terminate the call. The incident will be reported by staff to the Academy Leadership Group (ALG). The academy reserves the right to take any necessary actions to ensure that members of the academy community are not subjected to verbal abuse. The academy may warn the aggressor, temporarily or permanently ban them from the academy site, and/or contact the Police.

When any parent or visitor behaves in an unacceptable way in person towards a member of the academy staff a member of the ALG will seek to resolve the situation through discussion and mediation. If necessary, the academy's complaints procedure should be followed. Where all procedures have been exhausted, and aggression or intimidation continues, or where there is an extreme act of violence, the discussion will be terminated, and the visitor will be asked to leave the academy immediately. It is also an offence under Section 547 of the *Education Act 1997* for any person (including a parent) to cause a nuisance or disturbance on academy premises. The Police will be called if necessary. The perpetrator may also be banned from the academy premises for a period, which will be determined by the academy.

Prior to a ban being imposed, the following steps will be taken:

- Depending on the severity of the incident, the individual may first be issued with a written warning stating that if a similar incident occurs, the individual concerned will be banned (temporarily or permanently) from the academy premises.
- In more serious cases, the individual will be informed, in writing, that she/he is banned from the premises temporarily, subject to review, and what will happen if the ban is breached.
- Extreme incidents will result in a permanent ban being enforced immediately. The individual will be informed in writing of the permanent ban but will be given the right to appeal in writing against the decision.
- In all cases, parents will be given the opportunity to discuss any issues relating to their child with academy staff.
- Incidents of verbal or physical abuse towards staff may result in the Police being informed and may result in prosecution.

If an individual is intimidating, threatening or aggressive towards a member of the academy community any interaction will be terminated immediately, and the person will be instructed to leave the premises. The academy may take further action.

The academy will take action where behaviour is unacceptable or serious and breaches this Behaviour Policy and procedures.

## **20.3 Unacceptable use of technology**

The academy takes the issue of unacceptable use of technology by any member of the academy community very seriously.

We expect parents and other adults within the academy community to act responsibly when using online technologies. The expectation of parents is set out on page 4. Failure to comply with these expectations could result in parents and/or other adults being banned either temporarily or permanently from the academy site, and the incident may be reported to the Police.

Acceptable Use Agreements exist for students, staff and governors of the academy and form part of our Online Safety Policy and procedures.

## APPENDIX 1: TABLE OF SANCTIONS - (Professional judgement used in implementation)

Detention	Isolation	Fixed Term Exclusion	Permanent Exclusion
<p><b><u>Break and Lunch</u></b></p> <ul style="list-style-type: none"> <li>Late to a lesson or tutor time</li> <li>Unacceptable uniform</li> </ul> <p><b><u>Subject or HoY</u></b></p> <ul style="list-style-type: none"> <li>Talking or running in corridor</li> <li>Disrupting the lesson and preventing teaching (interrupting/calling out)</li> <li>Arriving to class unprepared (curriculum equipment or PE uniform)</li> <li>Eating in a lesson/chewing gum/drinking in a science classroom</li> <li>Cheating or disruptive behaviour in a test/exam</li> <li>Inappropriate use of iPad / chrome-book / laptop / computer or other electronic devices in lessons</li> </ul> <p><i>*Subject if in lessons, Head of year if outside of lesson time.</i></p> <p><b><u>Extended Day</u></b></p> <ul style="list-style-type: none"> <li>Truancy</li> <li>Persistent lateness to school</li> </ul>	<ul style="list-style-type: none"> <li>Using strongly inappropriate language (e.g., swearing)</li> <li>Aggression and aggressive behaviour</li> <li>Dangerous behaviour</li> <li>Damage to property</li> <li>Shouting/rudeness/disrespect to staff</li> <li>Failure to attend mandatory after school commitment.</li> <li>Possession of dangerous or inappropriate materials</li> <li>Disrespecting students or staff</li> <li>Disrespect to property</li> <li>Graffiti</li> <li>Using software devices that circumnavigate academy managed internet safeguards.</li> <li>Walking away from staff or refusal to move</li> <li>Cheating or disruptive behaviour in a test/exam</li> <li>Persistent inappropriate use of mobile phone</li> </ul>	<ul style="list-style-type: none"> <li>Physical violence towards a student</li> <li>Serious verbal abuse towards staff</li> <li>Child on child abuse including cyber abuse.</li> <li>Theft</li> <li>Vandalism or property damage</li> <li>Possession of dangerous objects/pornography</li> <li>Smoking items on site, including e-cigarettes and smoking paraphernalia.</li> <li>Bringing the academy into disrepute</li> <li>Lying during an investigation</li> <li>Repeated defiance</li> <li>Dropping items over the balcony/void</li> <li>Possession of alcohol on site</li> <li>Possession and distribution of obscene images or pornography</li> <li>Using discriminatory comments – racist, sexual, or homophobic language</li> <li>Taking pictures or recording other staff or students using ICT without permission</li> </ul>	<ul style="list-style-type: none"> <li>Serious actual or threatened violence against another student or a member of staff.</li> <li>Sexual abuse or assault</li> <li>Consumption, possession, or supply of an illegal drug.</li> <li>Consumption, possession, or supply of all illegal highs. This includes new psychoactive substances, for example NCP.</li> <li>Consumption, possession, or supply of nicotine pouches.</li> <li>Consumption of alcohol on site</li> <li>Carrying a weapon</li> <li>Arson</li> <li>Persistent refusal to follow Academy rules – breakdown in ability to follow Academy rules</li> </ul>



## **APPENDIX 2 LIST OF PROHIBITED ITEMS**

Examples given are for clarification and are not exhaustive. Please speak to a Head of Year if you are unsure as to whether an item is banned or restricted.

### **Items which could be used as weapons e.g.:**

- Blades
- Non safety scissors
- Broken items e.g. sharpened rulers or dismantled pencil sharpeners. (any particular sharp)

### **Harmful or illegal substances and paraphernalia e.g.:**

- Cigarettes/E Cigarettes or any smoking paraphernalia
- Nicotine pouches or any form of similar stimulant
- Lighters
- Alcohol
- Drugs, including all legal highs.
- Explosion components
- All medication must be handed in to Ms Tuck as soon as you arrive at school unless otherwise instructed in your Healthcare Plan.

### **Solvents e.g.:**

- Tippex
- Non-school glue

### **Aerosols e.g.:**

- Spray deodorant (roll on deodorants are permitted)
- Perfumes and body sprays

### **Unhealthy drinks e.g.:**

- Energy drinks
- Fizzy drinks are banned unless purchased from the refectory and they must only be consumed in the refectory.
- Flavoured water, cordial and water is permitted. But only water should be consumed in lessons.

### **Items for distribution e.g.:**

- Any significant quantities of items which could be sold in school e.g. multipacks of confectionery, drinks etc. (this also includes other contraband and harmful substances such as cigarettes, e-cigarettes, vapes and nicotine pouches)

### **Items that can cause distraction from learning e.g.:**

- Fidget spinners
- Loom bands
- Mobile phones are banned in the academy and should not be out under any circumstances. Students who are found with their mobile phone out will have it removed for the day. The device can be collected from 15.30 by a parent. (please see appendix 4)

**Items which could damage our learning environment e.g.:**

- Chewing gum
- Permanent markers
- Food must only be consumed in the refectory or outside during social times and will be confiscated if seen at any other time.

## APPENDIX 3 FLOWCHART OF HOW WE DEAL WITH SEXUAL HARASSMENT/VIOLENCE ALLEGATIONS

### Response to reports of sexual violence and sexual harassment

See also KCSIE Part 5

#### Definitions

##### Sexual Violence

Rape  
Assault by penetration  
Sexual assault

##### Sexual Harassment

Unwanted conduct of a sexual nature, including sexual remarks, sexual taunts, physical behaviour or online sexual harassment

#### Record keeping

Remember, to record in writing all concerns, discussions, decisions and reasons for decisions.

### REPORT RECEIVED

(from the victim or third-party)  
[Onsite, offsite or online]

#### Victim reassured

- taken seriously and kept safe; and never be given an impression they are creating a problem
- confidentiality not promised - listen to victim, non-judgementally - record the disclosure (facts as reported)
- two staff present (one being the DSL, or reported to DSL as soon as possible)
- victim sensitively informed about referral to other agencies
- if victim does not give consent to share, staff may still lawfully share in order to protect child from harm and to promote the welfare of children (see 'Keeping Children Safe in Education' paragraph 472)
- parents of victim informed unless this would put victim at greater risk.

#### Anonymity

Note that in cases of sexual violence there is legal protection of the victim's identity. Remember that this also includes sharing on social media and discussion amongst pupils in the school

#### Considerations

(Sexual Violence, Sexual Harassment and Harmful Sexual Behaviours) Immediately: Consider how to support the victim and the alleged perpetrator

- wishes of the victim
- nature of the alleged incident
- ages of the children
- development stage of the child
- any power imbalance
- one-off, or part of a pattern of behaviour
- any ongoing risks to victim or others
- other related issues and wider context (e.g. CSE)

#### Manage Internally

One-off incidents which the school believes that the child(ren) are not in need of early help or statutory intervention, which would be appropriate to deal with internally under the school's behaviour policy or anti-bullying policy.

#### Early help

Non-violent Harmful Sexual Behaviours (see Harmful Sexual Behaviours Framework (NSPCC))

#### Refer to Social Care

All incidents where a child has been harmed, is at risk of harm or is in immediate danger. Social Care staff will decide next steps. Be ready to escalate if necessary.

#### Refer to Police

All incidents of rape, assault by penetration or sexual assault. (incl. if perpetrator is 10 or under) Discuss next steps with police, for example, disclosing information to other staff, informing alleged perpetrator and their parents.

#### RISK ASSESSMENT

Case-by-case basis

(For details see paragraphs 479-481 'Keeping Children Safe in Education' (DfE, 2022))

#### RISK ASSESSMENT

Immediately

Do not wait for outcome of referral before protecting victim.  
Emphasis on victim being able to continue normal routines.  
Alleged perpetrator removed from any classes with victim (also consider shared spaces and journey to/from school) [Not a judgement of guilt]

#### SAFEGUARD AND SUPPORT VICTIM AND (ALLEGED) PERPETRATOR

#### DISCIPLINARY MEASURES TAKEN

(See school's Behaviour Policy/Anti-bullying Policy)

#### SAFEGUARD AND SUPPORT VICTIM AND (ALLEGED) PERPETRATOR

#### DISCIPLINARY MEASURES TAKEN

(May be undertaken based on balance of probabilities, unless prejudicial or unreasonable)  
**Ensure actions do not jeopardise the investigation**  
School to work closely with police and/or other agencies.

#### CRIMINAL PROCESS ENDS

- **Conviction or Caution:** follow behaviour policy, consider Permanent Exclusion. If pupil remains in school, make clear expectations; keep victim and perpetrator apart. Consider victim's wishes.
- **Not Guilty:** Support victim and alleged perpetrator
- **No Further Action:** Support victim and alleged perpetrator

## APPENDIX 4 FLOWCHART OF DEALING WITH STUDENTS WHO BRING MOBILE PHONES INTO THE ACADEMY

