



# Behaviour Policy

# 2024/2025

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Consilium  
Academies

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## **1. Context:**

The overall aim of the Behaviour Policy is to promote excellent behaviour and create the positive atmosphere in and out of the classroom. We aim to raise achievement by improving the behaviour and attitude of those students who do not always behave acceptably, and reward those who do.

The school regularly seeks the views of the major stakeholders in relation to student behaviour and the school's behaviour strategy. Students, Parents, Governors, teaching and non-teaching staff are consulted and their views recorded and responded to. As a result, the school recognises that a behaviour policy should evolve and we should be proactive in our reviews and use of behaviour strategy. This requires school staff, students and parents to understand a clear set of rules, rewards and sanctions.

Within the School, there exists a pleasant, welcoming environment. In such an atmosphere, students are able to develop to their true potential. Work in the classrooms is well organised and purposeful. Opportunities for after-school activities are plentiful and there are many opportunities for students to make a positive contribution to school life as well as in the community. The school strives for an atmosphere where students can enjoy and achieve and reach their full potential in a safe and healthy environment.

The adults encountered by the children at school have an important responsibility to model high standards of behaviour, both in their dealings with the children and with each other, as their example has an important influence on the children.

## **2. School ethos:**

- To help students be vibrant, inclusive and proud.
- To help Students develop academically, socially and personally to fulfil their potential.
- To establish an attitude of responsibility in all students towards themselves, their peers, their teachers, and their surroundings.
- To help students to understand the world in which they live and so to have a respect for other races, religions and ways of life.
- To understand and embrace diversity.
- To help students acquire knowledge and skills, this will prepare them for adult life and economic well-being.
- To build up a school ethos based upon mutual respect between teachers and students and amongst the students themselves.

## **3. Aims of the School Behaviour Policy:**

- To create an environment which encourages and reinforces good behaviour.
- To define acceptable standards of behaviour.
- To encourage consistency of response to both positive and negative behaviour.
- To promote self-esteem, self-discipline and positive relationships.
- To ensure that the school's expectations and strategies are widely known and understood.

We expect from students:	Respect for other students
	Respect for adults in school and in the community
	Respect for the school building
	A positive attitude to learning
	A developing resilience to setbacks
	Kindness

#### **4. Principles:**

1. Ellesmere Park High School expects students and parents accept a shared responsibility with staff in working towards these aims. Our partnership “Home-School” agreement confirms that understanding.
2. School will ensure that all students are aware of the standards we expect of their behaviour and of the consequences following from unacceptable behaviour.
3. School will provide student centred support strategies for students identified as showing behaviour problems that affect their work in school or the work of others.
4. Ellesmere Park High School will facilitate training for staff to enhance their skills in classroom management. This may be whole school training or targeted at the identified needs of individuals.
5. Ellesmere Park High School will seek to encourage and reward good behaviour by using a variety of incentives and by applying sanctions when behaviour is unacceptable.
6. Teachers have statutory authority to discipline students for misbehaviour which occurs in school and, in some circumstances, outside of school.
7. The power to discipline also applies to all paid staff (unless the Headteacher says otherwise) with responsibility for students, such as teaching assistants.
8. Teachers will use restorative approaches to allow students opportunity to reflect on negative behaviours, resolve issues and return to the learning environment with a more positive approach.

#### **5. Rights and Responsibilities**

##### **School Rights & Responsibilities**

##### **Rights**

- To make clear the school’s statutory power to discipline students and that students and parents will need to respect this.
- To enforce the school behaviour policy – including rules and disciplinary measures.
- To expect students and parents’ cooperation in maintaining an orderly climate for learning.
- To expect students to respect the rights of other students and adults in the school to learn in a safe space.
- Not to tolerate violence, threatening behaviour or any form of verbal abuse by students or parents. If a parent does not conduct himself/herself properly, the school may ban them from the school premises and, if the parent continues to cause nuisance or disturbance, they may be liable to prosecution.
- To take firm action against students who harass or denigrate teachers or other school staff, on or off premises – engaging external support services, including the police, as appropriate.

##### **Responsibilities**

To ensure the whole school community is consulted about the principles of the school behaviour policy.

- To establish and communicate clearly measures to ensure good order, respect and discipline.
- To ensure the school behaviour policy does not discriminate against any student on e.g. grounds of race, gender, disability or sexual orientation and that it promotes good relations between different communities.
- To ensure staff are clear about the extent of their disciplinary authority and receive necessary professional development on behaviour strategies.

- To support, praise and as appropriate reward students' good behaviour.
- To apply sanctions fairly, consistently, proportionately and reasonably – taking account of SEN, disability and the needs of vulnerable children and offering support as appropriate.
- To make alternative provision from day 6 for fixed period excluded students, and where appropriate to arrange reintegration interviews with the student and parents/guardians at the end of a suspension.
- To take all reasonable measures to protect the safety and well-being of staff and Students, including addressing all forms of bullying and dealing effectively with reports and complaints about bullying.
- To ensure staff model good behaviour and never denigrate students or colleagues.
- To promote positive behaviour through active development of students' social, emotional and behavioural skills.
- To keep parents informed of their child's behaviour – good as well as bad, use appropriate methods of engaging them and, where necessary, support them in meeting their parental responsibilities.
- To work with other agencies to promote community cohesion and safety.

## **Students' Rights & Responsibilities**

### **Students Rights**

- To contribute to the development of the school behaviour policy, with students being involved in the consultation process.
- To follow reasonable instructions by school staff, obey school rules and accept sanctions in an appropriate way.
- To act as positive ambassadors for the school when off school premises.
- To be taught in environments that are safe, conducive to learning and free from disruption.
- To have their achievements recognized and celebrated.
- To be treated with equality e.g. on the grounds of race, disability, sexual orientation or gender.
- To be treated with respect by staff and fellow students.
- To expect a school behavioral approach to reinforce a culture where any form of harassment (*including sexual harassment*), violence, threatening behaviour, abuse and discrimination is not tolerated.
- To appeal to the Headteacher / governors if they believe the school has exercised its disciplinary authority unreasonably.
- To hold religious beliefs without fear of prejudice.

### **Responsibilities**

- Not to bring inappropriate or unlawful items to school.
- To show respect to school staff, fellow students, school property and the school environment at all times, following staff instructions.
- Never to denigrate, harm or bully other students or staff.
- To cooperate with and abide by any arrangements put in place to support their behaviour such as mentoring, staging or reporting to key individuals in the school.
- Understand that everyone is entitled to practice his or her religion without fear of prejudice.
- Always endeavour to do their best to produce work that is of a high standard that can be praised and celebrated.

## **Parent/Carer Rights & Responsibilities**

### **Parent/Carers Rights**

- To contribute to the development of the school behaviour policy.
- To be kept informed about their child's progress, including issues relating to their behaviour.
- To expect their children to be safe, secure and respected in school.
- To have any complaint they make about their child being bullied or harmful incident taken seriously by the school and investigated / resolved as necessary.
- To appeal to the Head teacher / Governors if they believe the school has exercised its disciplinary authority.
- To appeal against a decision to exclude their child, first to the governing body of the school and then – in cases of permanent exclusion – to Consilium Multi Academy Trust appeal panel.

## Parent/Carer Responsibilities

- To respect the school's behaviour policy and the disciplinary authority of school staff.
- To help ensure that their child follows reasonable instructions by school staff and adheres to school rules.
- To send their child to school each day punctually, suitably clothed, fed, rested, and equipped and ready to learn.
- To ensure school staff are aware of any SEN-related or other personal factors which may result in their child displaying behaviours outside the norm.
- To be prepared to work with the school to support their child's positive behaviour.
- To attend meetings with the head teacher or other school staff, if requested, to discuss their child's behaviour.
- If their child is suspended from the school to home, to ensure the child is not found in a public place during school hours in the first five days of the suspension and to attend a reintegration interview with the school at the end of a period of suspension.

## 6. Classroom Conduct

The Ellesmere Park High School Behaviour Policy will be underpinned by an expectation that all our students are fully engaged and take an active role in their learning every lesson. During every lesson, students will be expected follow the **L.E.A.R.N** classroom expectations:

<b>L</b>	<b>E</b>	<b>A</b>	<b>R</b>	<b>N</b>
Listen to the teacher and not talk when they are talking.	Enter the room <u>ON TIME</u> with the correct equipment & ready to learn.	Always produce work of the highest quality.	Respect the rights of others by not disrupting their learning.	Never call out; raise your hand to get the attention of the teacher.

### **L.E.A.R.N** Explained

1. If a student fails to meet any of the **L.E.A.R.N** expectations, they will initially receive a verbal warning from their teacher.
2. If a student then continues to not meet any of the **L.E.A.R.N** expectations, the student will receive a **C2**. A **C2** comes with **negative 2 points** on class charts.
3. If the student continues to disrupt the learning of others, they will receive a **C4 (classroom removal)**. The student will be **placed in Reflection** for the remainder of the lesson. A **C4** comes with **negative 4 points** on class charts.

4. If a student does receive a C4 during the school day they will receive a **20-minute same day detention at the end of the school day**

5. If a student receives two C4's during a day they will be placed in Reflection for a minimum of 3 lessons.

\***E** – If a student is **3 minutes late to a lesson** they receive a C2. If a student is **5 minutes late to a lesson**, they are issued with a C4 E but will stay in the lesson. **If a student does receive a C4 E during the school day they will receive a 20-minute same day detention at the end of the school day.**

### Restorative Conversation after receiving a C4

- While a student is in a detention for receiving a C4 (classroom removal)
- The restorative conversation is an opportunity to resolve any issues and support the student to understand what they can do next time to avoid receiving a C4.

## 7. School Expectations

In mirroring our in-class expectations system **L.E.A.R.N** we also expect all of our students to have exceptional behaviour outside of the classroom.

The below table highlights some of the key areas that all student must follow.

<b>Uniform</b> -2 class charts points <i>Uniform Policy can be found on the school website.</i>	<ul style="list-style-type: none"><li>- Wear correct uniform at all times (<i>No hoodies or trainers</i>)</li><li>- No false nails</li><li>- Not wear excessive amounts of jewellery</li><li>- Jackets/coats must be off while in the building</li></ul>
<b>Out of lesson</b> -2 class charts points	<ul style="list-style-type: none"><li>- Walk sensibly and not runs indoors</li><li>- Sit down when in the canteen/auditorium areas</li><li>- Respect our school and clear up after yourselves including your food and drink</li><li>- Behave in a calm, appropriate manner</li><li>- Inappropriate use of the toilets including multiple occupancy may lead to a suspension</li></ul>
<b>Mobiles, earphones, air/earpods, headphones</b> -2 class charts points	<ul style="list-style-type: none"><li>- Not to be used while in school</li><li>- <b>See it, hear it, lose it</b></li></ul>

It is expected that your child arrived to school with the correct equipment. The equipment that they must bring with them is:

- Correct sized bag (see uniform policy)
- Pencil case that fits the below
- Black pen X 2
- Pencil
- Ruler (30cm)
- Eraser
- Casio FX-83GTCW Black Scientific Calculator
-

In addition to these items it is desirable (optional) but not compulsory that they bring:

- Highlighters
- Green pen

If a student fails to follow our school expectations on **3 occasions during one week** (Friday to Thursday), the student will receive a **50 minute detention on a Friday (15:10 – 16:00)**.

## **8. Detentions**

Same day 20-minute detentions are run each day for any student who is late to school, late to lesson or receive a C4 (classroom removal) during the school day. A Friday 50-minute detention is run for any student who receives 3 expectations logs between a Friday to Thursday.

## **9. Behaviour Staging**

Based on classroom removals not incidents over a full term.

September-Xmas

January-Easter

After Easter-End of the school year.

1. **1<sup>st</sup> removal (C4)** – phone call home from the classroom teacher. The removal must be logged on class charts correctly.
2. **2<sup>nd</sup> removal (C4)** – phone call home from Faculty/Subject Leader. Student placed on a Faculty/Subject report for two weeks.
3. **3<sup>rd</sup> removal (C4)**– Faculty/Subject Leader to meet with parents. Student will spend a day in reflection.
4. **4<sup>th</sup> removal (C4)** – SLT Link to meet with parents. Student placed on a SLT Link report for remainder of the half term
5. Two removals from two or more subjects = HOY Report for two weeks, HOY to meet with parents. if no improvements have been made the student will remain on report for the remainder of the full term. Professionals meeting may be called.

## **10. Rewards**

To support students to **'Be The Best They Can Be'**, alongside **LEARN**, we will be rewarding students for their fantastic attitudes, work ethic and contribution to life at Ellesmere Park High School.

The following rewards system allows us to reward and monitor students' positivity and active engagement in all aspects of their education. This includes excellence, effort and hard work in classwork and independent study. We also feel it is important to acknowledge students for their respect of others, Kindness and manners in and around the school.



<b>C</b>	<b>R</b>	<b>E</b>	<b>D</b>	<b>I</b>	<b>T</b>
<b>COMMUNITY</b>	<b>RESPONSE</b>	<b>EXCELLENCE</b>	<b>DETERMINATION</b>	<b>INDEPENDENCE</b>	<b>TEAMWORK</b>
<b>Showing respect, being kind, polite, having excellent manners.</b>  Helping staff, students and the community.	<b>Confidence to answer questions, use key vocabulary and propose ideas.</b>  Being willing to read aloud, discuss, answers (Right or wrong) and feedback.	<b>Producing my best work</b> or improving my work/grades.  <b>Achieving</b> through high quality classwork or homework.	<b>Never giving up</b> when work is challenging.  <b>Thinking</b> deeply and being resilient.	<b>Showing initiative &amp; doing things independently.</b>  <b>That extra mile!</b> In and out of school. <small>(e.g, Research, revision, reading, listening, watching, extra homework, study)</small>	<b>Take an active role</b> in learning, or group activities.  <b>Lead a group or help other students</b> with their learning.

Each credit issued is currently valued at 2 positive points that students can cash in with in the Class Charts shop.

## 11. Zero Tolerance and Discipline

Several types of behaviour will automatically result in a student being given time in internal reflection, a suspension or ultimately a permanent exclusion.

- Use of homophobic language towards students or staff
- Use of racial language towards students or staff
- Swearing directly at a member of staff
- An unprovoked assault on another student
- Indulging in an action which threatens the safety of any other member(s) of the school community.
- Drinking alcohol in school or being drunk in school
- Being found in possession of illegal drugs / caught using drugs. (May lead to Permanent Exclusion)
- Dealing drugs in school (May lead to Permanent Exclusion)
- Proven bullying whatever form taken
- Bringing weapons of any kind into school

### Peer on Peer Abuse and Harassment

Peer-on-peer abuse is most likely to include, but may not be limited to:

- Bullying (including cyber-bullying)
- Physical abuse such as hitting, kicking, shaking, biting, hair pulling or otherwise causing physical harm
- Sexual violence and sexual harassment
- Up skirting
- Sexting (also known as youth produced sexual imagery)
- Initiation/hazing type violence and rituals

This is explained in paragraph 29 of Keeping Children Safe in Education.

All instances of peer on peer abuse and harassment are taken extremely seriously and **MUST** be reported immediately as a safeguarding issue to the safeguarding leads.

## **12. Internal Reflection**

If a student displays behaviour that require a higher level of intervention they will be placed in reflection. The purpose of reflection is to allow students to reflect on their behaviours, identify strategies to repair any harm done and for the students to adopt the right mind-set in preparation for their return to learning.

**\*Suspensions and Permanent Exclusions, please refer to Exclusions Policy.**

## **13. Further Behaviour Support**

### **Rationale and Principles**

We work in collaboration with other Salford secondary schools and the local authority to arrange off-site directions and managed moves between schools. This approach is intended to be inclusive and safe; to respond to the needs of young people and maintain continuity of education. It is essential that all movement of young people between schools is carefully managed and fair. Our school follows the *Salford City Council Offsite Direction and Managed Move Protocol* (2022). This document explains in detail how offsite directions and managed moves should be facilitated and scrutinised.

We use off-site directions and managed moves as part of our graduated response and, where possible, as an early intervention. Off-site direction is a positive strategy to be used when other interventions have proven ineffective.

Our school is a 'home' school (meaning that we send pupils on offsite directions and managed moves) and a 'receiving' school (we take in pupils from other schools on such moves). All decisions to undertake arrangements for such moves are informed by our capacity, the safety and needs of pupils and a spirit of collaboration with other schools in Salford. These moves are discussed each month at the In Year Fair Access Panel (IYFAP).

### **Off-site Direction**

An off-site direction is the temporary placement of a child or young person in another school, academy or AP school, intended to improve their behaviour. Our approach is guided by Salford City Council's protocol and by the following Department for Education advice:

### **Managed Moves**

A managed move can only be offered as a permanent transfer to another school and may be the outcome of an off-site direction.

Parent or carer agreement is required for a managed move.

### **Off-site directions and Managed Moves for Vulnerable Pupils**

Where a child has an EHCP, is on a Child Protection Plan, is Cared for or has a social worker, we will try to avoid off-site direction or a managed move where possible. In particular, moves for Cared For children are strongly discouraged.

### **Timescales**

An off-site direction will usually last for 12 weeks or one school term. It is the responsibility of the child's home school to ensure regular reviews are undertaken at least every six weeks. These reviews may lead to the off-site direction being ended early, but it is expected that the receiving school will allow a reasonable period of time before concluding the move.

### **Ending an Off-site Direction**

At the end of the off-site direction the pupil will either return to their home school or take up a permanent place at the receiving school.

### **Full time Alternative provision**

The school or local council must tell you about any alternative provision they arrange. A full-time alternative placement may be used if all other support has not had a positive impact. A full-time alternative provision may support a child to reach their potential and gain qualifications that will support them later in life.

If a child is placed on a full-time alternative provision it is the Parent/Carers responsibility to make sure the student attends. The child will remain on their school's roll. The school will continue to monitor the child's attendance, safeguarding, learning and curriculum offer.

#### **14. Behaviour Management Off-Site**

The school expects all students to maintain the same high standards of behaviour that are required in school. They are expected to maintain acceptable behaviour levels and good order on journeys to and from school, on educational visits, sporting events, work experience, college placements and in the immediate school vicinity and community.

Ellesmere Park High School expects students to behave in a way that does not threaten the health and safety of accompanying staff, volunteers, students or members of the public. Ellesmere Park High School and the Headteacher will use the range of sanctions available in school to deal with unacceptable behaviour off site.

Off-site misbehaviour also includes the use of cyberbullying (including the use of mobile phone calls, text messaging, the internet and images whether photographs or video footage). The school would also recommend to parent/carers to contact the Police in the event of any online bullying or misuse of social media.

#### **15. Searching, Confiscation and Uniform**

School staff can search students with their consent for any item which is banned by the school rules. The Headteacher, without consent, has a statutory power to search students or their possessions where he suspects the student has certain prohibited items. These are knives, weapons, alcohol, illegal drugs and stolen items. The Headteacher can delegate this power to Senior Pastoral staff where necessary.

Items will ordinarily only be confiscated if they are deemed to have prevented staff from establishing and maintaining an environment that is conducive to learning. This safeguards the right of other students to be educated.

Ellesmere Park High School places great importance in the students wearing their school uniform with pride. No student

should be present in EPHS without wearing the full school uniform. Students will be greeted at their entrance on a daily basis by the Pastoral team and then by their form tutors where uniform will be checked. Should a student forget an item of uniform or dress inappropriately, for example wearing no tie, the student will be sent to their Head of Year by the form tutor who will loan the student the appropriate uniform. Where spare uniform is unavailable a purple uniform exemption pass will be issued for that day. A sanction may apply if the student is deliberately avoiding wearing correct school uniform or refuses to wear a replacement.

#### **16. Communication and parental partnership**

We give high priority to clear communication within the school and to a positive partnership with parents/guardians since these are crucial in promoting and maintaining high standards of behaviour.

Where the behaviour of a child is giving cause for concern it is important that all those working with the child in school are aware of those concerns, and of the steps which are being taken in response. The key professional in this process of communication is the class teacher who has the initial responsibility for the child's welfare.

A positive partnership with parents is crucial to building trust and developing a common approach to behaviour expectations and strategies for dealing with problems. Parental participation in many aspects of school life is encouraged. This participation assists the development of positive relationships in which parents are more likely to be responsive if the school requires their support in dealing with difficult issues of unacceptable behaviour.

The school will communicate policy and expectations to parents. Where behaviour is causing concern parents will be informed at an early stage, and given an opportunity to discuss the situation. Parental support will be sought in devising a plan of action within this policy, and further disciplinary action will be discussed with the parents.

Parents should monitor their child's daily positive and negative behaviours through the Classcharts website or app.

## **17. Student Support**

Students whom are identified as having issues with behaviour through the school's transition arrangements will be given access to Form Tutor and Head of Year support, a peer mentor and teaching assistant support if appropriate.

Students whom are identified in school through Classcharts data, the implementation of the behaviour staging process, staff referrals or through new admission processes will be offered, if appropriate Head of Year support to alleviate the challenging issues they may face in accessing learning and to support the student in maintaining peer and staff relationships.

Students can go on report to form tutor, class teacher, Head of Subject, Head of Faculty, Head of Year and the Senior Leadership team as part of the school's behaviour staging system.

Please continue below for Annex A and Annex B

## **Annex A: Use of Reasonable Force**

### **INTRODUCTION**

*All members of school staff have a legal power to use reasonable force (Section 93, Education and Inspections Act 2006). This power applies to any member of staff at the school.*

*Force is usually used to either control or restrain. 'Reasonable in the circumstances' means using no more force than is needed. Control means 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 a classroom. Restraint means to hold back physically or to bring a student under control, for example, when two students are fighting. Staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the student. (DfE 'Use of reasonable force' guidance, July 2013).*

### **THE USE OF RESTRAINT**

In Consilium Academies, the use of force to restrain Students should only be undertaken as a last resort when a student has lost control and is in danger of hurting themselves or another person. In such a situation, members of staff may need to use non-violent physical intervention. Before intervening physically, a member of staff should, wherever possible:

- tell the student to stop what they are doing
- explain what will happen if he or she does not
- continue to communicate with the student throughout
- not give the impression that they have lost their temper
- make it clear that physical contact will stop as soon as it ceases to be necessary.

There are times when a member of staff should not intervene in an incident without help, unless it is an emergency. Such times may be when the incident involves a group of Students or when the adult considers he or she may be at risk of injury. In those circumstances the member of staff should move away other students who may be at risk and summon assistance from a colleague. Until assistance arrives, the member of staff should continue to attempt to calm the situation orally.

### **WHERE RESTRAINT IS NECESSARY**

Staff should always try to deal with a situation through other strategies before using restraint. In all situations,

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**restraint should only be used when other methods have failed and only where there is a significant risk of injury to the student, other students or anyone else.** Also, it should be undertaken as an act of care and control, not as a punishment.

Where restraint is considered necessary, physical intervention may include a member of staff:

- interposing themselves between students
- blocking a student's path
- holding
- pulling
- pushing
- leading a student by the arm or hand
- shepherding a student away by placing a hand in the centre of the back.

In exceptional circumstances, where there is a real risk of injury, a member of staff may need to take any necessary action that is consistent with the concept of 'reasonable force'. Such circumstances may include the need to prevent a student running onto a busy road, or to prevent a student hitting someone or throwing something.

Staff should not act in a way that might reasonably be expected to cause serious injury, for example by:

- slapping, punching or kicking a student
- holding a student around the neck or in any other way that might restrict the student's ability to breathe
- tripping up a student
- holding a student by the hair or ear
- holding a student face down on the ground.

Members of staff should also avoid touching or holding a student in a way that might be considered indecent.

Any use of reasonable force acknowledges the legal duty to make reasonable adjustments for students with disabilities and students with special education needs.

## **RECORDING AN INCIDENT INVOLVING RESTRAINT**

1. There must be a detailed written report of any occasion where restraint is used. It may help prevent any misunderstanding or misrepresentation of the incident and it will be helpful if there is a complaint. The school will keep a record of all such incidents.

2. Immediately following any such incident, the member of staff concerned should inform the Headteacher or a member of the Leadership Team. This should be followed as soon as possible by a written statement. This statement should include:

- the name(s) of the student(s) involved and when and where the incident took place
- the names of any other member of staff or students who witnessed the incident
- the reason that restraint was necessary (for example, to prevent injury to the student, another student or a member of staff)
- how the incident began and progressed, including details of the student's behaviour, what was said by those involved, the steps taken to calm the situation, the degree of force used, how that was applied and for how long
- the student's response and the outcome of the incident
- details of any injury suffered by the student, another student, or a member of staff and of any damage to property.

The member of staff may wish to seek advice from a member of the Leadership Team when compiling this report. They should also keep a copy of the report.

3. The Headteacher, or Deputy Headteacher, will inform the parent(s) or carer/s of the student(s) involved by the end of the day where possible, either orally or in writing. They may be invited to the school to discuss the incident.

## **Annex B: Searching, Screening and Confiscation Policy September 2022**

Ellesmere Park High School fully recognises the responsibility it has under section 175/157 of the Education Act

to have arrangements in place to safeguard and promote the welfare of children.

This policy is a whole school policy which aims to provide a clear transparent policy that will allow members of staff, volunteers, and pupils to understand roles and responsibilities around search and confiscation. The policy explains the screening, searching, and confiscating powers our school has, ensuring the Headteacher and members of staff have the confidence to use these powers to maintain a calm, safe and supportive environment to learn and work.

This policy applies to all staff, governors, volunteers, and contractors, paid and unpaid, working in the school. It also applies all pupils including those in the EYFS. Care and consideration will be given to the age of the child when following the guidance in this policy.

The school acknowledges their legal duty to make reasonable adjustments for disabled children and children with special educational needs (SEND). Equality Act 2010

Searching, screening and confiscation is conducted in line with the DfE's latest guidance on [Searching, screening and confiscation \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/842422/Searching_screening_and_confiscation.pdf)

Headteachers and the staff they authorise have a statutory power to search a pupil or their possessions where they have reasonable grounds to suspect that the pupil may have a prohibited item or any other item that the school rules identify in the Behaviour Policy as an item which may be searched for.

Any prohibited items found in a pupil's possession as a result of a search will be confiscated. These items will not be returned to the pupil.

**Prohibited items are:**

- Knives or weapons
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco and cigarette papers
- Fireworks
- Pornographic images
- Any article a staff member reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of, any person (including the pupil)

We will also confiscate any item that is harmful or detrimental to school discipline. These items will be returned to pupils after discussion with senior leaders and parents, if appropriate.

**The role of the headteacher, the designated safeguarding lead and authorised members of staff**

Only the Headteacher, or a member of staff authorised by the Headteacher, can carry out a search. The Headteacher can authorise individual members of staff to search for specific items, or all items set out in the school's behaviour policy.

The Headteacher will oversee the school's practice of searching to ensure that a culture of safe, proportionate, and appropriate searching is maintained, which safeguards the welfare of all pupils and staff with support from the designated safeguarding lead (or deputy).

The Headteacher will ensure that a sufficient number of staff are appropriately trained in how to lawfully and safely search a pupil who is not co-operating, so that these trained staff can support and advise other members of staff if this situation arises.

All staff will understand their rights and the rights of the pupil who is being searched.

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

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

### **Establishing grounds for a search**

Before screening or conducting a search of a pupil, the school will consider their obligations under the European Convention on Human Rights. Under Article 8. Under Article 8, pupils have a right to respect for their private life. In the context of these rights and obligations, this means that pupils have the right to expect a reasonable level of personal privacy."

The powers to search in the Education Act 1996 are compatible with Article 8.

Authorised staff can only undertake a search without consent if they have reasonable grounds for suspecting that a pupil may have in his or her possession a prohibited item. The staff member must decide in each particular case what constitutes reasonable grounds for suspicion. For example, they may have heard other pupils talking about the item or they might notice a pupil behaving in a way that causes them to be suspicious.

There should always be two staff available for a search and one of them should be the same sex as the pupil. However, in the exceptional circumstances when it is necessary to conduct a search of a pupil of the opposite sex or in the absence of a witness, the member of staff conducting the search should bear in mind that a pupil's expectation of privacy increases as they get older.

The powers allow school staff to search regardless of whether the pupil is found after the search to have that item. This includes circumstances where staff suspect a pupil of having items such as illegal drugs or stolen property which are later found not to be illegal or stolen.

School staff can view CCTV footage in order to decide as to whether to conduct a search for an item.

Searches without consent can only be carried out on the school premises or, if elsewhere, where the member of staff has lawful control or charge of the pupil, for example on school trips in England or in training settings.

### **Screening**

The school retains the right to screen pupils by walk through or handheld metal detectors, without the consent of the pupil. This type of screening will be carried out by an authorised, trained member of staff.

The Headteacher and authorised staff can require pupils to undergo screening by a walkthrough or hand-held metal detector (arch or wand) even if they do not suspect them of having a weapon and without the consent of the pupils. Schools' statutory power to make rules on pupil behaviour and their duty as an employer to manage the safety of staff, pupils and visitors enables them to impose a requirement that pupils undergo screening.

### **If a pupil refuses to be screened, the school may refuse to have the pupil on the premises.**

Health and safety legislation requires a school to be managed in a way which does not expose pupils or staff to



risks to their health and safety and this would include making reasonable rules as a condition of admittance.

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

**Ellesmere Park High School** does not currently use search equipment but retains the right to do so to ensure the health and safety of staff and other students is not compromised and legislation is complied with.

### **Dealing with Electronic Devices (statutory guidance)**

- Where the person conducting the search finds an electronic device, they may examine any data or files on the device if they think there is a good reason to do so. Following an examination, if the person has decided to return the device to the owner, or to retain or dispose of it, they may erase any data or files, if they think there is a good reason to do so.
- The member of staff must have regard to the following guidance issued by the Secretary of State when determining what is a "good reason" for examining or erasing the contents of an electronic device:
- In determining a 'good reason' to examine or erase the data or files the staff member must reasonably suspect that the data or file on the device in question has been, or could be, used to cause harm, to disrupt teaching or to go against the expectation in the school's Behaviour Policy.
- If inappropriate material is found on the device it is up to the teacher to decide whether they should delete that material, retain it as evidence (of a criminal offence or a breach of school discipline) or whether the material is of such seriousness that it requires the involvement of the police.

### **Searching a pupil**

Searches will only be carried out by a member of staff who has been authorised to do so by the headteacher, or by the headteacher themselves.

Subject to the exception below, the authorised member of staff carrying out the search will be of the same sex as the pupil, and there will be another member of staff present as a witness to the search.

In exceptional circumstances, an authorised member of staff of a different sex to the pupil can carry out a search without another member of staff as a witness, if the authorised member of staff carrying out the search reasonably believes there is risk that:-

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

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

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

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

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

Before carrying out a search the authorised member of staff will:

- Assess whether there is an urgent need for a search
- Assess whether not doing the search would put other pupils or staff at risk
- Consider whether the search would pose a safeguarding risk to the pupil
- Explain to the pupil why they are being searched
- Explain to the pupil what a search entails – e.g. I will ask you to turn out your pockets and remove your scarf
- Explain how and where the search will be carried out
- Give the pupil the opportunity to ask questions
- Seek the pupil's co-operation

If they still refuse to co-operate, the member of staff will contact the select appropriate [headteacher / designated safeguarding lead (or deputy) to try and determine why the pupil is refusing to comply.

The authorised member of staff will then decide whether to use reasonable force to search the pupil. This decision will be made on a case-by-case basis, taking into consideration whether conducting the search will prevent the pupil harming themselves or others, damaging property or from causing disorder.

**The authorised member of staff can use reasonable force to search for any prohibited items identified on page 1, but not to search for items that are only identified in the school rules.** The authorised member of staff may use a metal detector to assist with the search.

### Use of force

Headteachers and authorised members of staff can also use reasonable force to conduct a search for objects prohibited by law, including illegal drugs, stolen goods, alcohol and knives. However, force cannot be used to search for items only banned under the school rules.

- See [Use of reasonable force in schools - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools) and the **Physical Restraint and Use of Reasonable Force Policy**

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

Outer clothing includes

- Any item of clothing that is not worn immediately over a garment that is being worn wholly next to the skin or being worn as underwear (e.g., a jumper or jacket being worn over a t-shirt)
- Hats, scarves, gloves, shoes, boots, scarves
- Consideration will be given to clothing worn for religious reasons

Possessions means any items that the pupil has or appears to have control of, including

- Desks
- Lockers

- Bags

### **Searching pupil's possessions**

A pupil's possessions can be searched for any item if the pupil agrees to the search. If the pupil does not agree to the search, staff can still carry out a search for prohibited items and items identified in the school rules.

An authorised member of staff can search a pupil's possessions when the pupil and another member of staff are present.

If there is a serious risk of harm if the search is not conducted immediately, or it is not reasonably practicable to summon another member of staff, the search can be carried out by a single authorised member of staff.

### **Informing the designated safeguarding lead (DSL)**

The staff member who carried out the search should inform the DSL without delay:

- Of any incidents where the member of staff had reasonable grounds to suspect a pupil was in possession of a prohibited item
- If they believe that a search has revealed a safeguarding risk

All searches for prohibited items including incidents where no items were found, will be recorded in the school's safeguarding system.

### **Informing parents**

Parents will always be informed of any search for a prohibited item. A member of staff will tell the parents as soon as is reasonably practicable:

- What happened
- What was found if anything
- What has been confiscated if anything
- What action the school has taken, including any sanctions that have been applied to their child

### **Support after a search**

Irrespective of whether any items are found as the result of any search, the school will consider whether the pupil may be suffering or likely to suffer harm and whether any specific support is needed (due to the reasons for the search, the search itself, or the outcome of the search).

If this is the case, staff will follow the school's safeguarding policy and speak to the designated safeguarding lead (DSL). The DSL will consider if pastoral support, an early help referral or a referral to children's social care is appropriate.

### **Strip searches**

A strip search is a search involving the removal of more than outer clothing.

The authorised member of staff's power to search outlined above does not enable them to conduct a strip search (removing more than the outer clothing) and strip searches on school premises shall only be carried out by police officers under [Police and Criminal Evidence Act 1984 \(PACE\) codes of practice - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/legislation/policy-and-criminal-evidence-act-1984) and in accordance with the [PACE Code C 2019 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/legislation/policy-and-criminal-evidence-act-1984)

Before calling the police into school, staff will assess and balance the risk of a potential strip search on the pupil's mental and physical wellbeing and the risk of not recovering the suspected item.

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

Once the police are on school premises, the decision on whether to conduct a strip search lies solely with them. The school will advocate for the safety and wellbeing of the pupil(s) involved. Staff retain a duty of care to the pupil involved and should advocate for pupil wellbeing at all times.

## **Communication**

Where reasonably possible and unless there is an immediate risk of harm, staff will contact at least one of the pupil's parents to inform them that the police are going to strip search the pupil before strip search takes place and ask them if they would like to come into school to act as the pupil's appropriate adult.

If the school is unable to contact the parents, or they aren't able to come into school to act as the appropriate adult, a member of staff can act as the appropriate adult (see below for the role of the appropriate adult).

The pupil's parents will always be informed by a staff member once a strip search has taken place. The school will keep records of strip searches that have been conducted on school premises and monitor them for any trends that emerge.

## **Who will be present?**

For any strip search that involves exposure of intimate body parts, this must be carried out by a police officer. There will be at least 2 people present other than the pupil, except in urgent cases where there is risk of serious harm to the pupil or others.

One of these must be the appropriate adult, except if:

- The pupil explicitly states in the presence of an appropriate adult that they do not want an appropriate adult to be present during the search, and
- The appropriate adult agrees

If this is the case, a record will be made of the pupil's decision, and it will be signed by the appropriate adult.

No more than 2 people other than the pupil and appropriate adult will be present, except in the most exceptional circumstances.

The appropriate adult will:

- Act to safeguard the rights, entitlement, and welfare of the pupil
- Not be a police officer or otherwise associated with the police
- Be of the same sex as the pupil, unless the pupil specifically requests an adult who is not of the same sex

Except for an appropriate adult of a different sex if the pupil specifically requests it, no one of a different sex will be permitted to be present, and the search will not be carried out anywhere where the pupil could be seen by anyone else.

## **Record Keeping**

Any search by a member of staff for a prohibited item and all searches conducted by police officers will be recorded in the school's safeguarding reporting system, including whether or not an item is found. This will allow the designated safeguarding lead (or deputy) to identify possible risks and initiate a safeguarding response if required. Headteachers may also decide that all searches for items banned by the school rules should be recorded. Staff members will follow the school policy in these cases.

The record of the search will include

- the date, time and location of the search
- The name and date of birth of the pupil who was searched
- who conducted the search and any other adults or pupils who were present
- what was being searched for

- the reason for searching
- what items, if any, were found; and
- what follow-up action was taken as a consequence of the search

### **Care after a strip search**

After any strip search, the pupil will be given appropriate support, irrespective of whether any suspected item is found. The pupil will also be given the opportunity to express their views about the strip search and the events surrounding it.

As with other searches, school will consider whether the pupil may be suffering or likely to suffer harm and whether any further specific support is needed (due to the reasons for the search, the search itself, or the outcome of the search).

Staff will follow the school's safeguarding policy and speak to the designated safeguarding lead (DSL). The DSL will consider if, in addition to pastoral support, an early help intervention or a referral to children's social care is appropriate.

Any pupil(s) who have been strip searched more than once and/or groups of pupils who may be more likely to be subject to strip searching will be given particular consideration, and staff will consider any preventative approaches that can be taken.