



# **Student Behaviour Policy**

This policy will be reviewed annually and is still subject to further consultation

Introduced August 2014

Reviewed and revised April 2016

This policy outlines the guidelines as per "*Behaviour and discipline in schools January 2016*"



## Behaviour and Discipline Policy

Under the Education (England) Regulations 2010, the Governors, Trustees and the College Principal have a duty to ensure that arrangements are made to safeguard and promote the welfare of students. They must ensure the College operates a strong behaviour policy to support staff in managing behaviour, including the use of rewards and sanctions. There is also the requirement for the College to operate, promote and enforce an anti-bullying strategy. King Edward VII Science and Sport College complies fully and wholeheartedly with these statutory requirements. Our behaviour and discipline policy reflects our commitment to providing a safe and orderly environment for the entire college community where learners can thrive socially and academically, and all adults can carry out their duties and responsibilities effectively and efficiently to support our students' personal growth and development which is our core purpose.

Without a strong commitment to discipline, effective teaching and learning cannot take place. King Edward VII College has a clear policy on the standards of behaviour that are expected of students both in, and in some circumstances out of College. It clearly states the statutory authority teachers and other paid staff (and others designated by the College Principal) have to discipline students whose behaviour is unacceptable, who break College rules or who fail to follow reasonable instruction (section 90 and 91 of the Education and Inspections Act 2006). The policy sets out the disciplinary procedures and actions that will be taken against students in respect of this. The College also has an effective strategy for managing disaffected students. It is the responsibility of ALL members of staff to tackle any incidents of poor behaviour that they have witnessed.

### **Role of Governing Body and Academy Trust**

"Governing bodies of maintained schools have a duty under section 175 of the Education Act 2002 requiring them to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children. The proprietors of Academies have a similar duty under paragraph 7 of Schedule 1 to the Education (Independent School Standards)(England) Regulations 2010 They must ensure that arrangements are made to safeguard and promote the welfare of pupils". Behaviour and discipline in schools January 2016.

The underlying principles of the College's approach to discipline, as determined by its Governors and Trustees, are defined as:

- Disruptive behaviour and bullying will not be tolerated.
- Students must at all times display good behaviour and respect for others.
- Staff will promote self-discipline and understanding of the differences between right and wrong.

- The College acknowledges our legal duties under the Equality Act 2010. Any harassment on the grounds of gender, race, or disability will be severely challenged and appropriate sanctions instigated.
- The learning environment will allow every student to feel safe within the College and to achieve their potential.
- There is a consistent response to behaviour issues.
- There are clear consequences for inappropriate actions that are fair and understood by all students and staff.

### **Role of the Principal**

The Principal and first Vice Principal are the lead persons with responsibility for promoting, enforcing and maintaining good behaviour and discipline at the College. The College is committed to providing:

- A consistent approach to behaviour management.
- Strong school leadership.
- Good classroom management by all staff, including teaching assistants, cover supervisors and learning support staff
- A clear and widely understood system of rewards and sanctions
- Student support systems comprising Form Tutors and Co tutors, Pastoral and Progress Leaders, Academic Mentors, College Nurse, Learning Support Team, Inclusion and Academic Mentor, numerous support agencies working in partnership with the College and the Senior Leadership Team
- Liaison with parents and external agencies
- A seamless and effective transition through the different Key Stages that considers the academic, emotional and social development of each child
- Regular staff development to support them in being effective in understanding and managing behaviour
- An ethos, environment and facilities that are conducive to safe and effective learning.

### **The Governing Body and the Principal will:**

- The Principal will consult with the Governing Body and Academy Trust when making, or revising the behaviour statement.
- The Governing Body and Academy trust will ensure that neither the overall behaviour policy nor any particular disciplinary measures impact disproportionately or unfairly on any student within the college
- The Governing Body and Academy Trust will have regard to the health and welfare of staff and the duty of care that they have for this.

### **Rules of conduct**

1. Physical violence against any person is unacceptable. No student is permitted to use force or physical violence against any other student, member of staff or visitor to the College. The College will not hesitate to contact and involve the police in the most serious cases
2. No student is permitted to use the threat of physical violence, either in person or through peers, via email or social networking sites, against any other student, member of staff or visitor to the College
3. The College will not tolerate emotional or psychological bullying by any student or group of students towards any other student.

4. The College will not tolerate abusive texts or social networking messages against any other student or member of staff. If substantiated evidence of such misconduct is found, then students can expect at the very least to be banned from using the College Intranet, the Internet and have a ban imposed on bringing and using their mobile phone and devices on College premises.
5. In addition to the above, no form of cyber-bullying will be tolerated. This includes coercing others to view and visit websites and other digital material that is inappropriate or has the potential to influence negatively or indirectly cause personal harm to another individual.
6. Throwing of any item other than those that are a part of a supervised sport or performance activity, or a break or lunch time game or practice on designated areas, is prohibited both inside and outside College buildings. Students must never throw any item inside or outside with the intention of causing harm. This includes snowballs. The College reserves the right to move a student from or to any area of the College premises, or in more serious incidents to ban a student from any area within the College site
7. All students are expected to respect College property, facilities and resources. Any intentional damage will be dealt with according to the severity and cost of the damage and the consequence will be proportionate to this
8. Theft of College property is unacceptable. No student is permitted to remove any item from the College premises of faculty areas unless they have express permission from a head of department, a head of faculty or the College Principal.
9. Theft of personal items belonging to either students or staff is unacceptable. Whilst the College will investigate thoroughly any theft, students are strongly advised not to bring valuable personal items onto the College site. The College will not hesitate to contact and involve the police in the most serious cases. Individual victims may also seek to involve the police independently of the College.
10. Smoking (including e-cigarettes/ shisha pipes) is not permitted anywhere on the College site. Nor are students allowed to smoke whilst wearing the College uniform, are identifiable as students of the College, on school visits or on the journey to and from College. Cigarettes, tobacco, papers, filters, fluid and lighters will be confiscated and destroyed. Students will also be placed in detention during lunchtime or after school.
11. Students are not permitted to sell or provide any of the above to other students either in College, the journey to and from College, or anywhere else where they are participating in activities overseen or organised by the College.
12. Students are not permitted to consume alcohol either before, after or during the College day. Students are not permitted to bring alcohol onto College premises, nor should they sell or provide alcohol to other students. This also applies where they are participating in activities overseen or organised by the College in the United Kingdom or abroad. Students will follow the rules dictated by trip organisers.
13. Students must not bring any illegal substances or legal highs or herbal highs on site for personal use, or to distribute, or sell to other students. The College will not hesitate to contact and involve the police in all such cases where there are serious grounds to suspect that is happening. This is a legal requirement
14. The following items are prohibited and must never be brought into College. These include the following:
  - knives and weapons
  - alcohol

- illegal drugs, legal highs, herbal highs, prescription drugs that have not been prescribed for you for personal consumption by ones doctor
  - stolen items
  - tobacco, cigarettes, papers, e-cigarettes/ shisha pipes, fluid, filters
  - fireworks and aerosols
  - laser pens or any other object that may cause harm/distress to another
  - pornographic or offensive images on paper, on printed clothing items or in digital format. It is a criminal offence to receive, retain or distribute such images, particularly of a minor. The College considers all students on roll of teenage years to be a minor (14-18 years)
  - any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.
  - the College will follow the statutory requirements for searching students if they are strongly suspected of being in possession of illegal substances. This will be at the discretion of the senior leadership team. Students may be asked to handover other items and empty the contents of their bag or pockets. This would not constitute a search.
15. Students must comply with the rules as laid down by the lead /organising teacher of any College visit or residential trip. Teachers have the statutory authority to discipline students whilst on such activities and all College rules apply. Additional rules specific to the individual visit or trip may need to be agreed between the Governors and Principal and the lead /organising teacher. Parents and students will be made aware of these rules well in advance of the departure date. Failure to comply will result in a consequence proportionate to the misconduct. The lead teacher and the senior leader contact back at College/ in the United Kingdom will inform the principal of their decisions regarding this.
16. All students are expected to comply fully with the uniform policy.
17. All students are expected to comply fully with the mobile phone and mobile devices policy.
18. All students in receipt of a detention are expected to attend at the agreed time. College staff will take into account the timing of these detentions and students' personal circumstances and responsibilities outside College. No staff will set a detention that would compromise a child's safety. Although staff are not required by law to give notice or seek permission to set a detention, in all cases common sense must prevail and staff will exercise due caution. Students who are detained have the right to eat, drink and use the toilet if the detention is set over a break or lunch time. The timing of these will be decided by the teacher.
19. The College operates a 'No saying no' policy. All students are therefore expected to comply with any instruction from the class teacher, teacher 'on call', or the member of staff on duty during morning, break or lunch time. The College reserves the right to move a student from, or to, any area of the College site, or in more serious incidents to ban any student from any area on the College site. There are specific rules that apply to certain practical subjects, for specific activities and teaching areas. All students are expected to comply fully with any temporary activity/ task specific rules too.
20. All students are expected to move around College in an orderly fashion. In order to get to lessons on time, students should walk briskly but not run to lessons. Students, as well as staff, must keep to the left on staircases and in corridors.

21. All students are expected to be punctual to College and to lessons. Repeated lateness will have consequences. The AIO (Attendance Improvement Officer) will be involved in the more serious cases.
22. All students are required to possess and bring to College a school bag, diary planner, PE kit and basic equipment, as well as specific equipment required for different subjects they are studying.
23. All students are expected to submit completed homework, coursework and assignments in accordance with the agreed deadline. Failure to do so will be dealt with on an individual basis. Ultimately, it is the student who will suffer as this will inevitably affect their grades. Students who are struggling can seek support from a range of teaching and pastoral staff.
24. Conduct in public examinations and controlled assessments are set down by the JCQ (Joint Council for Qualifications). All students are expected to comply fully with the rules and regulations set by this national authority. Failure to comply in any way may jeopardise the student's right to sit public examinations even after they have left this College. The College has the same expectations for conduct during mock examinations.
25. All students are expected to conduct themselves in a respectful and acceptable manner whilst wearing the College uniform in public. This is inclusive of students being identifiable as members of the College. On journeys to and from College and on public transport, students must refrain from any behaviour that adversely affects the reputation of the College. Any behaviour deemed unacceptable will be dealt with on an individual basis. Students and parents should note that it is not only the student who is identified as the key person responsible or who has committed an act that will have a consequence imposed, it is all those associated with the act too. The College will not hesitate to contact and involve the police in the most serious cases. Individual victims, organisations, public bodies or businesses, or residents in the community may also seek to involve the police independently of the College.
26. If a student has a fixed term exclusion, then they are not permitted to enter any area of the College site including the bus park, playing fields or any entrance areas to the College. Parents have a legal duty to ensure that their child is at home working for the duration of the College day.
27. All students are expected to comply with restricted access rules that apply to students. No student is permitted to walk or sit behind the fitness suite and Post 16 centre. No student in Year 10 or 11 is permitted to walk beyond the purple wall that links the communal area outside the dining hall to the roundabout in front of the old house. Students may only access the fitness suite from the path adjacent to the hard play court that leads to this facility. No student is permitted to use the emergency exit path that runs from back of the main hall to the path towards the fitness suite. Students are not permitted to congregate behind E block or the Science block. Students must not congregate or sit in close proximity to the surrounding wall of the hard play area adjacent to E block. Students are not permitted to congregate at the back of the design block. This is only to be used as a throughway to access the sports hall when necessary.
28. Students/parents are expected to sign and abide by the home/school contract.
29. All members of staff and students must follow the guidelines outlined in the "communications Policy". This includes the use of the college intranet and internet system.

30. All staff and students to abide by the guidelines outlined in the “Preventing Extremism and Radicalisation Policy” and “Safeguarding/Child Protection Policy”
31. Behavioural incidents will be recorded on GO4SCHOOLS. The number/types of incidents are monitored on a daily basis. Negative points are given for behavioural incidents. Staff are required to enter the incident (including details of the type of incident) on GO4SCHOOLS as soon as possible. Any incident requiring further action needs to be reported either in person or via e-mail to the Pastoral and Progress Office/Senior Leaders Office as appropriate to the nature of the incident

### **Rewards for positive behaviour**

Positive and constructive behaviour will be acknowledged in a number of ways by College staff. These can include:

- Positive points awarded and recorded on Go4Schools
- Excellent attendance is rewarded via positive GO4SHCOOL points and vouchers/tokens awarded during celebration assemblies
- Celebration text messages sent via the “Parent Call” system
- Positive letter sent to parents
- Quick notes
- Awards for specific, individual achievements in different subjects
- Positive comments in student work books/ folders
- Vouchers/ Tokens presented for individual contribution to College events
- Recognition of personal attributes and skills to lead others through membership and leadership of various College committees and College Council. This will also be acknowledged by your fellow students/peers
- Reward visits and trips for different groups who have made significant contribution to College life and therefore to all students
- Celebration of individual or group successes through the College Newsletter and Website
- Opportunities and support for organising and running student led events and fundraising
- Staff organise a wide range of residential visits to expand students’ cultural experiences
- Staff seek out key speakers to present different ideas and learning about many different aspects of life to support students’ understanding of their world

### **Disciplinary Sanctions**

Sanctions under the behaviour policy will be in proportion to the offence and enable students to make reparation where appropriate. Most incidents will initially be dealt with by the classroom teacher but may be escalated to directly involve Form Tutors, Pastoral and Progress Leaders, and the Senior Leadership team as deemed appropriate. Serious breaches of the disciplinary policy and those which could be unlawful, will always be dealt with by the Senior Leadership team and most likely involve parents and other relevant agencies. Corporal punishment is illegal in all circumstances.

**Teachers have statutory authority to discipline pupils whose behaviour is unacceptable, who break the school rules or who fail to follow a reasonable instruction (Section 90 and 91 of the Education and Inspections Act 2006).**

The power to discipline applies to all paid staff unless the Principal says otherwise. The statutory authority and the College's behaviour policy also allows teachers to regulate the conduct of students when they are off the school premises but representing of the College: for example, they are behaving in a rowdy manner on a journey to or from school, their behaviour during a school trip or visit is unacceptable or they are behaving in such a way to adversely affect the reputation of the College whilst off school premises but wearing College uniform, or are identifiable as students of the College.

Sanctions will generally be implemented in the following sequence and will be accelerated for serious concerns and breaches of this policy. A record of behavioural incidents will be kept and positive and negative 'behaviour points' recorded for all students.

- A verbal reminder of the rules and expectations whilst in the classroom
- Student may be asked to move seat
- Short removal from class and conversation with the classteacher
- Removal to the back of a sixth form lesson by HoF or staff member 'On Call'.
- Referral to the Head of Department or Head of Faculty.
- Put on Green Progress Report by Form Tutor or Head of Faculty
- Break, Lunchtime or after school detention may be set by the Form Tutor or Head of Faculty
- The student may be asked to do extra work or to repeat unsatisfactory work until it meets the required standard.
- The Form Tutor or Head of Faculty may contact parents if work is not completed to the expected standard
- Referral to Pastoral and Progress Leaders if it is deemed that the sanctions are not having the desired effect
- Depending on the individual circumstances and response by student to the sanctions given to date, the student may then be put on Yellow Progress Report by a Pastoral and Progress Leader
- Further Break, Lunchtime or after school detentions may be set
- The progress and pastoral leaders, with the agreement of a member of the Senior Team, may impose school based community service or imposition of a task – such as picking up litter or weeding school grounds; tidying a classroom; helping clear up the dining hall after meal times; removing graffiti or undertaking a written task such as writing an essay or lines
- Progress and pastoral leaders to contact parent /guardian via email, phone or letter. This may be dependent on the number of different occasions a student has perpetrated the school behaviour policy or the seriousness of the incident.
- Interview with Parents and Pastoral and Progress Leaders

### **Referral to Senior Leadership Team**

Again, depending on the individual circumstances the following may be imposed:

- Interview between Parents and a member of the Senior Team



- The student may be put on Red Progress Report to the Senior Team. This can also include increased reporting to SLT including early morning reporting; scheduled uniform and other behaviour checks; a block of detentions at lunch or after school; weekend detentions (except the weekend preceding or following the half term break) and detentions on non-teaching days – usually referred to as ‘training days’, ‘INSET days’ or ‘non-contact days’
- The Senior Team may need to contact other agencies, such as The Police or Social Care( Pastoral and Progress Leaders may be asked to do this on behalf of the Senior Team)
- In the first instance, a student may be placed for a period of time in the Inclusion Room to avoid a fixed term exclusion.
- In more extreme cases the College may use temporary fixed term exclusion or permanent exclusion
- Referral to North West Leicestershire Behaviour and Attendance Partnership. This may result in a managed move between partnership schools, that is, the student will transfer to another school to avoid permanent exclusion
- A referral to CHANNEL or to the Prevent Team will be made if there is cause for concern that a student is at risk of or may be involved in radicalisation or extremism

Permanent exclusion of students with statements of special educational needs (SEN) will be avoided where possible. Instead, the following steps will be taken:

- Involve the SEN co-ordinator.
- Seek other professional advice as appropriate.
- Liaise with the local authority about initiation of an “interim” annual review of the statement of SEN/Educational Health Care plan

*Schools should consider whether the behaviour under review gives cause to suspect that a child is suffering, or is likely to suffer, significant harm. Where this may be the case, school staff should follow the schools’ safeguarding policy. They should also consider whether continuing disruptive behaviour might be the result of unmet educational or other needs. At this point, the school should consider whether a multi-agency assessment is necessary.*

**Department for Education: Behaviour and discipline in schools Advice for headteachers and school staff February 2014**

All decisions will be predicated on common sense, compassion and empathy. The College will listen to and consider any mitigating individual circumstances or special educational needs. While these may not excuse the behaviour or its impact on others, it may go some way to explain it.

### **Disciplinary Sanctions for KS5 Students**

Sanctions will generally but not exclusively be implemented in the following sequence and will be accelerated for serious concerns and breaches of this policy. A record of behavioural incidents will be kept and positive and negative ‘behaviour points’ recorded for all students.

- A verbal reminder of the rules and expectations whilst in the classroom
- Student may be asked to move seat

- Short removal from class and conversation with the class teacher
- Referral to the Head of Department or Head of Faculty.
- More than 1 failed homework submission without an adequate reason then students will be required to attend after school homework workshops whereby guidance and study skills advice will be provided.
- A '**Progress Contract**' will be drawn up should a student not adhere to the behaviour and discipline policy, or is not making sufficient progress in lessons. This could be due to poor attendance without genuine reason, persistent lateness, consistent lack of homework, persistent 'abuse' of **study** periods.
- Agreed targets and actions will be made and written into the terms of the contract. There will be a weekly progress review interview with the Assistant Principal (Post 16) for 4 weeks.
- The student may be asked to do extra work or to repeat unsatisfactory work until it meets the required standard.
- The Form Tutor or Head of Faculty may contact parents if work is not completed to the expected standard
- Contact with parent by phone / Interview will be arranged with the Assistant Principal (Post 16) and Assistant Head of Post 16, if the above sanctions fail to have a positive impact upon a student's progress.
- In extreme circumstances and the above sanctions fail to impact positively upon a student's behaviour (that complies with Post 16 expectations of conduct), then their place at King Edward VII College will be discussed.
- Attendance is monitored daily. Students with poor attendance are referred to the AIO (Attendance Improvement Officer) for further action to be taken
- Punctuality to college is expected at all times. Poor punctuality is monitored daily by the AIO who will put sanctions in place, if required

## Detentions

*"Teachers have the power to impose detention outside school hours" (Behaviour and discipline in schools" January 2016)*

The college may impose a detention without parental consent:

- during the school day
  - at lunch times
  - in the evenings
- at times outside normal working hours. This may include non-teaching days ("INSET" days) with some exceptions, such as the weekends preceding or following half-term breaks.

Parents, however, will be made aware of the possible use of detention as a sanction if a student misbehaves.

Detentions will always be reasonable and in proportion for the offence. They will not be issued if by doing so a student's safety will be compromised. To ensure that a detention outside school hours is reasonable, staff at King Edward VII College will consider the following points.

- Is the student likely to be put at risk?
- Does the student have caring responsibilities that would make detention unreasonable?

- Should parents be informed (in many cases this will be necessary, but it will depend on circumstances)?
- Are there any religious requirements (such as is the day of detention a day of religious observance for the family)?
- Does the student need to take medication at specific times?
- Can suitable travel arrangements be made for the student (even if they are inconvenient for the parents)?

### **Management of Health and Personal Problems**

- Often, there are mitigating circumstances that belie irrational, inconsistent and difficult behaviour. Students may be experiencing some personal challenges related to family, personal circumstances and their emotional state of mind (This includes bereavements). In any such event, parents are expected to contact the relevant progress and pastoral leader at the College, so that relevant staff are aware and can exercise a degree of sensitivity and understanding for the student's situation
- If the student has a medical issue, again parents need to contact College staff so that reasonable measures can be put in place to support the student, for example, in the case of a broken limb a student can work in a ground level classroom to avoid stairs
- In all cases, the College expects students to work as effectively as they can. The College may require medical notes/evidence from a medical practitioner if the condition has long term implications and possibly a significant detrimental impact on the student's mental health, physical health, academic progress or attendance. The College will work with parents and students, and other organisations and other agencies to support the student in the most appropriate way

### **Procedures for substantiated malicious allegations against staff**

Students found to have made malicious allegations against staff will be dealt with very seriously. Each case will be considered and dealt with individually as the context is likely to be very different. Consequences may range from several weekend detentions to permanent exclusion. Please note that the Governors will not hesitate to involve the police or to take legal action, in particular, where the allegations have caused significant stress to the member of staff or damage to their professional and personal reputation

### **Procedures for complaints**

All concerns and complaints will be thoroughly investigated. Wherever possible, initial attempts must be made to resolve a concern or a complaint, without resorting to formal procedures. The formal procedure will be invoked when initial attempts to resolve the issue are unsuccessful.

The College Principal will investigate formal complaints, unless the complaint is about the College Principal, in which case the complaint will be investigated by the Chair of Governors/Trustee of the Academy Trust.

For less serious concerns, these can be expressed in writing or via a telephone call to a member of the senior leadership team, our progress and pastoral leaders or to a Head of Faculty.

### **Teachers' Duty of Care**

The teacher has a duty of care to exercise disciplinary control. Specifically this includes:

- the maintenance of good order and discipline among the students
- the safeguarding of students' health and safety.

These are duties required to ensure the efficient conduct of the education process and also to protect students against causing harm to themselves and to other students.

If one student causes injury to another, the teacher may bear a responsibility if it can be shown that the injury occurred as the result of the teacher's failure to maintain order.

Teachers have a discretionary **power to use force**. However, failure to take action (including failure to use reasonable force) could in some circumstances be argued as being a breach of the duty of care towards students.

A very great deal will depend upon the circumstances of the incident. Teachers cannot reasonably be expected to foresee every incident nor, of course, to be everywhere on the school premises at the same time.

A teacher is not under a duty to run the risk of personal injury by, for example, breaking up a fight, unless this can be done without the likelihood of harm to the teacher.

However, if an injured student was involved in misbehaviour, issues of contributory negligence may arise.

### **Power to Restrain Students**

Under certain circumstances teachers are allowed to use reasonable force to control or restrain students.

Teachers should:

- only use **reasonable force** in very specific circumstances
- exercise **caution in the use of force**
- make **accurate records** of incidents when force is used.

Use of reasonable force

Although teachers may not use corporal punishment as a disciplinary sanction, they and others, if authorised to do so by the Principal, may use such force as is reasonable to prevent a pupil from:

- committing a criminal offence
- injuring themselves or others
- damaging property, including their own
- behaving in a way which is prejudicial to the good discipline and order of the college, whether in the classroom or elsewhere where the teacher has lawful control of a student.

The law distinguishes from corporal punishment any action by a teacher which averts the danger of a pupil causing personal injury or damage to property.

Reasonable force may also be used in exercising the statutory power, introduced by the Violent Crime Reduction Act 2006, to search students without their consent for weapons. However, in situations where resistance is expected, the College reserves the right to call the police instead.

### **Definition of reasonable force**

There is no legal definition of what constitutes “reasonable force”.

Force is usually used either to control or restrain and should always be “reasonable in the circumstances” –in other words, no more force should be used than is needed.

Control can either involve:

- passive measures, such as blocking a pupil’s path
- actual physical contact, such as taking a student by the arm out of a classroom.

Restraint means to hold back physically or to bring a pupil under control. Typically this is used in more extreme cases where two fighting students refuse to separate without physical intervention.

College staff will always avoid acting in a way that might result in injury to a student however, it is recognised that this might not be possible in extreme cases.

Situations where reasonable force might be justified include:

- violent behaviour by a student, eg fighting or attacking a member of staff or another student
- acts of vandalism
- behaviour by a student, eg rough play, the misuse of objects or running in the corridors which is likely to cause personal injury or damage to property.
- An incident which seriously disrupts a lesson or other school event.

### **Power to Search Students**

The Principal and authorised staff have the general power to use reasonable force to search, without consent, students if they suspect them to be carrying prohibited items. These include:

- knives and weapons
- alcohol
- illegal drugs
- legal highs
- stolen items
- tobacco/e-cigarettes
- fireworks
- pornographic images
- any article likely to be used to commit an offence, cause personal injury or damage to property.

Under the Education Act 2011, teachers have wider powers to search students for items that are banned by the school rules, but in this case force cannot be used.

### **Confiscation of items**

*“Teachers can confiscate pupils’ property” (Behaviour and discipline in schools” January 2016)*

Confiscation is lawful if it is aimed at maintaining an environment conducive to learning. This includes safeguarding the rights of other students to be educated. Parents will be advised of any confiscation, including the reasons for it.

Weapons, knives and extreme pornography will always be handed over to the police.

The College will take due care of confiscated property and it is for the college staff to decide if and when to return a confiscated item.

### **Management of disaffected students**

At King Edward VII Science and Sport College every child is important. We also acknowledge that the context some children come from has been either emotionally very difficult for the child, or that some children simply have very complex needs. We hold the view that every child can enjoy education, but that their resistance is likely symptomatic of deep rooted self-esteem issues and that their learning needs are not being met, put simply, schools have not yet found the most suitable curriculum for them. Often, disaffected students need some form of breakout from mainstream education. This can be anywhere on a continuum from a half day per week to full-time alternative provision. The latter affects only a very small proportion of students at our College as our curriculum offers such breadth and variety.

The College endorses Ofsted’s ‘mix and match’ best practice approach. In such a model, students have one; perhaps two placements during the week where they study recognised qualifications at the most appropriate level i.e. GCSE or equivalent. They also continue to study for their other qualifications at King Edward VII College. Priority is placed on English, Maths and Science. Such alternative provision can also include work experience or voluntary work in the community. We work closely with students and their parents to contract what the student would like to study. This is done with well-informed guidance from the designated teacher with responsibility for co-ordinating and monitoring student progress and attainment in alternative provision and the pastoral vice principal. Over time, the College may need to increase the number of hours for off-site provision if it is in the best interest of the student. Equally, if a student has a change of focus and attitude, and wishes to spend more time at College, then we will set up a reintegration schedule and support so that the student has every opportunity to maximise their success. Above all the College is assiduous regarding safeguarding statutory requirements, so that students’ welfare and safety is of the highest priority.

### **Our Inclusion Room**

Following a serious incident or a series of more moderate, but on-going misdemeanours, the Senior Leadership Team may decide that the most serious sanction needs to be imposed in order to correct a student's unacceptable behaviour. Often this can result in a fixed term exclusion from College ranging from 1 day to 45 days. If this sanction needs to be imposed immediately due to the nature of the incident, then parents and carers need to be available to receive the child and make arrangements for their welfare and safety whilst excluded from College. Many working parents or those with young families experience great difficulty setting up childcare for the following day, so in an effort to support families and to avoid the student having a record of a fixed term exclusion, the College will operate an Inclusion Room.

- This will be staffed by a dedicated member of staff who will collect the required work from subject staff at the beginning of the day.
- Students will arrive at College for 9.45am and will finish at 4.00pm
- They will spend the entire day in the Inclusion room. Students take their breaks in the room. They are not allowed to take lunch outside or at the same time with other students.
- Students will be expected to complete a significant amount of work. Failure to do so may result in more serious consequences.
- The College will place a student in Inclusion for no more than 3 occasions before the more serious sanction of a fixed term exclusion will be imposed.

### **Corporal Punishment**

Corporal punishment is unlawful in all circumstances. The School Standards and Framework Act 1998 states that the corporal punishment of a child cannot be justified by virtue of the position of a teacher or any other person who has lawful control or charge of a child being in loco parentis, ie in the place of the parent. The College wholeheartedly supports and adheres to this law.

However, anything done to avert an immediate danger of personal injury or damage to property would not be considered to be corporal punishment.

#### List of Relevant Legislation

- Education (Independent School Standards) (England) (Amendment) Regulations 2012
- Education (Independent School Standards) (England) Regulations 2010
- Education (Pupil Registration) Regulations 1995
- Education Act 2011
- Schools Standards and Framework Act 1998
- Education Act 1996
- Education and Inspections Act 2006

#### Further Information

##### Publications

- Behaviour and Discipline in Schools— A Guide for Head Teachers and School Staff, Department for Education (DfE)
- Behaviour and Discipline in Schools— Guidance for Governing Bodies, Department for Education (DfE)
- Guidance on Screening and Searching Students for Weapons, Department for Children, Schools and Families (DCSF)

- Screening, Searching and Confiscation— Advice for Headteachers, Staff and Governing Bodies, Department for Education (DfE)
- The Education of Children and Young People with Behavioural, Emotional and Social Difficulties as a Special Educational Need, Department for Children, Schools and Families (DCSF)
- The Human Rights Act and Your School, Department for Children, Schools and Families (DCSF)

### Caution in use of force

Teachers are urged to exercise great caution in the use of force and always try to use other means to resolve a situation.

This is particularly important where the enforcement of good order is the motive and there is no risk to person or property.

The use of force to achieve compliance with instructions given by a member of staff becomes increasingly inappropriate as the students get older.

Staff should not act in a way which might cause pain or injury, eg by striking, holding a pupil around the neck or pulling hair or ears, or in any way which might be interpreted as being indecent.

### Recording when force is used

Detailed, up to date, written records should be kept of all incidents in which force has been used. They should include:

- the names of the students involved and any witnesses, together with where and when the incident took place
- the reason why the use of force was necessary
- a description of the incident including the steps taken to calm the situation before force was deemed to be necessary
- the nature of the force used
- the pupil's response
- the outcome of the incident
- details of any injury suffered by any of the parties or damage to property.

A senior member of staff should also be informed immediately.

### Care and safety in detention

Consideration should be given to the care and safety of children detained. Under the legal principle of vicarious liability, the parent could take action of negligence against the teacher, or the governing body or proprietor, if a child is injured mentally or physically because a teacher is negligent.

A child who was injured when returning home could also theoretically claim damages against the school. An example might be if, after a detention, a child were to be knocked down crossing a road outside the school where someone would have supervised students crossing that road at the normal end of the school day. However, the parent would have to prove that the school's duty extended to ensuring



the child's safety on the way home and the injury was a direct result of the school's negligence in carrying out that duty.

In case parents bring a legal challenge, the Head should keep a written record of the detention and the reasons for imposing it.

When lunch-time detentions are used, the College will ensure:

- that they know whether a student is expected home for lunch and, if so, that parents are kept informed of their child's whereabouts
- that students in detention still have the opportunity to eat, drink and use toilets.

Students in detention will be given appropriate work and spend the time constructively during detention.