



## Behaviour Policy

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<b>Published:</b> 2013 <b>This review:</b> April 2025	<b>Next review:</b> Autumn Term 2025	<b>Statutory/non:</b> Non-statutory	<b>Lead:</b> D Llewellyn, Assistant Headteacher
<b>Associated documents:</b>			
NCEA –Anti bullying policy NCEA –Attendance policy NCEA – Child Protection and Safeguarding NCEA – SEND Policy MITRE- Peer on Peer Abuse Policy			
<b>Legislation, statutory requirements and statutory guidance</b>			
<p>This policy is based on legislation and advice from the Department for Education (DfE) on:</p> <ul style="list-style-type: none"> <li>➤ <a href="#">Behaviour in Schools - Advice for headteachers and school staff Feb 2024 (publishing.service.gov.uk)</a></li> <li>➤ <a href="#">Searching, screening and confiscation: advice for schools 2022</a></li> <li>➤ <a href="#">The Equality Act 2010</a></li> <li>➤ <a href="#">Suspension and permanent exclusion guidance September 2023 (publishing.service.gov.uk)</a></li> <li>➤ <a href="#">Keeping Children Safe in Education</a></li> <li>➤ <a href="#">Use of reasonable force in schools</a></li> <li>➤ <a href="#">Supporting students with medical conditions at school</a></li> </ul> <p>It is also based on the <a href="#">Special Educational Needs and Disability (SEND) Code of Practice</a>.</p> <p>In addition, this policy is based on:</p>			

➤ Schedule 1 of the [Education \(Independent School Standards\) Regulations 2014](#); paragraph 7 outlines a school's duty to safeguard and promote the welfare of children, paragraph 9 requires the school to have a written behaviour policy and paragraph 10 requires the school to have an anti-bullying strategy

➤ [DfE guidance](#) explaining that academies should publish their behaviour policy and anti-bullying strategy

This policy complies with our funding agreement and articles of association.

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## SECTION A

### 1. THE VALUES OF OUR ACADEMY

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*'Life in all its fullness' (John 10:10)*

#### 1.1 What are our academy's values?

Our values are Aspiration, Respect, Compassion and Humility: an ARCH, underpinned by the two pillars of Wisdom and Service and held together by the keystone, placing God at the centre of our academy.

##### 1.1.1 Aspiration

Christians believe we have each been given unique talents and abilities and we want everyone in our community to use these as fully as possible: academically, and also in the arts, music and sport. *'I can do all things through Christ who strengthens me' (Philippians 4:13)*

##### 1.1.2 Respect

By respecting others, the environment and ourselves we can help to create a better society.  
*'Show respect for everyone' (1 Peter 2:17)*

##### 1.1.3 Compassion

Christians believe God is a God of compassion. We should actively look to relieve the suffering of those around us. We can show compassion for others through kindness, patience, forgiveness and love.

*'Be kind and compassionate to one another, forgiving each other, just as in Christ God forgave you.'* (Ephesians 4:32)

##### 1.1.4 Humility

True humility is about greater self-awareness. We admit our limitations, and recognise the strengths and talents of others.

*'In humility value others above yourselves' (Philippians 2:3)*

##### 1.1.5 Wisdom

Wisdom is a way of understanding things, which enables us to see what is true, or right, and to use what we learn unselfishly.

*'Blessed are those who find wisdom, those who gain understanding' (Proverbs 3:13 NIV)*

### 1.1.6 Service

For Christians, everything that we do is in service to God. Whether Christians or not, the idea of service should be central to everything we do.

*'Never be lazy, but work hard and serve the Lord enthusiastically' (Romans 12:11)*

## 1.2 What is the keystone?

At the National Church of England Academy, it is God as seen in the life of Jesus and as experienced today through the working of the Holy Spirit who is the keystone holding our community together. 'Anyone who listens to my teaching and follows it is wise like a person who builds a house on solid rock'. (*Matthew 7:24*)

## 2. The AIMS OF THE POLICY

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This policy aims to:

- Create a positive culture that promotes excellent behaviour, ensuring that all students have the opportunity to learn in a calm, safe and supportive environment
- Establish a whole-school approach to maintaining high standards of behaviour that reflect the values of the school
- Outline the expectations and consequences of behaviour
- Provide a consistent approach to behaviour management that is applied equally to all students
- Define what we consider to be unacceptable behaviour, including bullying and discrimination

**THIS POLICY APPLIES TO ALL STUDENTS ON-ROLL AT NCEA (to include KS3, KS4 and KS5)**

## 3. STRUCTURE OF THE PASTORAL SYSTEM AND TUTORING

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### 3.1 Structure of the Pastoral System

The Pastoral Structure at National is made up of a number of key groups and individuals:

- Assistant Headteacher (Behaviour and Attitudes)
- Heads of Year (one per year group)
- Assistant Heads of Year
- Pastoral Support Officers
- Individual tutors (each year group has 7 tutor groups with a main tutor attached whom the students see on a daily basis)
- Sitting alongside this structure is the academy's own alternative provision unit, the Epiphany Centre .

### 3.2 The Pastoral system

- Tutor groups are led by the Personal Tutor (see role outline in this booklet)
- The Personal Tutor is also the Academic Mentor for each student in the tutor group
- There are daily Tutor Time activities e.g. assembly/Thought for the Day /Pastoral Enhancement Sessions/Encounter/Home Group PowerPoint
- Pastoral QA will be completed throughout the year.

### 3.2.1 Purpose for Students

For students, the purpose of the pastoral system is to

- create a community atmosphere
- enable students to have a sense of belonging to the tutor group and year group
- give all students, especially KS4, genuine leadership opportunities
- enable students to understand the rhythm of academy life for each year group
- reduce negative peer group behaviour and encourage positive student behaviour

### 3.2.2 Purpose for Staff

For staff it helps to

- foster good relationships between students and all staff, whatever their roles
- embed the importance of the students being at the centre of academy life
- spread the load of tutor responsibilities evenly throughout the year
- create professional development opportunities

## 4. ROLES AND RESPONSIBILITIES

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### 4.1 The governing board

The governing board is responsible for monitoring this behaviour policy's effectiveness and holding the headteacher to account for its implementation.

### 4.2 The headteacher

The headteacher is responsible for:

- Reviewing and approving this behaviour policy
- Ensuring that the school environment encourages positive behaviour
- Ensuring that staff deal effectively with poor behaviour
- Monitoring how staff implement this policy to ensure rewards and sanctions are applied consistently to all groups of students
- Ensuring that all staff understand the behavioural expectations and the importance of maintaining them
- Providing new staff with a clear induction into the school's behavioural culture to ensure they understand its rules and routines, and how best to support all students to participate fully
- Offering appropriate training in behaviour management, and the impact of special educational needs and disabilities (SEND) and mental health needs on behaviour, to any staff who require it, so they can fulfil their duties set out in this policy
- Ensuring this policy works alongside the safeguarding policy to offer students both sanctions and support when necessary
- Ensuring that the data from the behaviour log is reviewed regularly, to make sure that no groups of students are being disproportionately impacted by this policy (see section 13.1)

### 4.3 Teachers and staff

Staff are responsible for:

- Creating a calm and safe environment for students
- Establishing and maintaining clear boundaries of acceptable student behaviour
- Implementing the behaviour policy consistently



- Communicating the school's expectations, routines, values and standards through teaching behaviour and in every interaction with students
- Modelling expected behaviour and positive relationships
- Providing a personalised approach to the specific behavioural needs of particular students
- Considering their own behaviour on the school culture and how they can uphold school rules and expectations
- Recording behaviour incidents promptly (see appendix 3 for a behaviour log)
- Challenging students to meet the school's expectations

The senior leadership team (SLT) will support staff in responding to behaviour incidents.

## 4.4 Parents and carers

Parents and carers should:

- Get to know the school's behaviour policy and reinforce it at home where appropriate
- Support their child in adhering to the school's behaviour policy
- Inform the school of any changes in circumstances that may affect their child's behaviour
- Discuss any behavioural concerns with the class teacher promptly
- Take part in any pastoral work following misbehaviour (for example: attending reviews of specific behaviour interventions)
- Raise any concerns about the management of behaviour with the school directly, whilst continuing to work in partnership with the school
- Take part in the life of the school and its culture

The school will endeavour to build a positive relationship with parents and carers by keeping them informed about developments in their child's behaviour and the school's policy, and working in collaboration with them to tackle behavioural issues.

## 4.5 Students

Students will be made aware of the following during their induction into the behaviour culture:

- The expected standard of behaviour they should be displaying at school
- That they have a duty to follow the behaviour policy
- The school's key rules and routines
- The rewards they can earn for meeting the behaviour standard, and the consequences they will face if they don't meet the standard
- The pastoral support that is available to them to help them meet the behavioural standards

Students will be supported to meet the behaviour standards and will be provided with repeated induction sessions wherever appropriate. They will be supported to develop an understanding of the school's behaviour policy and wider culture.

## 6. HOME ACADEMY AGREEMENT

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### MISSION STATEMENT

National Church of England Academy is committed to promoting the Christian ethos and faith, and to raising the academic and behavioural standards of students to the highest possible level, so that they may take their place as caring and productive members of society. Students, parents and the academy together will work in partnership by agreeing to:

#### The academy will:

- Encourage high expectations and pride in **Aspiration** of all kinds.
- Value and **Respect** each student as an individual.
- Promote the academy vision of living '**life in all its fullness**' **John 10:10**.
- Inform parents of the progress and welfare of their child regularly.
- Provide a safe and orderly environment in which to work.
- Listen to parents' and students' views and concerns and take appropriate action.
- Provide opportunities to understand and respond with **Compassion**.
- Teach **Humility** by example.

..... Headteacher

#### Parents/guardians will:

- Promote and support the academy vision of living '**life in all its fullness**' (**John 10:10**).
- Support the academy values of **Aspiration, Respect, Compassion and Humility – underpinned by Service and Wisdom**.
- Support all academy policies.
- Work positively with staff for the benefit of their children.
- Ensure your child's regular and punctual attendance. The academy expects an attendance rate of at least 97%.
- Support your child in the work they are expected to do at home.
- Tell us about any circumstances which may affect your child.
- Attend progress evenings.
- Ensure your child wears the correct school uniform.
- Ensure your child has the correct equipment for learning.
- Ensure your child causes zero disruption to the local community, especially whilst wearing the academy uniform

.....Parent/guardian

**Students will:**

- Value and respect each other and every member of staff.
- Try their best and work hard every day.
- Carry out requests made by staff.
- Demonstrate and promote our academy values of Aspiration, Respect, Compassion and Humility – underpinned by Service and Wisdom.
- Support our vision by living 'life in all its fullness' (John 10:10)
- Attend regularly and punctually and bring the correct equipment each day.
- Look after the academy and its surroundings showing respect and care
- Complete homework on time.
- Wear the academy uniform correctly every day.

**Movement around school and in lessons:**

- Observe the designated entry and exit points for each room.
- Observe the one-way systems in place.
- Comply with the allocated seating arrangements in the class.
- Remain seated at the end of lessons until dismissed by the teacher.
- Comply with the instructions given by staff in relation to designated areas for social times.
- Observe the assigned toilet facilities and arrangements outlined by staff.
- Comply with the existing uniform policy and all other areas of the Behaviour Policy.
- Have with me all necessary equipment including a bag, drink and any food needed for the day.
- If bringing a bicycle, to lock this in the bike sheds.
- Proceed straight to main reception if late and speak to the attendance officer.

## 5. EXPECTED LEARNING BEHAVIOURS

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Routines are in place in order to assist with the smooth running of the academy on a day to day basis. Routines assist students in attending lessons on time, showing respect to all of those around them and to be fully engaged with the teaching and learning process. The academy is committed to developing effective learners who are not only aspirational but independent, resilient, engaged and confident. In order to keep students safe, we expect students to follow instructions from staff first time, every time. Questioning a member of staff's professional judgement and decision making during a lesson, for example, would not be acceptable. Staff will assist students in remembering the importance of routines. This will assist students in understanding not only what these routines are, but why they are in place.

### **Keep themselves and others safe**

We expect students to move around the site quietly, calmly and safely. Students should be using the one-way system and respecting all other students on the corridors and those in lessons as a result of split break and lunch times. Students should be in their allocated lessons on time and should not be late and should not leave a classroom without specific instructions to do so from their subject teacher. Under no circumstances should a student not attend a lesson by internally truanting as this is a safeguarding concern.

### **Be respectful**

We expect all members of the community to be respectful at all times and respect is a key ARCH value of the academy. Learning good manners is an integral part of growing up and will help students moving forward to Post 16 education and in the world of work. We expect students to be respectful to staff who help create a positive learning environment and keep them safe, who provide them with quality first teaching and a well presented and well-kept site. Students are expected to be respectful to each other including online through any form of social media. Students should keep the site clear from litter and not vandalise or graffiti. Students should wear the academy uniform correctly with pride at all times. Students should also be mindful of being respectful to our neighbours and the local community when travelling to and from school.

Rudeness towards any member of staff is not necessary and will not be tolerated. We expect our students not only to comply with our academy rules and routines, but to comply with politeness and respect. Each lesson centers around the mantra '**Every lesson at National we are**':

1. Polite to all around us
2. Equipped and ready to work
3. Respectful of others learning
4. Proud of our presentation
5. Engaged with our learning

## 6. REWARDS – CELEBRATING SUCCESS

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When a student's behaviour meets or goes above and beyond the expected behaviour standard, staff will recognise it with positive recognition and reward. Positive reinforcements and rewards will be applied clearly and fairly to reinforce the routines, expectations and norms of the school's behaviour culture. Faculties will also recognise student achievements via contact home and through their own postcard scheme. Tutors are encouraged to celebrate successes with their home group during the Monday administration session. There will be a prize draw at the end of each term.

Students can be awarded achievement points for the following:-

- Academic achievement
- Effort with classwork and homework
- Outstanding attitude to learning
- Modelling one of the ARCH values
- Representing the academy
- 100% attendance (to be awarded by the attendance team only)
- Star of the Lesson (to be awarded once per lesson by subject staff)

Achievement points are awarded for demonstrating the ARCH values.

- Bronze lower for 75 points
- Bronze upper for 150 points
- Silver lower for 200 points
- Silver upper for 250 points
- Gold lower for 300 points
- Gold upper for 350 points
- Platinum lower for 400 points
- Platinum upper for 450 points
- Headteacher Award for 500 points
- Governor Award for 550 points

## 7. IDENTIFYING UNACCEPTABLE BEHAVIOUR AND THE ISSUING OF SANCTIONS

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It is not always possible to have hard and fast rules for every eventuality. Sanctions must not be considered in opposition to rewards, but rather as two complimentary strands of intervention.

Staff must use professional judgements and seek support and advice as necessary to decide on the most appropriate action. Within an active principle of equity and fairness, staff should make an informed judgement about what is appropriate, taking into consideration the needs of the child and the most effective way to achieve reconciliation and resolution. There must be clear consistency, communication with all stakeholders and a degree of flexibility for each incident. It is important for all stakeholders to refer to the hierarchical tier system outlined in this policy.

When establishing the facts in relations to an incident, staff must apply the civil standard of proof i.e. 'on the balance of probabilities' it is more than likely than not a fact is true, rather than the criminal standard of 'beyond reasonable doubt'. This means that staff should accept that something happened if it is more likely that it happened than that it did not happen. Incident forms and reliable witness statements will be used, whenever possible, to reach a balanced decision about the most appropriate action to be taken. Students may be required to write statements relating to incidents which they may be part of or witnessed. They will be signed and dated by a member of staff and the student.

The academy recognises that changes in behaviour may be an indicator that a student is in need of help or protection. We will consider whether a student's misbehaviour may be linked to them suffering, or being likely to suffer, significant harm. Where this may be the case, we will follow our child protection and safeguarding policy, and consider whether pastoral support, an early help intervention or a referral to children's social care is appropriate. Please refer to our Child Protection and Safeguarding Policy for more information

## 7.1 Why sanctions may be issued

Staff will sanction a student if they misbehave, act in a way which may harm themselves or others, act disrespectfully, if they break an academy rule or if they fail to comply with a reasonable instruction issued by a member of staff. It is an expectation that student's treat each other with respect and kindness. What is an appropriate and reasonable response will depend on the circumstances.

Students will be expected to attend lessons on time, to use respectful language, to attend with the correct equipment and uniform and to keep the academy grounds a clean and tidy environment. Students may use the toilet facilities in between lessons quickly and quietly. Staff discretion will apply on whether a student is marked late on the register. This will be dependent on a range of factors including the distance between the previous classroom and the next classroom. If a student breaches any of these areas then staff will challenge and sanction.

## 7.2 Sanctions outside of the classroom

Students are expected to be safe, respectful and calm moving around the site. Uniform is a vital way of instilling pride in one's self and the Academy. It is an expectation that students will wear the academy uniform properly at all times. Where this does not happen, staff will proactively challenge students and sanctions may apply.

## 7.3 Mobile Phones / smart watches

Mobile phones and smart watches are not permitted to be seen or heard on the academy grounds. The academy classes any watch which can receive messages or gain access to the internet as a smart watch. Phones should be turned off before entry to the site and placed in the student's bag. Should a student require their mobile phone for medical purposes (eg diabetes) this will be permitted and staff will be informed via the weekly bulletin. Should a student be seen with a mobile phone they will be expected to hand it over to the member of staff. The phone will be placed in the academy safe until a parent / carer can come to collect it. Any refusal to comply with this will lead to more serious sanctions being applied. Students who are found to be using their mobile phone in school will be issued with an appropriate sanction. Students who are found using mobile phones to record images of others will also face significant sanctions.

## 7.4 Internal / External Truancy

Students have a responsibility to be on time to each of the lessons that they are timetabled for. Failure to do so can cause a potential safeguarding issue with staff having to search a large and complex site. Students will be classed as internally truanting when they have not arrived within 5 minutes of the lesson beginning. Students leaving a lesson without permission is also an example of a safeguarding concern and will be treated the same as an internal truancy case. Students who miss one lesson will be required to make that time up after school in the form of an after-school detention. Students who miss multiple lessons will be required to attend R&R the following day and complete a piece of work breaking down any barriers which the student is facing in attending lessons. Leaving the academy site without permission will lead to the academy considering serious sanctions in order to minimize future risk. If the academy is aware that a child has left the site they will attempt communication home in order of the contacts listed.

## 7.5 Confiscated Items

The academy has the right to confiscate, retain or dispose of student's property as a sanction if reasonable in the circumstances. The procedures surrounding searching, screening and confiscation is explained in this document. The academy remains deeply concerned regarding the use of electronic cigarettes and vapes regarding the unknown health risks attached to them. The academy will dispose of any smoking related material. Jewellery and mobile phones will be returned at the end of the day unless the student repeatedly breaches the dress code. Any item of offence (including weapons, indecent images or illegal content) will be handed to the police. Items such as fizzy drinks, chewing gum will be disposed of.

## 7.6 Expectations Beyond The Academy Premises

When a student is in the close proximity of the National Academy, we expect him or her to behave in a way which reflects our values, and does not harm the academy's reputation. Incidents which take place beyond the school gates during or around the school day will be dealt with in the same way as incidents which take place in school itself. Obviously, we cannot in reality be responsible for the behaviour of our students in the community, but they must not be allowed to think that merely because they have left the school gate, they are able to behave badly and not be held accountable. The academy will consider a number of factors should incidents occur outside of the school premises. These include whether the student in question poses a threat to another student; whether the action has repercussions for the orderly running of the school; whether the action could adversely affect the reputation of the school.

## 7.7 Prejudice Related Incidents

At The National Church of England Academy, we are committed to creating a safe, inclusive, and respectful environment for all students, staff, and members of our community. We believe that every individual deserves to be treated with dignity and respect, regardless of their race, ethnicity, gender, religion, sexual orientation, or any other characteristic.

Prejudice and discrimination, in any form, are not tolerated at our school. When such incidents occur, we take them seriously and respond with the appropriate measures to ensure that our community remains a place of safety and acceptance for everyone. We are dedicated to providing the necessary support for those affected by prejudice, while also addressing the behaviours of those responsible through education, dialogue, and disciplinary actions when necessary.

We encourage students, staff, and parents to report any incidents of prejudice or discrimination, knowing that they will be handled with care, confidentiality, and respect. Together, we will continue to foster a school culture based on empathy, understanding, and mutual respect, where all individuals can thrive and feel valued.

The academy stands firmly against all forms of prejudice, and we will work continuously to ensure that our community reflects the principles of equity, inclusion, and understanding for all.

## 8. SANCTIONS IN THE CLASSROOM

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Each classroom will have a Behaviour for Learning Ladder displayed. This is designed to give students choices and to support teaching and learning. Low level disruption cannot be tolerated as it impedes on the learning of not only the student in question but those around them. The behaviour ladder is part of the academy's graduated response and supports all children, including those with SEND, to take time to reflect, process information and self-regulate. The member of staff will remind students of the behaviours that are expected. Staff will support students by explained what has gone wrong, what should happen next and by focusing on the behaviour and not the student. Students will be given a short period of time to amend any negative behaviours however will be expected to conform to the understanding that the teaching and learning process must continue uninterrupted.

Students should start the lesson on a positive note by ensuring they are dressed correctly and have the correct equipment for that particular lesson. They should greet their teacher with politeness and enthusiasm and wait to be seated. Likewise, at the end of a lesson, students should stand quietly behind their chairs and wait to be dismissed.

Students will have opportunities to correct their behaviour at Level 1 (first warning) and Level 2 (second warning) before a formal sanction is given. Staff will use a range of strategies and sanctions to support students including

- a verbal reprimand
- a visual reprimand (on the board for example)
- changing a student's position in class
- speaking to the student briefly outside the classroom

Should a student reach Level 3 they will be placed in an after-school detention for one hour. Staff will contact home with details regarding the incident(s) which led to the L3 being issued.

If the student has failed to respond to the multiple interventions listed above and continue to disrupt the learning of others they will receive a Level 4 and On Call will be requested again. The student in question will then be expected to attend Removal and Reflection (R&R) until 16.00. A student will be expected to complete 6 periods of learning and a period 7 until 16.00. Academy leaders may decide to delay the start of R&R until the beginning of the next working day.

**There may be exceptional circumstances where staff may require immediate support, thus missing levels.**

## 9. DETENTIONS

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Parents are aware of our policy and expectations prior to sending their child(ren) to NCEA. It is therefore an expectation parents support our policies. The DfE guidance for Behaviour in Schools (July 2022) states **"parental consent is not required for detentions"**. Parents would need to clearly outline to the academy why a detention could not be carried out on a certain date considering the following points:

- Whether the detention is likely to put the student at increased risk.
- Whether the student has caring responsibilities.
- Whether the detention timing conflicts with a significant mental or physical health appointment.



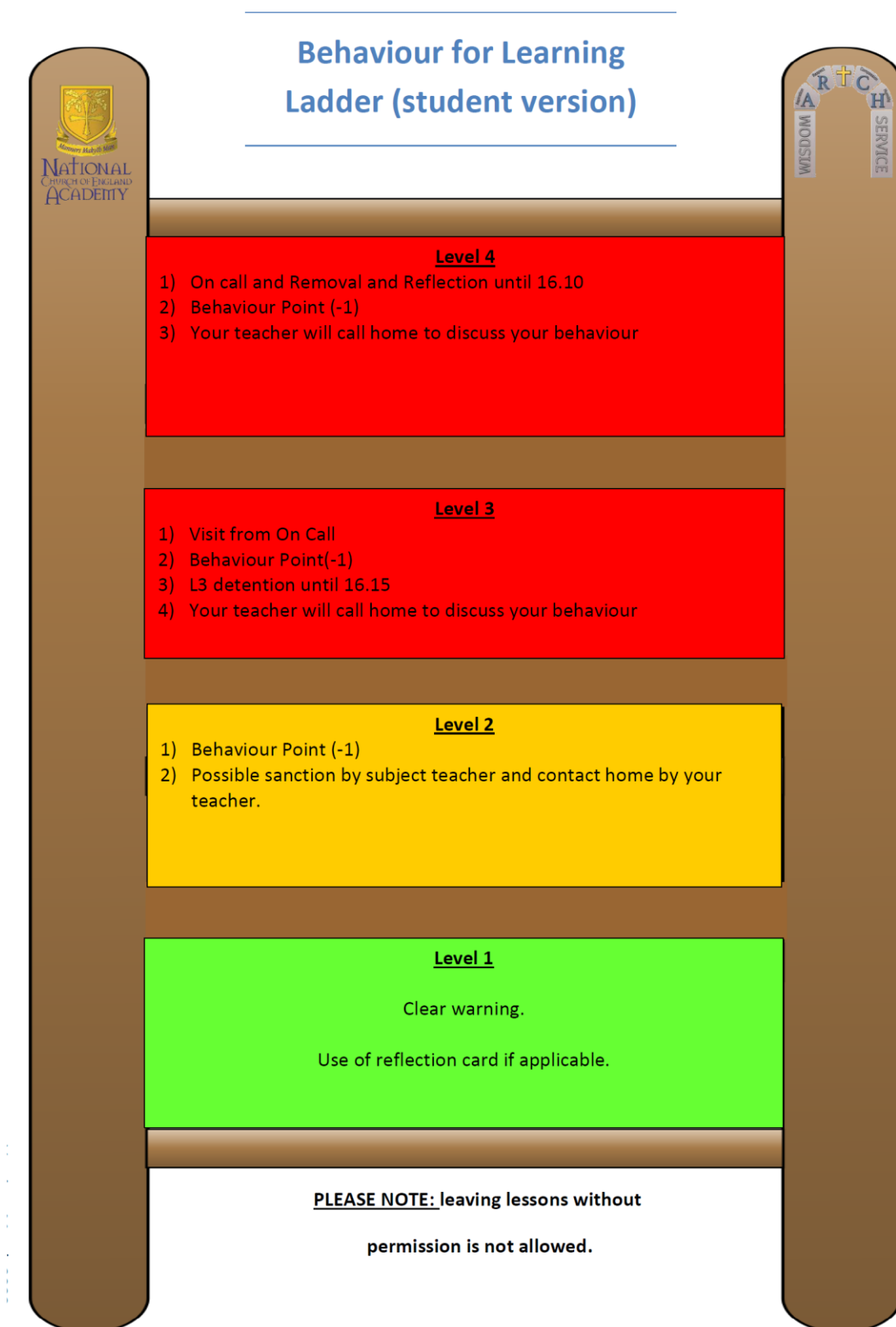
Regardless of any change to education law, we will aim to give parents at least 24 hours' notice of an after-school detention. Detentions will not be rescheduled for other evenings at parental requests. From a safeguarding perspective should a student not attend a detention we will enquire where the student has been. It will be the parents / guardians responsibility to arrange suitable travel arrangements for the student and it does not matter if making these arrangements is inconvenient for the parent (page 22 – Behaviour in Schools, July 2022). It is the responsibility of staff to ensure that the student knows when and where the detention will take place. Parents should also support the academy by checking Talaxy details which will confirm when detentions are scheduled.

As a supportive measure, students will be placed in a Compulsory Catch Up detention if they fail to submit an assessed piece of homework by the deadline set by their subject teacher. Students may also be placed in a CCU if they fail to fully engage with the teaching and learning process during a lesson. Failure to attend either a Head of Year or a Compulsory Catch Up detention will result in a Senior Leadership detention on a Friday evening until 16:30. Failure to attend this detention will result in the student being placed in Removal and Reflection on the following Monday. Should a student receive 3+ detentions in a week they will be placed into Removal and Reflection. Senior Leaders have the authority to issue detentions after school for students who show examples of misbehavior or inappropriate language to staff.

Reason	Timing	When
Reaching L3 of the Behaviour Ladder / internal truancy	15.15-16.15	Daily
Uniform infringement eg shirt untucked	15.15-15.45	Daily
Failing to submit an assessed homework	15.15-15.45	Daily
Failing to attend a scheduled detention	15.15-16.30	Friday

Staff have discretion to issue students with loss of social time outside of these areas for example during break or lunchtimes. These will be recorded on Talaxy for future reference and failure to attend will result in an escalation of sanction.

## 10. Behaviour for Learning Ladder- Student Version



## 11. Behaviour for Learning Ladder- Staff Version

### Behaviour for Learning Ladder (staff version)



#### **Level 4 ON CALL – possible removal from lesson/s, LT detention:**

- 1) On Call
- 2) Possible Removal and Reflection
- 3) Record incident via Talaxy as L4
- 4) Telephone call home to parent/ carer

#### **Level 3 HEAD OF FACULTY DETENTION AFTER SCHOOL:**

- 1) Request on call to speak with the student outside the room
- 2) Arrange L3 detention via Talaxy – ENSURE CORRECT YEAR GROUP IS SELECTED
- 3) Telephone call home to parent / carer

#### **Level 2 TAKE ACTION:**

- 1) Issue a 'L2 behaviour ladder' debit.
- 2) Staff discretion can apply regarding contacting home and sanction e.g. break/lunch detention.

**Level 1 CLEAR WARNING:** having given the student chance to settle and focus, following the reminder. Students with reflection cards should be encouraged to use this here (or at any other part)

STAFF SHOULD NOT RECORD L1 AS A DEBIT.

#### **Reminder of basic expectations for everyone.**

Students should be given a reasonable time  
to reflect on behaviour.

## 12. STUDENTS WITH SPECIAL EDUCATIONAL NEEDS (SEND)

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### 12.1 Recognising the impact of SEND on behaviour

When applying the behaviour policy the academy starts from the viewpoint that all students have the capacity to behave positively however we recognise that for some, their behaviour may be impacted by a special educational need or disability (SEND). When incidents of misbehaviour arise, we will consider them in relation to a student's SEND, although we recognise that not every incident of misbehaviour will be connected to their SEND. Decisions on whether a student's SEND had an impact on an incident of misbehaviour will be made on a case-by-case basis. The academy may sanction misbehaviour for students with SEN when this is not directly linked to their SEN. Failure to do so is not preparing the student for the wider world beyond school. This informed professional judgement is for academy leaders and staff to make as per DfE guidance.

When dealing with misbehaviour from students with SEND, especially where their SEND affects their behaviour, the school will balance their legal duties when making decisions about enforcing the behaviour policy. The legal duties include:

- Taking reasonable steps to avoid causing any substantial disadvantage to a disabled student caused by the school's policies or practices ([Equality Act 2010](#))
- Using our best endeavours to meet the needs of students with SEND ([Children and Families Act 2014](#))
- If a student has an education, health and care (EHC) plan, the provisions set out in that plan must be secured and the school must co-operate with the local authority and other bodies

As part of meeting these duties, the school will anticipate, as far as possible, all likely triggers of misbehaviour, and put in place support to prevent these from occurring. Any preventative measures will take into account the specific circumstances and requirements of the student concerned. NCEA will also consider whether any reasonable adjustments need to be made to the sanction in response to any disability the student may have. Parents are encouraged to liaise directly with the Academy SENCO for any additional needs. Where parents / carers feel a child has a formal, substantive diagnosis of a specific condition, we would encourage them to share that with the Academy to support our understanding and provision. Typically, a formal diagnosis of a condition would be on NHS letter headed paper, be clear and substantive and be from a consultant. Parents and carers of students with SEND are encouraged to communicate with the academy SENCO from an early stage so that the academy is informed of these views and can take them into consideration with putting in place support plans

The academy has several adaptations in place to support students with and identified SEND. Whilst the list below is not exhaustive, it does give an indication of such adapted provisions:

- Reflection cards- these are allocated at the discretion of the Assistant Headteacher SENCO and the Assistant Headteacher Behaviour and Attitudes.
- Adjusting seating plans to allow a student with visual or hearing impairment to sit in sight of the teacher.
- Adjusting uniform requirements for a student with sensory issues or who has severe eczema
- Training for staff in understanding conditions such as autism
- Small group interventions.

- Use of a sensory room where students can regulate their emotions during a moment of sensory overload.

## 12.2 Considering sanctions for students with SEND

When considering a behavioural sanction for a student with SEND, the school will take into account:

- Whether the student was unable to understand the rule or instruction?
- Whether the student was unable to act differently at the time as a result of their SEND?
- Whether the student is likely to behave aggressively due to their particular SEND?

If the answer to any of these questions is yes, it may be unlawful for the school to sanction the student for the behaviour. The school will then assess if it is appropriate to use a sanction and if so, whether any reasonable adjustments need to be made to the sanction. The SEN Code of Practice states (point 57) “A school should not assume that because a child has SEND it must have affected their behaviour on a particular occasion – this is a question of judgement for the school on the facts of the situation.”

## 12.3 Considering whether a student displaying challenging behaviour may have unidentified SEND

The school’s special educational needs co-ordinator (SENCO) may evaluate a student who exhibits challenging behaviour to determine whether they have any underlying needs that are not currently being met. Where necessary, support and advice will also be sought from specialist teachers, an educational psychologist, medical practitioners and/or others, to identify or support specific needs. When acute needs are identified in a student, we will liaise with external agencies and plan support programmes for that child. We will work with parents to create the plan and review it on a regular basis.

## 12.4 Students with an education, health and care (EHC) plan

The provisions set out in the EHC plan must be secured and the school will co-operate with the local authority and other bodies.

If the school has a concern about the behaviour of a student with an EHC plan, it will make contact with the local authority to discuss the issue. If appropriate, the school may request an emergency review of the EHC plan.

Further information about EHC plans can be found via the SEND Local Offer:

<https://www.nottshelpyourself.org.uk/kb5/nottinghamshire/directory/home.page>

## 12.5 Inducting incoming Students

The school will support incoming students to meet behaviour standards by offering an induction process to familiarise them with the behaviour policy and the wider school culture. There is an enhanced provision of transition from key stage 2 to key stage 3 which involves comprehensive information gathering from primary schools. A programme of additional support is offered to the most vulnerable students in addition to the whole school transition process, identified by primary school SENCOs. It is an expectation that parents/ carers who are invited to this induction process attend as many sessions as possible in order to support their child

# 13. SUSPENSIONS

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Suspensions are often a last resort and is a serious sanction which only the Headteacher can decide. In taking the decision to suspend, all consideration will be given to factors around individual students. **It is important to**

**note that when establishing the facts in relation to a suspension decision the Headteacher must apply the civil standard of proof i.e. ‘on the balance of probabilities’ it is more likely than not that a fact is true, rather than the criminal standard of ‘beyond reasonable doubt’. This means that the Headteacher should accept that something happened if it is more likely that it happened than that it did not happen. All stakeholders should also refer to section 35 of the Behaviour Policy.**

Following an investigation the academy may decide to issue a suspension. This will be done following the guidance from the DfE: [Suspension and permanent exclusion from maintained schools, academies and student referral units in England, including student movement](#) guidance. The Leadership Team will co-ordinate statements to be collected and parents will be contacted by the end of the academy day to inform them of the incident and at which stage the investigation is currently at. Whilst not exhaustive, the types of circumstances that may warrant a suspension include:

- Physical assault against other students or adults
- Verbal abuse or threatening behavior against other students or adults
- Use, or threat of use, of an offensive weapon or prohibited item that has been prohibited
- Bullying
- Homophobic, racist, sexist or gender reassignment abuse
- Abuse relating to disability
- Refusal to comply with reasonable instructions from staff
- Repeated breaches of the Academy rules and Behaviour Policy
- Persistent defiance or disruption
- Sexual harassment and / or violence
- The use of recording equipment on academy premises
- Bringing the academy into disrepute in the local community
- Fighting
- Bringing any potentially offensive items onto the site e.g. knives or weapons; alcohol; illegal drugs; stolen items; fireworks; offensive clothing including balaclavas; tobacco and cigarette papers; snus; lighters, e-cigarettes and vaping equipment (or use of); pornographic or sexually explicit material; any article a staff member reasonably suspects has been, or is likely to be, used to commit an offence, or cause personal injury to, or damage to the property of, any person (including the student)
- Theft
- Making a false allegation against staff (these will be retained on file)

Parents will receive in writing the reason for the suspension, the period of the suspension, the right of the parents to make representation to the governing body, how representation should be made, and where there is a legal requirement for the governing body to consider the suspension, that parents have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend. Following a suspension, the student in question may be required to attend a re-education session between 15.15 – 15.45 where a Pastoral Support Officer (PSO) will discuss strategies to avoid further suspensions. Following a suspension, a parent will be given a time to attend school for a reintegration meeting. This is beneficial to the student and should be attended when requested. If a parent chooses not to attend at that time, this will be logged as a missed appointment to support the improvement of their child’s behaviour and access to further support. Families and students will be offered at the reintegration meeting support through the following:

1. A referral to Family Services through the Early Help (EHAF) process
2. A referral to the Healthy Family Team (HFT)
3. A referral to the academy counsellor/ chaplain

Although unusual, should the academy issue a suspension longer than 5 days, educational provision will be provided.

## 14. PERMANENT EXCLUSIONS

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Permanent exclusion is the academy's strongest sanction for dealing with poor behaviour. A student who is permanently excluded is, in effect, rejected from the academy community, and has to find another school. This process is far from easy, and can change a child's life. Since students who are permanently excluded usually have to attend another school permanent exclusion often just pushes the problem somewhere else.

The main reasons for permanent exclusion include:

- A serious breach of the academy's behaviour policy
- Persistent breaches of the academy's behaviour policy
- Where allowing the student to remain in school would seriously harm the education or welfare of the students or others in the school

Because it is the final sanction that we have, and because it is unjust merely to offload troubled students onto other schools, this is a sanction which is used only rarely. Additionally, the rules around permanent exclusion are designed to discourage its use; there is a hefty financial penalty for each exclusion, and the appeals process can lead to exclusions being challenged and overturned.

As a Christian community, we seek to do everything reasonably possible before rejecting a child from the academy; to 'go the extra mile'. But where the behaviour of one individual is harming others, the interests of the community as a whole have to be given priority.

The academy will follow guidance set out in the governments [Exclusion from Maintained Schools, Academies and PRU](#) guidance.

Only the headteacher has the authority to permanently exclude a child.

## 15. STRATEGIES TO AMEND BEHAVIOURAL CONCERNS

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### 15.1 Report Cards

Being on report is a support mechanism which should be supported by parent/ carer and student alike. The targets placed on an individual report should be made clear to the student and shared in advance with parents. Parents will be expected to check this report each day. Students should be placed on report for an initial period of one week. At the end of this period, the key staff member will decide whether to complete, extend or escalate for a further period of time.

Report cards will be issued either by the tutor or the respective Head of Year. Positive reports may also be used by Pastoral Support Officers on occasion. Students will be expected to comply with this monitoring process and will face sanctions for failing to do so.

### 15.2 Removal and Reflection (R&R)

#### 15.2.1 Aims and procedures:

- To provide a high-level sanction for unacceptable behaviour which focuses on learning and progress.

- To provide opportunities for students to reflect on their behaviour and plan to make better decisions in future.
- To provide students and staff with a framework for a restorative practice discussion which helps to build positive relationships.
- The only staff who can request that a student goes into the Removal and Reflection room are members of the ELG and HOYs.
- If a student is to be booked into the Removal and Reflection room, they must be accompanied by one of these members of staff or the person 'on call'. If students arrive on their own, even with a written note, they will be returned to their lesson by the Removal and Reflection coordinator.
- Students can be referred to R&R for extremely disruptive or unsafe behaviour; for reaching L4 of the behaviour ladder; for defiance and/ or refusing to comply with reasonable requests issued by staff; as a holding measure whilst an incident is being investigated.

### 15.2.2 Use of Removal and Reflection:

- Supervision of students will be done by Pastoral Support Officers and Inclusion staff.
- Students may be placed in R&R following an incident which is being investigated internally in order to provide a safe space to provide a written statement
- Work will be provided by both faculties and PSOs.
- Students will remain in the Removal and Reflection area during social times.
- Students will be escorted to the dining room by the Removal and Reflection coordinator at the end of period 4 to collect their lunch, and will return to the Removal and Reflection room to eat it.
- Students' work, where appropriate, will be put in individual teachers' pigeon holes to be reviewed. It is expected that should a student be placed in Removal and Reflection they work calmly, quietly and respectfully throughout the day. Failure to do this could lead to further sanctions.
- In case of fire evacuation, students in Removal and Reflection will be told to join their tutor groups to be registered. They are then required to return to the Removal and Reflection room when the 'all clear' has been given.
- Students will attend Removal and Reflection between 8.45am and 16.10. It will be the parent's responsibility to arrange transport home.
- If students misbehave whilst in attendance they will be given a reminder with up to three warnings and will be removed to have a reinforcement conversation with the On Call member of staff. Any further misbehavior will result in referral to the Assistant Headteacher Behaviour & Attitudes and the Headteacher where a suspension or an alternative to a suspension sought.

### 15.3 SHNK:

The National Church of Academy is part of a Fair Access partnership consisting of The Holgate Academy, The Kimberley School and Selston High School. As an alternative to a suspension, a student may be sent for a period of time to work in these other schools' removal facilities. NCEA may provide transportation both to and from the other academy if the student is classified either as vulnerable or in receipt of Free School Meals. Parents will be informed which academy their child will need to attend and the timings. Uniform will need to be worn and a packed lunch must be taken (which will be provided for students in receipt of Free School Meals). Bringing the academy into disrepute whilst on a SHNK will result in an escalation to a more serious sanction.

**Students placed on a SHNK remain on our roll and their attendance is monitored.**

### 15.4 The role of the Pastoral Support Officers (PSOs):



The PSOs will, on occasion, work with targeted students in order to improve their attitude to learning. This will usually involve mentoring sessions at the beginning of the day as well as being on report to them. Period 7 will be used for reflection purposes (3.15 – 3.45pm) and parents will be notified that day either by telephone or text (if agreed previously).

## 15.5 The School Early Intervention Officer (SEIO)

The academy may also from time to time ask the SEIO to meet with students to do short intervention work at school. Whilst not an exhaustive list the academy may ask the SEIO to meet with students who have used prejudice related language, any form of sexual harassment, acts of violence or threatening behaviour. Parental consent is not required for these meetings as is intervention work.

## 15.6 The Epiphany Centre:

The academy has its own on-site alternative provision unit, the Epiphany Centre. This is a small provision which caters for students who cannot access mainstream provision. The EC can be accessed to deliver a bespoke curriculum offer led by the Alternative Provision Manager and supported by the Alternative Provision Learning Support Assistant. Should a student be required to attend the EC, the student will remain on roll at the academy. Any student who is placed in the EC will automatically be recognised on the SEN register as receiving SEN support. Students will adhere to all other rules and regulations found in current academy policies, including expectations regarding attendance and uniform. Parents/guardians will be invited to attend an initial meeting with the Alternative Provision Manager. During this initial meeting, the following will be established:

- The start and end times of the day
- The entrance and exit arrangements for the building
- The fire and lockdown procedures
- The curriculum offer
- The monitoring process
- The review process

Students will attend the provision for a period of time determined by the leaders at the academy, unless there are exceptional circumstances which can only be authorised by the Headteacher. Upon entry, a Getting To Know Me Form will be offered completed and other support (eg a Healthy Family Team referral and EHAF) will also be offered to parents / carers.

A student may return to the EC on more than one occasion if required.

## 15.7 Managed moves

NCEA can also transfer a student to another school on a 'Managed Move' if there is the agreement of everyone involved including the parents and the admission authority of the new school. This will only be offered as a permanent transfer after the student has attended for a set period of time and a review of the direction has established that the student has settled well into the new school.

## 16. ALTERNATIVE PROVISION

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**As per the guidance surrounding Alternative Provision “schools may also direct students off-site for education, to help improve their behaviour” [Alternative provision - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/alternative-provision)**

Alternative provision is an educational provision for students who are unable to access full time mainstream education for a number of reasons, or who are unsuited to the mainstream provision at NCEA. NCEA is committed to exhausting all possibilities to ensure that students have the opportunity for success on site in a mainstream environment however there may be occasion where alternatives are sought.

### 16.1 Off-site Alternative Provision:

Where the academy deems it appropriate, a child may be directed to attend Alternative Provision. The academy will only commission provision from the Local Authority Directory of Alternative Provision. Any student placed in AP **will not be ‘off-rolled’** and their ULN and registration will remain with NCEA. Families will be offered an EHAF to further support the named student. Attendance at any alternative provision is a decision for Academy leaders alone, dependent on a place being available and whether it is suitable. Parents may not direct their child(ren) to alternative provision.

Why an alternative provision referral may be made:

- a serious behavioural incident that may have resulted in an extended suspension or a permanent exclusion.
- a student who is struggling to meet the academic and social demands of mainstream education or who may be negatively impacting on their peers.
- a student has had one or more suspensions and is considered to be at risk of permanent exclusion from the academy. AP is a strategy to avoid permanent exclusion for students and to encourage inclusion in education.
- a student who is not accessing full time education and is at risk of becoming NEET. An alternative provision may provide a better opportunity to progress to a post 16 pathway
- NCEA may feel that respite is needed from the main academy so that a student may change/ negative behaviours so that reintegration to the main academy is successful and risk of permanent exclusion is reduced.
- Students who have a diagnosed health issue may need support to access a mainstream curriculum. Such a decision would only be taken with the advice and guidance from all agencies working with the student in question.

### 16.2 Process and the monitoring of students at alternative provision:

NCEA will set up a meeting involving all parties, including parents/ guardians and others as appropriate. NCEA will clearly explain to families why the alternative provision is being selected. If the provision is being offered as an alternative to permanent exclusion this must be clear to parents so that they are able to make an informed decision.

The notice letter will be sent to parents/ guardians clearly explaining:

- The reasons for the referral to an AP provider
- The aims of the placement
- The period for which the student will be required to attend the placement
- The date and time the placement will commence
- The address the student will need to attend and the name of the person to whom they must report on the first day

- Details of the session times i.e. the time the morning and afternoon sessions start and end

Students must attend the off-site provision as required and parents/ guardians must support this.

NCEA will have weekly contact with the alternative provision provider in question to ensure that the wellbeing and progress of the student is monitored closely.

NCEA will continue to monitor the student's attendance and assist the alternative provision provider in establishing why there are any absences.

The DSL for NCEA will continue to monitor any safeguarding needs.

Contact with the alternative provision provider will be made by the Assistant Headteacher BAPD and the Assistant Headteacher SEND.

NCEA will conduct termly reviews of students to which the alternative provision provider, parent and child will be expected to attend.

The Assistant Headteacher BAPD and Assistant Headteacher SEND will conduct quality assurance processes for all aspects of alternative provision.

The Assistant Headteacher BAPD and Assistant Headteacher SEND will accurately inform professionals where multiple agencies are involved with a student and their family.

A review of this provision will be agreed at each term including discussions about whether the student is ready/ able to attempt to reintegrate back into the mainstream provision.

If the placement appears not to be working or if the student is not attending a review meeting will be held where further options will be discussed. The meeting will reinforce the expectations of the original agreement.

If the placement comes to an end due to the behaviour of the student, a meeting will be convened between NCEA, the AP provider and the family to discuss either a return to the academy or to identify a further AP provider. If these are not viable, and the student's behaviour warrants, a permanent exclusion from NCEA may be issued. We are not guaranteed places/availability at any alternative provision providers.

## 17. DEALING WITH SEXUAL VIOLENCE AND SEXUAL HARASSMENT BETWEEN CHILDREN

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The academy has taken into consideration the latest government guidance regarding sexual violence and sexual harassment which can be found here: [Sexual violence and sexual harassment between children in schools and colleges \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/612212/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges.pdf)

### 17.1 Context

The academy is committed to ensuring that all our students feel safe and supported especially in regards to sexual violence and sexual harassment concerns and the academy has a zero tolerance approach to sexual violence and harassment. Staff are clear that sexual violence and harassment can occur between two children of any age and sex and all staff at the academy are advised to maintain the attitude of **‘it could happen here’**. Staff are aware that whilst any report of sexual violence or harassment will be taken seriously, it is more likely that girls will be the victims of sexual violence and sexual harassment and more likely it will be perpetrated by boys.

### 17.2 Sexual assault

Whilst there is a full and clear description of what constitutes as sexual violence in the DfE guidance (page 10 section 14) it is vital that staff are clear that **“sexual assault covers a very wide range of behaviour so a single act of kissing someone without consent or touching someone’s bottom/ breasts/ genitalia without consent, can still constitute sexual assault”**

### 17.3 Sexual harassment

Sexual harassment is likely to: violate a child’s dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment. Staff must be vigilant in their understanding of and awareness of sexual comments, sexual “jokes” or taunting, physical behaviour, online sexual harassment which includes non-consensual sharing of nude and semi-nude images and videos.

### 17.4 Reporting abuse, sexual violence and sexual harassment

Students at the academy have a range of ways that they can report abuse, sexual violence and harassment. These include:

- Reporting any incident to any member of staff at any point – staff will take each incident seriously
- Going directly to their Head of Year or Assistant Head of Year
- Seeking the support of any member of the Senior Leadership Team
- Via the ‘Worry box’ in House Reception which will be emptied each evening at 15.30
- Using [www.tootoot.co.uk](https://www.tootoot.co.uk) which will automatically alert the Head of Year via email. Students will need to use this facility outside of the academy hours due to the no mobile phone policy in place

### 17.5 Actions for staff

As with any other safeguarding concerns, the member of staff who is made aware of such an incident must report this immediately via [www.myconcern.co.uk](https://www.myconcern.co.uk) – staff must mark this concern as URGENT. Victims must be reassured that they will be taken seriously and they must never be made to feel ashamed for making such a report. If such a disclosure involves an online image, staff must not view or forward illegal images of a child. Staff must make the DSL be aware immediately.

The Designated Safeguarding Lead (or DDSL) will then conduct a thorough investigation using the advice and guidance not only from existing safeguarding training, but KCSIE (2022) and the guidance set out in **Sexual**

## 17.6 Advice for staff

As with any safeguarding matter, the way in which staff responds to a disclosure is vital. Staff must

- listen carefully to the child, reflecting back, using the child's language, being non-judgmental, being clear about boundaries and how the report will be progressed, not asking leading questions and only prompting the child where necessary with open questions – where, when, what, etc. It is important to note that whilst leading questions should generally be avoided, staff can ask children if they have been harmed and ask what the nature of that harm was;
- consider the best way to make a record of the report. Best practice is to wait until the end of the report and immediately write up a thorough summary. This allows the staff member to devote their full attention to the child and to listen to what they are saying. It may be appropriate to make notes, especially if a second member of staff is present. However, if making notes, staff should be conscious of the need to remain engaged with the child and not appear distracted by the note taking. Staff must adhere to the academy safeguarding policy and report this via MyConcern. Either way, it is essential a written record is made;
- only recording the facts as the child presents them. The notes should not reflect the personal opinion of the note taker. Schools and colleges should be aware that notes of such reports could become part of a statutory assessment by children's social care and/or part of a criminal investigation; and
- informing the designated safeguarding lead (or deputy), as soon as practically possible, if the designated safeguarding lead (or deputy) is not involved in the initial report

## 17.7 Investigation process

1. Student to report any examples of sexual harassment / violence to staff
2. Staff to follow safeguarding protocol and report on MyConcern
3. DSL to investigate or to ask HOY to investigate. Statements must be signed and dated by all parties.
4. Victim to be offered listening referral support
5. Assistant Headteacher and HOY to agree on sanction as per policy
6. Perpetrator to also complete after school session > educational package

Please refer to section 7.7-7.10 of our Child Protection and Safeguarding Policy, and the Child on Child Abuse Policy, for more information.

# 18. SEARCHING STUDENTS AND CONFISCATING BANNED ITEMS

**All stakeholders should refer to the list of prohibited items outlined on page 26 of this policy**

## 18.1 Searching, Screening and Confiscation

Where there is a need for searching, screening and confiscation, they are conducted in line with the DfE's [latest guidance on searching, screening and confiscation](#).

### 18.1.1 Confiscation

Any prohibited items (listed in section A) found in a student's possession as a result of a search will be confiscated. These items will not be returned to the student.

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

### 18.1.2 Searching a student

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 student, and there will be another member of staff present as a witness to the search.

An authorised member of staff of a different sex to the student 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 student; **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, designated safeguarding lead (or deputy) or pastoral member of staff who may have more information about the student. During this time the student will be supervised and kept away from other students.

A search can be carried out if the authorised member of staff has reasonable grounds for suspecting that the student 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 student has agreed.

An appropriate location for the search will be found. Where possible, this will be away from other students. The search will only take place on the school premises or where the member of staff has lawful control or charge of the student, 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 students or staff at risk
- Consider whether the search would pose a safeguarding risk to the student
- Explain to the student why they are being searched
- Explain to the student 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 student the opportunity to ask questions
- Seek the student's co-operation

If the student refuses to agree to a search, the member of staff can give an appropriate behaviour sanction.

If they still refuse to co-operate, the member of staff will contact the Assistant Headteacher BA and/or the Headteacher, to try and determine why the student is refusing to comply.

The authorised member of staff will then decide whether to use reasonable force to search the student. This decision will be made on a case-by-case basis, taking into consideration whether conducting the search will prevent the student 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 in section 3, 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.

An authorised member of staff may search a student'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

### 18.1.3 Searching students' possessions

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

- Desks
- Lockers
- Bags

A student's possessions can be searched for any item if the student agrees to the search. If the student does not agree to the search, staff can still carry out a search for prohibited items (listed on page 26) and items identified in the school rules.

An authorised member of staff can search a student's possessions when the student 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.

### 18.1.4 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 student was in possession of a prohibited item as listed on page 26
- If they believe that a search has revealed a safeguarding risk

All searches for prohibited items (listed on page 26), including incidents where no items were found, will be recorded in the school's safeguarding system.

### 18.1.5 Informing parents

Parents will always be informed of any search for a prohibited item (listed on page 26). 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

### 18.1.6 Support after a search

Irrespective of whether any items are found as the result of any search, the school will consider whether the student 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 intervention or a referral to children's social care is appropriate.

### 18.1.7 Strip searches

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 in accordance with the [Police and Criminal Evidence Act 1984 \(PACE\) Code C](#).

Before calling the police into school, staff will assess and balance the risk of a potential strip search on the student'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 student(s) involved. Staff retain a duty of care to the student involved and should advocate for student wellbeing at all times.

### 18.1.8 Communication and record-keeping

Where reasonably possible and unless there is an immediate risk of harm, staff will contact at least 1 of the student's parents to inform them that the police are going to strip search the student before strip search takes place, and ask them if they would like to come into school to act as the student's appropriate adult. If the school can't get in touch with 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 student'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.

### 18.1.9 Who will be present

For any strip search that involves exposure of intimate body parts, there will be at least 2 people present other than the student, except in urgent cases where there is risk of serious harm to the student or others.

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

- The student 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 student's decision and it will be signed by the appropriate adult.

No more than 2 people other than the student 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 student
- Not be a police officer or otherwise associated with the police
- Not be the headteacher
- Be of the same sex as the student, unless the student specifically requests an adult who is not of the same sex

Except for an appropriate adult of a different sex if the student 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 student could be seen by anyone else.



### 18.1.10 Care after a strip search

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

As with other searches, the school will consider whether the student 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 student(s) who have been strip searched more than once and/or groups of students 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.

### 18.1.11 Screening

Screening will be done at the academy by an authorized member of staff with the use of a hand-held metal detector where the academy has reasonable grounds to believe a prohibited item may be on the student in question

## 19. USE OF REASONABLE FORCE

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### 19.1 The power to use reasonable force:

All members of academy staff have a legal power to use reasonable force. It can also apply to people who the Headteacher has temporarily put in charge e.g. an adult volunteer.

Reasonable force can be used to prevent students:

- Hurting themselves or others.
- Damaging property.
- Causing disorder.

### 19.2 Definitions:

Force is usually used either to control or restrain.

Term	Definition
Reasonable	No more force than is needed given the circumstances.
Control	Either passive physical contact such as blocking a student's path or more active physical contact such as leading a student by the arm.
Restraint	To hold back physically e.g. during a fight.

Reasonable force can be used:

- To remove disruptive children from a classroom.
- To prevent a student from behaving in a way that disrupts a school event.

- To prevent a student leaving the classroom where to do so would mean them risking their own safety or others.
- To prevent a student from attacking a member of staff or another student.
- To restrain a student at risk of harming themselves. Reasonable force cannot be used as a form of punishment.

There is a legal duty to make reasonable adjustments for disabled children and children with SEN.

### 19.3 Using force:

The Headteacher will consider which staff would benefit from specific training. Parents will be contacted if force or restraint have been used and asked to attend a meeting to discuss the incident. (This is not a legal requirement).

### 19.4 Training:

The academy has members of staff who have undertaken extra training in regards to the use of reasonable force (MAPA).

### 19.5 Where there is a complaint:

When a complaint is made the emphasis is on the person making the complaint to prove that the allegations are true and not for the member of staff to show that he/she acted reasonably. The academy will follow the guidelines set in 'Dealing with Allegations of Abuse Against Teachers and Other Staff'. We would encourage any complainant to consider whether the academy has acted within the boundaries of this policy prior to making a complaint in relation to it.

### 19.6 Other physical contact:

It is not illegal to touch a student. There might be physical contact with a student when:

- Holding the hand/ arm of a child when walking around the academy who may be injured or highly distressed
- Comforting.
- Congratulating or praising.
- Demonstrating how to use a musical instrument or exercises in PE.
- Giving first aid.

### 19.7 SEND special consideration for students with SLD:

As autism is a disability affecting communication, some young people will not be reliable in their ability to inform their parents if force has been used. Communication difficulties may also mean that children with autism do not know what 'appropriate force' is or why they are being disciplined. This makes the need for parents to be contacted particularly important and to ensure that these practices are transparent and accountable. (Using guidance from 'Treehouse', a national charity for autism education).

# Appendix 1: Dress code, technology and personal possessions

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Appropriateness will be at the discretion of the academy. The general principle of this is that if the attire would not be appropriate professional wear in a business environment then it would not be appropriate for students. Sanctions such as detentions will be applied for uniform indiscretions such as shirts being untucked

## **Uniform: any items that are not on this list are not permitted in the academy:**

- Navy blue blazer with academy badge. Jumpers underneath the academy blazer are not permitted.
- Pale blue shirt (long or short sleeves) tucked in at all times.
- Clip-on academy tie.
- Branded black skirt or branded black trousers.
- Plain black, low heeled polishable shoes.

## **Outerwear:**

- Must be worn over the academy blazer.
- High visibility clothing for safety, in winter, or on bikes is actively encouraged.
- Hooded / tracksuit tops / sports jackets are not permitted and will not be acknowledged as a coat.
- Hats/ baseball caps are not permitted unless specifically advised by the leadership team (for example in extreme heat)
- Clothing such as balaclavas are not tolerated under any circumstances and should not be brought onto the premises

## **Jewellery, hair, make up and nails:**

- Rings are not permitted.
- One small earring per ear (stud), worn in the ear lobe only, which must be removed for PE.
- Other piercings are not allowed and will be asked to be removed.
- One wrist watch is permitted (not a smart watch). Watches must be removed for PE.
- Hairstyles must not attract undue attention to an individual and must only be natural colours and mainstream styles e.g. adding colours such as blue, red and green. Staff discretion will apply.
- Lightly applied natural looking make up only and single colour nail polish only. False eyelashes will not be permitted.
- Artificial nail coverings of any length or type are not permitted. There are health and safety concerns associated with these, especially regarding physical activity. They will require removal.

## **Personal possessions:**

- To prevent loss, please avoid bringing valuables.
- Make sure you keep purses, keys, etc. with you at all times.
- Name/label all personal items.
- Any form of aerosol deodorant is prohibited. Students who wish to apply deodorant after PE must ensure they bring only roll-on deodorants. Aerosols will be confiscated.

## **Technology:**

- All forms of mobile technology, including smart watches, are not permitted.

## **PE Uniform: parents are advised not to purchase items that are not permitted for students use in school.**

- Navy/sky reversible rugby shirt with academy logo OR navy/sky/white hoodie shirt with academy logo.
- Navy jogging bottoms with academy logo OR plain unbranded navy jogging bottoms. Joggers must be plain Navy (with no branding) or school badged joggers. (Students arriving with branded (Nike, adidas etc. bottoms, will be issued with an after-school detention)
- Navy/sky sports socks must be worn.
- Navy shorts or skirt with academy logo.

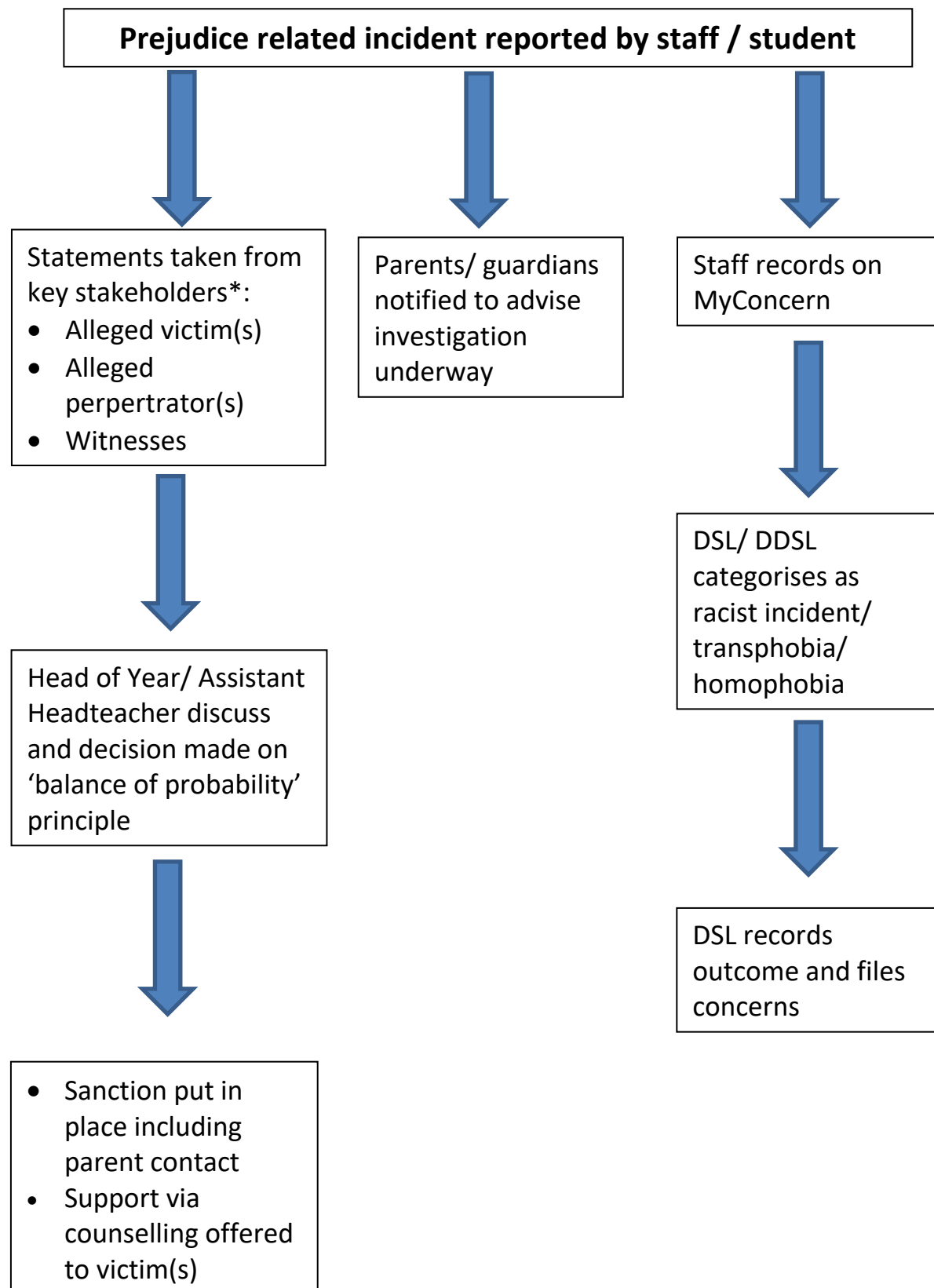
- Navy/sky/white polo shirt with academy logo.
- Trainers and football boots are required as are shin pads and gum shields
- Students can wear plain black or navy skins/ thermal BUT these must be under their PE shorts or t shirt.
- Students must continue to wear the academy blazer on their PE day. Students must only attend the academy in PE kit on their allocated PE day(s). Attending the academy in PE kit on a non PE day will result in a sanction applying.

### **Pupil Premium Support**

Parents/ carers whose child(ren) are in receipt of the Pupil Premium funding can contact the Deputy Headteacher, Mr Hawkins at [pupilpremium@nationalacademy.org.uk](mailto:pupilpremium@nationalacademy.org.uk) for support and information regarding uniform pop up shops.

## APPENDIX 2: ACADEMY RESPONSE TO PREJUDICE RELATED INCIDENTS

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\*if a statement is not possible, the academy may seek a telephone statement

## **SECTION B: MITRE APPROACHES TO MANAGING BEHAVIOUR IN SCHOOLS**

### **31. PROHIBITED ITEMS**

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➤ Possession of any prohibited items constitutes serious misbehaviour. These are:

- Knives or weapons
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco and cigarette papers
- Lighters, e-cigarettes and vaping equipment
- Fireworks
- Pornographic or sexually explicit material
- 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 student)

### **32. SEARCHING, SCREENING AND CONFISCATION**

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All stakeholders should refer to the list of prohibited items outlined on page 26 of this policy and Section 31.

#### **32.1 Searching, Screening and Confiscation**

Where there is a need for searching, screening and confiscation, they are conducted in line with the DfE's [latest guidance on searching, screening and confiscation](#).

##### **32.1.1 Confiscation**

Any prohibited items (listed in section A) found in a student's possession as a result of a search will be confiscated. These items will not be returned to the student.

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

##### **32.1.2 Searching a student**

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 student, and there will be another member of staff present as a witness to the search.

An authorised member of staff of a different sex to the student 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 student; **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, designated safeguarding lead (or deputy) or pastoral member of staff who may have more information about the student. During this time the student will be supervised and kept away from other students.

A search can be carried out if the authorised member of staff has reasonable grounds for suspecting that the student 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 student has agreed.

An appropriate location for the search will be found. Where possible, this will be away from other students. The search will only take place on the school premises or where the member of staff has lawful control or charge of the student, 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 students or staff at risk
- Consider whether the search would pose a safeguarding risk to the student
- Explain to the student why they are being searched
- Explain to the student 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 student the opportunity to ask questions
- Seek the student's co-operation

If the student refuses to agree to a search, the member of staff can give an appropriate behaviour sanction.

If they still refuse to co-operate, the member of staff will contact the Assistant Headteacher BA and/or the Headteacher, to try and determine why the student is refusing to comply.

The authorised member of staff will then decide whether to use reasonable force to search the student. This decision will be made on a case-by-case basis, taking into consideration whether conducting the search will prevent the student 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 in section 3, 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.

An authorised member of staff may search a student'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

### 32.1.3 Searching students' possessions

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

- Desks
- Lockers
- Bags

A student's possessions can be searched for any item if the student agrees to the search. If the student does not agree to the search, staff can still carry out a search for prohibited items (listed on page 26) and items identified in the school rules.

An authorised member of staff can search a student's possessions when the student 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.

### 32.1.4 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 student was in possession of a prohibited item as listed on page 26
- If they believe that a search has revealed a safeguarding risk

All searches for prohibited items (listed on page 26), including incidents where no items were found, will be recorded in the school's safeguarding system.

### 32.1.5 Informing parents

Parents will always be informed of any search for a prohibited item (listed on page 26). 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

### 32.1.6 Support after a search

Irrespective of whether any items are found as the result of any search, the school will consider whether the student 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 intervention or a referral to children's social care is appropriate.

### 32.1.7 Strip searches

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 in accordance with the [Police and Criminal Evidence Act 1984 \(PACE\) Code C](#).

Before calling the police into school, staff will assess and balance the risk of a potential strip search on the student'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 student(s) involved. Staff retain a duty of care to the student involved and should advocate for student wellbeing at all times.

### 32.1.8 Communication and record-keeping

Where reasonably possible and unless there is an immediate risk of harm, staff will contact at least 1 of the student's parents to inform them that the police are going to strip search the student before strip search takes place, and ask them if they would like to come into school to act as the student's appropriate adult. If the school can't get in touch with 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 student'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.

### 32.1.9 Who will be present

For any strip search that involves exposure of intimate body parts, there will be at least 2 people present other than the student, except in urgent cases where there is risk of serious harm to the student or others.

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

- The student 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 student's decision and it will be signed by the appropriate adult.

No more than 2 people other than the student 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 student
- Not be a police officer or otherwise associated with the police
- Not be the headteacher
- Be of the same sex as the student, unless the student specifically requests an adult who is not of the same sex

Except for an appropriate adult of a different sex if the student 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 student could be seen by anyone else.

### 32.1.10 Care after a strip search

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

As with other searches, the school will consider whether the student 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 student(s) who have been strip searched more than once and/or groups of students 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.

### 32.1.11 Screening

Screening is rarely undertaken at NCEA.

## 33. CHILD ON CHILD ABUSE, SEXUAL HARASSMENT AND SEXUAL VIOLENCE

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The school will ensure that all incidents of sexual harassment and/or violence are met with a suitable response, and never ignored.

Students are encouraged to report anything that makes them uncomfortable, no matter how 'small' they feel it might be.

The school's response will be:

- Proportionate
- Considered
- Supportive
- Decided on a case-by-case basis

The school has procedures in place to respond to any allegations or concerns regarding a child's safety or wellbeing. These include clear processes for:

- Responding to a report
- Carrying out risk assessments, where appropriate, to help determine whether to:
  - Manage the incident internally
  - Refer to early help
  - Refer to children's social care
  - Report to the police

Please refer to section 7.7-7.10 of our Child Protection and Safeguarding Policy, and the Child on Child Abuse Policy, for more information.

## 34. MALICIOUS ALLEGATIONS

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Where a student makes an allegation against a member of staff and that allegation is shown to have been deliberately invented or malicious, the school will consider whether to discipline the student in accordance with this policy.

Where a student makes an allegation of sexual violence or sexual harassment against another student and that allegation is shown to have been deliberately invented or malicious, the school will consider whether to discipline the student in accordance with this policy.

In all cases where an allegation is determined to be unsubstantiated, unfounded, false or malicious, the school (in collaboration with the local authority designated officer (LADO), where relevant) will consider whether the student who made the allegation is in need of help, or the allegation may have been a cry for help. If so, a referral to children's social care may be appropriate.

The school will also consider the pastoral needs of staff and students accused of misconduct.

Please refer to our child protection and safeguarding policy for more information on responding to allegations of abuse against staff or other students.

## 35. SUSPENSIONS AND EXCLUSIONS

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### 35.1 Definitions

**Suspension** – when a student is removed from the school for a fixed period. This was previously referred to as a 'fixed-term exclusion'.

**Permanent exclusion** – when a student is removed from the school permanently and taken off the school roll. This is sometimes referred to as an 'exclusion'.

### 35.2 Aims

We are committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.

All MITRE schools aim to:

- Ensure that the exclusions process is applied fairly and consistently
- Help governors, trustees, staff, parents and students understand the exclusions process
- Ensure that students in school are safe and happy
- Prevent students from becoming NEET (not in education, employment or training)
- Ensure all suspensions and permanent exclusions are carried out lawfully

### 35.3 A note on off-rolling

All MITRE schools are aware that off-rolling is unlawful. Ofsted defines off-rolling as:

"The practice of removing a student from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the student."

We will not suspend or exclude students unlawfully by directing them off site, or not allowing students to attend school:

- Without following the statutory procedure or formally recording the event, e.g. sending them home to 'cool off'
- Because they have special educational needs and/or a disability (SEND) that the school feels unable to support
- Due to poor academic performance
- Because they haven't met a specific condition, such as attending a reintegration meeting
- By exerting undue influence on a parent to encourage them to remove their child from the school

## 35.4 Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education: [Suspension and permanent exclusion from maintained schools, academies and student referral units in England, including student movement](#).

It is based on the following legislation, which outlines schools' powers to exclude students:

- Section 51a of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Student Exclusions and Reviews) (England) Regulations 2012

In addition, the policy is based on:

- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which sets out parental responsibility for excluded students
- Section 579 of the [Education Act 1996](#), which defines 'school day'
- The [Education \(Provision of Full-Time Education for Excluded Students\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Students\) \(England\) \(Amendment\) Regulations 2014](#)
- [The Equality Act 2010](#)
- [Children and Families Act 2014](#)

## 35.5 Deciding whether to suspend or exclude

Only the headteacher, or acting headteacher, can suspend or permanently exclude a student from school on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school. The headteacher will only use permanent exclusion as a last resort, and in agreement with the Chief Executive Officer.

A decision to suspend or exclude a student will be taken only:

- In response to serious or persistent breaches of the school's behaviour policy, **and**
- If allowing the student to remain in school would seriously harm the education or welfare of others

Before deciding whether to suspend or exclude a student, the headteacher will:

- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked
- Allow the student to give their version of events
- Consider whether the student has special educational needs (SEN)
- Consider whether the student is especially vulnerable - e.g. the student has a social worker, or is a looked-after child (LAC)
- Consider whether all alternative solutions have been explored, such as off-site direction or managed moves

The headteacher will consider the views of the student, in light of their age and understanding, before deciding to suspend or exclude, unless it would not be appropriate to do so.

Students who need support to express their views will be allowed to have their views expressed through an advocate, such as a parent or social worker.

The headteacher will not reach their decision until they have heard from the student, and will inform the student of how their views were taken into account when making the decision.

If the Local Governing Body decides not to reinstate an excluded pupil during an exclusion hearing, parents or carers can apply for an IRP to consider whether the decision was lawful, reasonable and procedurally fair. To do so, the parent or carer must:

- Request an IRP hearing within 15 school days of them receiving written notification of the Local Governing Body's decision not to reinstate a permanently excluded pupil. The notification of the Local Governing Body's decision must include the date by which an application for review must be made.
- Make the request formally in writing.
- Provide the reasons for the application for an IRP, outlining the way(s) in which they believe the decision of the Local Governing Body was not lawful, reasonable and /or procedurally fair.

Schools must make reasonable allowances for parents or carers for whom communication in writing would be a barrier, offering support where required.

## 35.6 Conducting suspensions and exclusions

The processes used by each MITRE school and the trust as a whole in suspension or exclusion of a student will follow the statutory guidance from the DfE: [Suspension and permanent exclusion from maintained schools, academies and student referral units in England, including student movement](#).

The statutory guidance relates to:

- Informing parties about a suspension or exclusion
- Providing or arranging education
- Monitoring suspensions and exclusions
- Considering reinstatement
- Independent review
- Amending registers
- Reintegration following suspension

## 36. MONITORING AND EVALUATING BEHAVIOUR POLICY AND PRACTICE

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### 36.1 School monitoring of behaviour

The school will collect data on the following:

- Behavioural incidents, including removal from the classroom

- Attendance, permanent exclusion and suspension
- Use of student support units, off-site directions and managed moves
- Incidents of searching, screening and confiscation
- Anonymous surveys for staff, students, governors, trustees and other stakeholders on their perceptions and experiences of the school behaviour culture

The data will be analysed no later than every term by the Senior Leadership Team of the academy

The data will be analysed from a variety of perspectives including:

- At school level
- By age group
- At the level of individual members of staff
- By time of day/week/term
- By protected characteristic

The school will use the results of this analysis to make sure it is meeting its duties under the Equality Act 2010. If any trends or disparities between groups of students are identified by this analysis, the school will review its policies to tackle it.

## 36.2 Monitoring this policy

Section A of the Behaviour Policy will be reviewed by the Head Teacher and the Local Governing Body at least every two years, or more frequently, if needed, to address findings from the regular monitoring of the behaviour data (as per section 4.1).

Section B of the behaviour policy will be reviewed by the MITRE Standards and Effectiveness Committee every two years, or more frequently, if needed, to address findings from schools. At each review, the policy will be approved by the Board of Trustees.

## 37. LEGAL DUTIES

Each MITRE school and the trust as a whole recognise their legal duties under the Equality Act 2010, and in terms of safeguarding and supporting students with special educational needs (SEN).

It therefore recognises that some students require a more sensitive and differentiated approach and that we must ensure that the behaviour policy does not unintentionally discriminate against certain groups.

The school will record and monitor behaviour incidents, looking for patterns, so that we can make sure particular groups are not more affected by the policy than other groups. If patterns are found, we will take further action to adjust approaches, systems and processes, to train staff and to work effectively with individual students and groups of students.

This policy complies with our funding agreement and articles of association.