

NOTRE DAME SENIOR SCHOOL BEHAVIOUR POLICY

NOTRE
DAME
SCHOOL



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1. Introduction

As a foundation of the Company of Mary, Our Lady, Notre Dame commits to accompanying our students as they learn principles of self-discipline and self-esteem that will serve them well in a pluralist society characterised by changing values and uncertain social standards. Due regard has been paid to 'Behaviour and Discipline in Schools 2016'.

2. Aims

Notre Dame aims to provide a secure and supportive environment for all members of the Notre Dame community so that each individual can achieve their potential.

This policy aims to support the school's work to enhance self-discipline and self-esteem by emphasising support and reward for excellent behaviour so that all members of our community are enabled to value themselves and their achievements.

The aim of sanctions (where applied) is to shape behaviour so that students learn to show a sense of worth for all members of the community. Notre Dame rejects as inappropriate any punishment that intentionally or unintentionally belittles or humiliates a student. Corporal punishment of any kind is completely forbidden.

3. Policy Statement on Discipline

It is important that every student in the school has the opportunity to be a valued participant in the life of the community. Therefore, it is expected that students will conduct themselves, at all times, in a considerate, cooperative and tolerant manner. As students are expected to maintain the highest standards of personal conduct, to accept responsibility for their behaviour and encourage others to do the same. The

behaviour policy highlights the importance of consistency, focusing on a restorative approach that echoes the core values that we take from St Jeanne de Lestonnac. Our policy has a heavy emphasis on respectful behaviour, being safe and ready for any situation.

Our behavioural motto is encompassed in the phrase: Ready, Respectful, Safe.

Students are given clear guidance about expectation via the planner and also Year assemblies and reminders in whole school assemblies where necessary. At the start of each year there is a formal assembly on behaviour and expectations. To recognise good behaviour, achievement points will be given. Achievement points can be given at any time for positive contribution to school life. These will be visible on Firefly for parents/guardians to celebrate. The school will work closely with students through the School Council, listening to student voice, in order to tailor our reward and recognition programme.

Minor breaches of discipline are dealt with by staff as they occur with behavioural points. These are recorded on SIMS and monitored by both tutor and Heads' of Year. More serious offences are recorded as referrals and passed straight to the Head of Year or a member of the Senior Leadership Team. Parents/guardians will be informed about their daughters' behaviour as necessary, in addition to points being visible on firefly.

Support is given to students where necessary to help them to reshape their behaviour. This will be in the form of learning conversations, in addition to mentoring from a member of staff or regular informal meetings with the Head of Year. The school promotes flexibility in their support techniques to ensure student specific support is given.

Should a student's behaviour require it, liaison with other agencies would take place, for example with educational psychology services.

4. Code of Behaviour

Be Ready, Be Respectful, Be Safe

Be respectful

- Show respect by formally greeting or thanking your teacher at the beginning and end of lessons
- Respect the dignity of every member of the school community
- Listen carefully to instructions and be obedient without argument
- Respect the school's and other people's property, as well as your own
- Listen carefully to other people's opinions
- Valuables are brought in at your own risk and must be locked in lockers
- Mobile phones and mp3 players must be switched off during the school day and locked in lockers after 8.20 until at least 4.10 each day.
- Respect yourself as well as the other members of the school community

Be ready to learn

- Be punctual to lessons, settling quickly and working purposefully
- Make sure you have all the equipment that may be required for the lesson
- Talking in lessons should be limited to the activity in which you are involved
- Remember to work in silence when asked
- It is your responsibility to record all details of homework and assignments in your planner

- Complete all your homework as well as you can and hand it in on time and talk with your teacher in advance of the next lesson if there is a problem
- Make sure all your work is up to date, especially when you have missed lessons.
- Uniform helps to establish a learning mind-set and so it should be worn correctly.

Be safe

- Be vigilant about the health and safety of yourself and others.
- Report hazards immediately
- Behave with care and consideration when moving around the school,
- Do not run or sit in inappropriate places
- Be aware of traffic.
- Use social media and IT safely, both for yourself and others

Planner at all times

- Planners should be brought to every registration and lesson.
- If you have forgotten your planner, you must ask your tutor for a temporary day sheet. This must be returned to him/her at afternoon registration. You must have this sheet signed in every lesson.
- Planners must not be defaced in any way.

5. Our expectations for behaviour at break and lunchtimes

We expect students to continue to follow the ready, respectful and safe motto at all times. This includes; breaktime, lunchtimes, before school, after school and any other time they are representing the school (e.g. sports fixtures and school trips).

6. Consequences of Good Behaviour

Achievement points will be awarded for good behaviour. Achievement points can be given at any time for positive contribution to school life. These will be visible on Firefly for parents/guardians to celebrate. These points are split into the following categories:

1. Academic
2. Pastoral
3. Extra-Curricular

Not only will achievement points count towards house totals, we will also celebrate achievement points in a number of ways:

- Hot Chocolate and Cookies in Monty's
- Pizza Lunch
- Reward Trips
- Badges and Postcards

7. Reshaping of Poor Behaviour

With consistency at the heart of what we do, the school will use behaviour points to monitor and shape behaviour to ensure students are the best version of themselves and the best learner they can be. Behaviour points are there for students to reflect on and help show a sense of worth for all members of our community. Behaviour points will be given when students fail to be **READY, RESPECTFUL or SAFE**.

Behavioural points are able to be viewed and monitored on Firefly. We hope that this will enable open communication and consistent support, both at school and home. Behaviour points will be split into a number of categories:

- Organisation
- Uniform
- Failure to follow instructions
- Rudeness
- Lack of/Inadequate homework
- Poor behaviour for learning
- Punctuality

With the accumulation of behavioural points, the school will implement a variety of tracking and support techniques in order to explore the issues and help you to overcome these.

Accumulation of Behaviour Points

5 points= Tutor Learning conversation

10 points=HOY learning conversation (20 minutes at lunchtime)

20 points=SLT learning conversation (1 hour after school). Parents/Guardians contacted

Learning conversations will encompass a restorative approach to ensure behavioural change. Time for reflection will take place to ensure students are aware of how to change, and supported to improve behaviour, allowing students to be the best learner they can be.

Referrals

In some cases, behaviours may be referred straight to Heads of Year or the Senior Leadership Team. These behaviours will be displayed on Sims as "Referrals". If students receive a referral, parents will be contacted via email or phone. An appropriate sanction will then follow. An example of behaviours in which referrals will be made are:

- Truancy
- Targeted and intentional swearing
- Videoing or taking photos in school
- Severe Defiance
- Severe disruption

Please note these are just examples and not an exhaustive list.

Mobile Phones

Mobile phones should not be used, seen or heard once students arrive in school. On arrival to school they should be immediately be placed in your daughter's locker and not used again until the end of the school day. Between 8:20am-4.10pm, if students are found in possession of a phone, it will be confiscated and a behaviour point given. If students persistently fail to adhere to this rule, a referral will be made.

Suspension

Only the Headmistress may suspend a pupil. Suspension is the usual and immediate punishment for offensive swearing or other offensive language including racism or homophobia, possession of illegal substances or cigarettes, for smoking of school premises, for defacing school property, or for stealing or for bringing the school into disrepute. Suspension for other serious offences is at the discretion of the Headmistress. Parents will always be contacted for discussion in advance of informing the pupil, and will be notified again if necessary before a suspended pupil is sent home. No suspension shall last more than five days.

8. Serious breaches of discipline

For serious breaches of discipline, the pupil may be asked to leave the School permanently. All serious

disciplinary matters must be reported to the Head. Please see the School's Expulsion, Removal and Review Policy.

Removal: The Head may require the Removal of a pupil from the School if, after consultation with the parents and if appropriate the pupil, the Head is of the opinion that:

- by reason of the pupil's conduct or progress, the pupil is unwilling or unable to benefit sufficiently from the educational opportunities offered by the School; or
- a parent has treated the School, members of its staff or any member of the School community unreasonably.
- In these circumstances, the parents may be permitted to withdraw the pupil as an alternative to Removal being required.

Expulsion: A pupil is liable to Expulsion for a grave breach of School discipline or a serious criminal offence. Expulsion is reserved for the most serious breaches.

- The Head is required to act fairly and in accordance with the principles of natural justice. Please see the School's separate Expulsion, Removal and Review Policy.

Suspension: For serious breaches of discipline, a pupil may be released home for a limited period pending the outcome of an investigation or a Governors' Review.

The School seeks to work in partnership with parents over matters of discipline, and it is part of parents' obligations to the School to support the School rules. Parents will be contacted to discuss any disciplinary matter which may result in suspension, or where Removal or Expulsion is being considered.

9. Equal opportunities

The school is aware of its duties under the Equalities Act 2010, and the School will make reasonable adjustments for managing behaviour which is related to a pupil's special educational need or disability. Staff should seek advice from the Assistant Head (Pastoral) and / or SENCO if they are unsure about how to manage a pupil's behaviour where this is related to a special educational need or disability. Where Expulsion needs to be considered, the School will ensure that a pupil with a disability or special educational needs is able to present their case fully where their disability or special educational needs might hinder this. Any religious requirements affecting the pupil will also be considered.

10. Malicious allegations against staff

Where a pupil makes an accusation against a member of staff and there is reasonable suspicion that the accusation has been deliberately invented or malicious, the Head will consider whether to take disciplinary action in accordance with this policy.

Where a parent has made a deliberately invented or malicious allegation the Head will consider whether to require that parent to remove their child or children from the School on the basis that they have treated the School or a member of staff unreasonably and compromised the requirement for mutual trust and

confidence.

In accordance with the DfE's guidance Keeping Children Safe in Education (2021), the School will consider a malicious allegation to be one where there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive.

11. Use of reasonable force

Staff are strongly advised not to use force at any time, unless to do so is necessary, reasonable, proportionate and lawful. Reasonable force will be used in accordance with the DfE guidance Use of Reasonable Force (July 2013) and as set out in Appendix 2.

Corporal punishment is not used at the School and force is never used as a form of punishment.

12. Searching pupils

Informed consent: The School staff may search a pupil or her possessions or accommodation with their consent for any item. If a member of staff suspects that a pupil has a banned item in her possession, they can instruct the pupil to turn out her pockets or bag. If the pupil refuses, sanctions will be applied in accordance with this policy.

Searches without consent: In relation to prohibited items, the Head, and staff authorised by the Head, may search a pupil or a pupil's possessions, without their consent, where they have reasonable grounds for suspecting that a pupil has a prohibited item in their possession. Please see Appendix 3 for the School's policy on searching and confiscation. Such action will be taken in accordance with the DfE guidance Searching Screening and Confiscation (February 2018)

13. Records

Administration of all behavioural/achievement points and referrals are recorded on SIMs. Records of some sanctions may also be placed in students' files.

14. Review

A pupil or her parents may request a Governors' Review of the Head's decision to Expel or Remove a pupil from the School, or where the pupil is suspended from the School for 11 School days or more or where a suspension would result in the pupil missing a public examination.

There will be no right to a Review of other sanctions but a pupil who feels aggrieved may ask the Assistant Head (Pastoral) to take up her concerns with the member of staff who imposed the sanction.

15. Expulsion, Removal and Review

This section contains guidelines, which will be adapted as necessary, explaining the circumstances under which a pupil may be expelled from the School, or required to leave permanently for misconduct or other reasons. The policy applies to all pupils at the School but does not cover cases when a pupil has to leave because of ill-health, non-payment of fees, or withdrawal by his / her parents.

Interpretation: The definitions in this clause apply in this policy.

1. **Head:** references to the Head/Head teacher may include deputies.
2. **Parent:** includes one or both of the parents, a legal guardian or education guardian.
3. **Expulsion:** A pupil may be formally expelled from the School if it is proved on the balance of probabilities that the pupil has committed a very grave breach of discipline or a serious criminal offence. Expulsion is reserved for the most serious breaches.
4. **Removal:** Parents may be required to remove a pupil permanently from the School if, after consultation with the parents and if appropriate the pupil, the Head is of the opinion that: by reason of the pupil's conduct, behaviour or progress, the pupil is unwilling or unable to benefit sufficiently from the educational opportunities and / or the community life offered by the School or if the parents have treated the School or members of its staff unreasonably.

Misconduct: The main categories of misconduct which may result in expulsion or removal include but are not limited to:

- supply/possession/use of certain drugs and solvents or their paraphernalia or substances intended to resemble them, or alcohol or tobacco
- theft, blackmail, physical violence, intimidation, racism or persistent bullying
- misconduct of a sexual nature; supply or possession of pornography
- possession or use of unauthorised firearms or other weapons
- vandalism or computer hacking
- persistent attitudes or behaviour which are inconsistent with the School 's ethos
- other serious misconduct which affects the welfare of a member or members of the School community or which brings the School into disrepute (single or repeated episodes) on or off School premises.

Other circumstances: A pupil may be required to leave if, after all appropriate consultation, the Head is satisfied that it is not in the best interests of the pupil, or of the School , that he / she remains at the School.

16. Procedure for sanction of expulsion or removal

The procedure followed by the School in cases where a sanction of expulsion or removal may be imposed by the Head are:

1. Investigation procedure
2. Disciplinary meeting with the Head
3. Review meeting

1. Investigation procedure

1. Complaints: Investigation of a complaint or rumour about serious misconduct will normally be coordinated by the Assistant Head (Pastoral) or other senior member of staff ("Investigator"), and its outcome will be reported to the Head. Parents will be informed as soon as reasonably practicable if a complaint under investigation is of a nature that could result in the pupil being Expelled or Removed from the School.

2. Suspension: A pupil may be suspended from the School while a complaint is being investigated or while an investigation is suspended (see paragraph 6 below). Should a suspension continue for a period of more than five School days, the School will take reasonable steps to put in place arrangements to ensure the continuing education of the pupil. Parents or guardians should note that there may be a delay in providing work whilst teaching staff are given the opportunity to determine what work should be set. Alternatively, the pupil may be placed under a segregated regime on School premises.

3. Search: We may decide to search a pupil's space and belongings and ask him / her to turn out the contents of pockets or a bag, if we consider there is reasonable cause to do so. Clothing will not be searched until it has been removed from the wearer and care will be taken to ensure reasonable privacy. This policy does not authorise an intimate search or physical compulsion in removing clothing. Only outer clothing will be searched. If necessary, the police would be called. See also Appendix 3 of the School's Behaviour and Discipline Policy for the School's policy on searching and confiscation.

4. Interview: A pupil may be interviewed informally by a member of staff to establish whether there are grounds for a formal investigation. If the pupil is then interviewed formally about a complaint or rumour, arrangements will be made for him / her to be accompanied by a member of staff of his / her choice and/or by a parent (if available at the relevant time). A minute of the interview will be recorded in writing by the interviewing member of staff.

5. Ethos: An investigation and any subsequent meeting will be conducted fairly and in a way which is appropriate to a school, without formal legal procedures.

6. Suspension of an investigation: It may be necessary to suspend an investigation, for example where external agencies such as the police or social services are involved and have advised that this is necessary. A decision to suspend an investigation will take into account advice from an appropriate external agency and will be subject to periodic review.

2. Disciplinary meeting with the Head

1. Preparation: The Chair of Governors will be informed of the meeting. Documents available at the disciplinary meeting before the Head will include:

- a statement setting out the points of complaint against the pupil
- written statements and notes of the evidence supporting the complaint, and any relevant correspondence
- the Investigator's Investigation Report
- the pupil's school file and (if separate) conduct record
- the relevant School policies and procedures.

2. Attendance: The pupil and her parents (if available) will be asked to attend the disciplinary meeting with the Head at which the Investigator will explain the circumstances of the complaint and his / her investigation.

The pupil may also be accompanied by a member of staff of his / her choice. The pupil and his / her

parents will have an opportunity to state their side of the case. Members of staff will be on hand to join the meeting if needed, and their statements will be disclosed but, in most cases, the anonymity of pupils will be preserved.

If the parents or the pupil have any special needs or disability which call for additional facilities or adjustments (e.g. parking or the provision of documents in large print or other accessible format) those requirements should be made known to the Head so that appropriate arrangements can be made.

If a parent is unable to attend because of, for example, travel and working commitments, the School will make reasonable alternative arrangements to ensure the parent can be involved, remotely if necessary, with the disciplinary process and their child's education.

3. Proceedings: There are potentially three distinct stages of a disciplinary meeting:

3.1 The complaints: The Head will consider the complaint/s and the evidence, including statements made by and/or on behalf of the pupil. Unless the Head considers that further investigation is needed, she will decide whether the complaint has been sufficiently proved. The standard of proof shall be the civil standard, i.e. the balance of probabilities. Appropriate reliance may be placed on hearsay evidence but the Head will not normally refer to the pupil's disciplinary record at this stage.

3.2 The sanction: If the complaint has been proved the Head will outline the range of disciplinary sanctions which he/she considers are open to him/her. He/She will take into account any further statement which the pupil and/or others present on his behalf wish to make. The pupil's disciplinary record will be taken into account. Then, or at some later time, normally within 24 hours, the Head will give his/her decision in writing, with reasons.

3.3 Leaving status: If the Head decides that the pupil must leave the School, he/she will consult with a parent before deciding on the pupil's leaving status (see below).

4. Delayed effect: A decision to expel or remove a pupil shall take effect seven days after the decision was first communicated to a parent. Until then, the pupil shall remain suspended and away from School premises. If within seven days the parents have made a written application for a Review by the Governors of the decision, the pupil shall remain suspended until the Review has taken place and either the sanction is upheld or a reconsidered decision made.

5. Leaving status

5.1 Explanation: If a pupil is Expelled or Removed, her leaving status will be one of the following: Expelled, Removed or if the offer is made and accepted Withdrawn by parents.

5.2 Detail: Additional points of leaving status include:

- the form of letter which will be written to the parents and the form of announcement in the School
- the form of reference which will be supplied for the pupil

- the entry which will be made on the School record and the pupil's status as a leaver
- arrangements for transfer of any course and project work to the pupil, his / her parents or another school
- whether (if relevant) the pupil will be permitted to return to School premises to sit public examinations
- whether (if relevant) the School can offer assistance in finding an alternative placement for the pupil
- whether the pupil will be entitled to leavers' privileges
- the conditions under which the pupil may re-enter School premises in the future
- financial aspects: payment of any outstanding fees and extras; whether the deposit will be returned or credited; refunded of prepaid fees.

3. Review

1. Request for review

A pupil or her parents may request a Review by the Governors of the Head's decision to Expel or Remove a pupil or where a decision has been made to suspend a pupil for 11 school days or more, or where suspension would prevent the pupil from taking a public examination. The application must be made in writing and received by the Clerk to the Governors within seven days of the Head's decision being notified to the parents, or longer by agreement. If the parents or the pupil have any special needs or disabilities which call for additional facilities or adjustments, these should be made known to Clerk so that appropriate arrangements can be made.

2. Grounds for review

In their application the parents must state the grounds on which they are asking for a Review and the outcome which they seek. For the avoidance of doubt, a mere disagreement with the decision of the Head will not of itself be grounds sufficient for a Review.

3. Review Panel

The Review will be undertaken by a three member sub-committee of the Governing Body. The panel members will have no detailed previous knowledge of the case or of the pupil or parents and will not include the Chair of Governors. Selection of the Panel will be made by the Clerk to the Governors. With the exception of the Chair of Governors, those Governors not appointed to the Panel will not be provided with information about the case. Parents will be notified in advance of the names of the panel members. Fair consideration will be given to any bona fide objection to a particular member of the Panel. The Panel may, if requested by the parents, include an independent member who has no connection with the management or running of the School.

4. Role of the Panel

The role of the Panel is to consider the documentation provided by the parties and representations made and to decide whether to uphold the Head's decision or refer the decision back to his / her with recommendations so that he / she may consider the matter further.

5. Review meeting

The meeting will take place at the School premises, normally within ten School days after the parents' application has been received. A Review will not normally take place during school holidays. The

parents and the Head will be asked to submit any documents they wish to refer to at the meeting to the Clerk to the Governors and a single bundle will be circulated to the Panel and the parties simultaneously at least three days before the meeting. On receipt of new information not previously available to the Head before his / her decision was made, the Clerk should contact the Chair of Governors who will decide whether:

- to include the new information in the bundle; or
- to omit the information if not relevant to the grounds for Review; or
- to make further enquiries of the parents or the pupil about the information; or
- to refer the information to the Head for his / her consideration as to whether the decision should be revisited.

A Review meeting is a private procedure and all those who are concerned in it are required to keep its proceedings confidential, subject to law. The requirement is without prejudice to the parties' right to refer to the Panel's decision in any subsequent legal proceedings.

6. Attendance

Those present at the Review meeting will normally be:

- members of the Review Panel and an appointed Clerk;
- the Head and any relevant member of staff whom the pupil or her parents have asked should attend and whom the Head considers should attend in order to secure a fair outcome;
- the pupil together with her parents and, if they wish, a member of the School staff who is willing to speak on the pupil's behalf. The parents may be accompanied by a friend or relation. The meeting is not a legal proceeding and so legal representation is not necessary. The Clerk to the Governors must be given seven days' notice if the friend or relation is legally qualified and the parents should note that the Review Panel will wish to speak to the parents directly and this person will not be permitted to act as an advocate or address the meeting unless invited to do so by the Chair of the Panel.

7. Conduct of meeting

The meeting will be chaired by one member of the Review Panel and will be conducted in a suitable room and in an informal manner. All statements made at the meeting will be unsworn. The meeting will not be recorded but the Clerk will be asked to keep a hand-written minute of the main points which arise at the meeting. All those present will be entitled, should they wish, to write their own notes. The meeting will be directed by the Chair who will conduct it so as to ensure that all those present have a reasonable opportunity of asking questions and making appropriate comment. Everyone is expected to show courtesy, restraint and good manners. Any person who is dissatisfied with any aspect of the way the meeting is conducted must say so before the proceedings go any further and his / her comments will be minuted. The Chair may at his / her discretion adjourn or terminate the meeting. If the meeting is terminated, the original decision will stand.

8. Procedure

The Head will provide the parents with a copy of the current Review procedure if requested. The Panel will consider each of the points raised by the pupil or her parents and any documentation they wish to rely on so far as relevant to:

- whether the decision was fair procedurally and / or substantively - whether the facts of the case were sufficiently proved and an appropriate procedure followed when the decision was taken to Expel or Remove of the pupil. The civil standard of proof, namely, "the balance of probability", will apply and
- whether the sanction was proportionate - that is whether it was warranted in respect of the breach of discipline or the other events that are found to have occurred and to the legitimate aims of the School 's policy in that respect.

The requirements of natural justice will apply. If for any reason the pupil or her parents are dissatisfied with any aspect of the meeting they must inform the Chair at the time and ask the Clerk to note their dissatisfaction and the reasons for it.

9. Decision

When the Chair decides that all issues have been sufficiently discussed and if by then there is no consensus, he / she may adjourn the meeting; alternatively the Chair may ask those present to withdraw while the Panel considers its recommendations. The Panel's decision and any recommendations will be notified in writing, with reasons, to the Head and the parents by the Chair of the Review Panel or the Chair of Governors within three days of the meeting. The Head will provide his / her response to those recommendations, if appropriate, in writing within 24 hours. In the absence of a significant procedural irregularity, the Head's decision will then be final.

Drafted	SLT	Apr 2010
Reviewed	Heads of Year	March 2014
Reviewed	Anna King and Jan Slade	Sept 2015
Reviewed	Anna King	April 2016
Reviewed	Anna King	Sept 2016 and Jan 2017
Reviewed	Anna King	Sept 2017
Reviewed	Amanda Windibank and AnnaKing	Sept 2018
Reviewed	Wanda Nash and Anna King	May 2019
Reviewed	A King	August 2019
Reviewed	S Lewis and A Windibank	August 2021

Appendix 1 Use of Reasonable Force

- 1 Reasonable force may be only used to prevent a pupil from doing or continuing to do any of the following:
 - committing a criminal offence
 - injuring themselves or others
 - causing damage to property, including their own
 - engaging in any behaviour prejudicial to good order and discipline at the School or among any of its pupils, whether that behaviour occurs in a classroom or elsewhere.

- 2 In these circumstances, force will be used for two main purposes: to control pupils or to restrain them. Reasonable force may be used, for example, to restrain a pupil at risk of harming themselves or another individual or to prevent a pupil leaving a classroom where allowing her to do so would risk her safety or lead to behaviour that disrupts the behaviour of others.

- 3 In addition, reasonable force may be used to conduct a search for certain "prohibited items" (see Appendix 4 below).

- 4 In deciding whether reasonable force is required, the needs of individual pupils will be considered and reasonable adjustments will be made for pupils with special educational needs or disabilities.

- 5 Where reasonable force is used by a member of staff, the Assistant Head (Pastoral) must be informed of the incident and it will be recorded in writing. The pupil's parents will be informed about serious incidents involving the use of force.

Appendix 2 Searching and confiscation

All schools have a general power to impose reasonable and proportionate disciplinary measures (Education and Inspections Act 2006). This enables a member of staff to confiscate, retain or dispose of a pupil's property as a disciplinary penalty where it is reasonable to do so. The School's policy on searching and confiscation has regard to guidance published by the DfE, Searching, Screening and Confiscation (Feb 2014).

Prohibited items

The following are "prohibited items" under Section 550ZA(3) of the Education Act 1996 and Regulation 3 of the Schools (Specification and Disposal of Articles) Regulations 2012:

- knives or weapons, alcohol, illegal drugs and stolen items
- tobacco and cigarette papers, e-cigarettes, fireworks and pornographic images
- any article that a member of staff reasonably suspects has been, or is likely to be used:
 - to commit an offence or
 - to cause personal injury to, or damage to the property of, any person (including the pupil) and
- any item banned by the School Rules that are identified as being items which may be searched for.

The School has banned items that are reasonably believed to be likely to cause harm or disruption. Pupils must not have these items in their possession on School premises or at any time when they are in the lawful charge and control of the School (for example on an educational visit).

Searching with consent

Before any search is undertaken the pupil will usually be asked to consent. In seeking consent, the age and maturity of the pupil will be taken into account together with any special needs the pupil may have. Written consent will not usually be required.

The consent of the pupil must be obtained for searches for items that are not "prohibited items" as listed in section 1 above. The consent of the pupil must be sought even if she is not at the School at the time. If a member of staff suspects that a pupil has an item that is banned by the School they can instruct the pupil to turn out her pockets or bag.

If the pupil refuses to provide consent disciplinary action may be taken in accordance with the School's Behaviour and Discipline Policy.

Searching for prohibited items

Where the Head or an authorised member of staff has reasonable grounds to suspect that a pupil may have a prohibited item, consent is not required and the search will be carried out, using reasonable force if necessary (such force may not be used in searches for items included in 1.1.4 above).

Searches will be carried out only on School premises or, if elsewhere, where the member of staff has lawful control or charge of the pupil, for example on an educational visit or in training settings.

If it is believed that a pupil has a prohibited item, it may be appropriate for a member of staff to carry out:

- a search of outer clothing and / or
- a search of School property (e.g. pupils' lockers or desks, bed studies or dormitories) and / or
- a search of personal property (e.g. bag or pencil case).

Searches will be conducted in such a manner as to minimise embarrassment or distress. Any search of a pupil or their possessions will be carried out in the presence of the pupil and another member of staff. Where a pupil is searched, the searcher and the second member of staff present will be the same gender as the pupil.

Where it is reasonably believed that serious harm may be caused if the search is not carried out immediately and it is not practicable to summon another member of staff, a member of staff may carry out a search of a pupil of the opposite sex and / or in the absence of a witness.

Where the Head, or staff authorised by the Head, find anything which they have reasonable grounds for suspecting is a prohibited item, they may seize, retain and dispose of that item in accordance with this policy.

Confiscation

Under the School's general power to discipline, a member of staff may confiscate, retain or dispose of a pupil's property as a disciplinary penalty where it is reasonable to do so.

Confiscation of an item may take place following a lawful search, as set out above, or however the item is found if the member of staff considers it to be harmful or detrimental to School discipline.

Searching electronic devices

An electronic device such as a mobile phone or a tablet computer may be confiscated in appropriate circumstances in accordance with this policy. If there is good reason to suspect that the device has been, or could be used to cause harm, to disrupt teaching or break School Rules, any data or files on the device may be searched and, where appropriate, data or files may be erased before the device is returned to its owner. Any search of an electronic device should be conducted in the presence of a member of the IT staff.

Any data or files will only be erased, if there is good reason to suspect that the data or files have been, or could be used to cause harm, to disrupt teaching or break School Rules.

If inappropriate material is found on an electronic device, the member of staff may delete the material, retain it as evidence of a breach of School discipline or criminal offence or hand it over to the police if the material is of such seriousness that police involvement is required.

Disposal of confiscated items

Alcohol: alcohol which has been confiscated will be destroyed.

Controlled drugs: controlled drugs will usually be delivered to the police as soon as possible. In exceptional circumstances and at the discretion of the Head or authorised member of staff,

the drugs may be destroyed without the involvement of the police if there is good reason to do so. All relevant circumstances will be taken into account and staff will use professional judgement to determine whether the items can be safely disposed of. They will not be returned to the pupil.

Other substances: substances which are not believed to be illegal drugs but which are harmful or detrimental to good order and discipline (for example "legal highs") may be confiscated and destroyed. Where it is not clear whether or not the substance seized is an illegal drug, it will be treated as though it is illegal and disposed of as above.

Stolen items: stolen items will usually be delivered to the police as soon as possible. However, if, in the opinion of the Head or authorised member of staff, there is good reason to do so, stolen items may be returned to the owner without the involvement of the police. This is likely to apply to items of low value, such as pencil cases.

Tobacco/cigarette papers or e-cigarettes: tobacco or cigarette papers will be destroyed. E-cigarettes will be disposed of.

Fireworks: fireworks will not be returned to the pupil. They will be disposed of safely at the discretion of the Head or other authorised member of staff which may include donation to an appropriate charity.

Pornographic images: pornographic images involving children or images that constitute "extreme pornography" under section 63 of the Criminal Justice and Immigration Act 2008 will be handed to the police as soon as practicable. As possession of such images may indicate that the pupil has been abused, the Designated Safeguarding Lead will also be notified and will decide whether to make a referral to children's social care.

Other pornographic images will also be discussed with the Designated Safeguarding Lead. The images may then be passed to children's social care for consideration of any further action. If no action is to be taken by the local authority the images will be erased after a note has been made for disciplinary purposes, confirming the nature of the material.

Articles used to commit an offence or to cause personal injury or damage to property: such articles may, at the discretion of the Head or authorised member of staff taking all the circumstances into account, be delivered to the police, returned to the owner, retained or disposed of.

Weapons or items which are evidence of an offence: such items will be passed to the police as soon as possible.

An item banned under School Rules: such items may, at the discretion of the Head or authorised member of staff taking all the circumstances into account, be returned to its owner, retained or disposed of. Where staff confiscate a mobile phone that has been used in breach of School Rules to disrupt teaching, the phone will be kept safely until the end of the school day when it can be claimed by its owner, unless the Head considers it necessary to retain the device for evidence in disciplinary proceedings. If a pupil persists in using a mobile

phone in breach of School Rules, the phone will be confiscated and must be collected by a parent.

Electronic devices: if it is found that a mobile phone, laptop or tablet computer or any other electronic device has been used to cause harm, disrupt teaching or break School Rules, including carrying out cyberbullying, the device will be confiscated and may be used as evidence in disciplinary proceedings. Once the proceedings have been concluded the device must be collected by a parent or carer and the pupil may be prohibited from bringing such a device onto School premises or on educational visits. In serious cases, the device may be handed to the police for investigation.

Communication with parents

There is no legal requirement for the School to inform parents before a search for banned or prohibited items takes place or to seek their consent to search their child and it will not generally be practicable to do so. In appropriate cases we will inform parents on how the School will dispose of certain items.

We will keep a record of all searches carried out, whether the search is with or without the consent of the pupil, which can be inspected by the parents of the pupil(s) involved subject to any restrictions under the Data Protection Act 1998. The record will include details of any disposal of items confiscated.

Complaints about searching or confiscation will be dealt with through the School's Complaints Procedure. A copy of the procedure is posted on the School website and hard copies are available on request.

The School will take reasonable care of any items confiscated from pupils. However, unless negligent or guilty of some other wrongdoing causing injury, loss or damage, the School does not accept responsibility for loss or damage to property.

