



# Behavioural Policy

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## 1. Introduction

Nazene Danielle School of Performing Arts (NDSOPA) expects utmost behaviour from students at all times whilst inside school, and as they represent the school, outside of school grounds. Good behaviour is a key part of the school to ensure everyone can learn, grow and develop in a safe, supportive and correctly disciplined environment. We aim to create a culture of good behaviour which should be a whole school approach and to provide support for those who need it.

### Key points

This policy is written with regard to the DfE guidance Behaviour in Schools September 2022

- Teachers have power to discipline pupils for misbehaviour which occurs in school as well as, outside of school.
- The power to discipline also applies to all paid staff (unless the headteacher says otherwise) with responsibility for pupils, such as teaching assistants.
- Headteachers, proprietors and governing bodies must ensure they have a strong behaviour policy to support staff in managing behaviour, including the use of rewards and sanctions.

This policy is based on recognition of the rights and responsibilities of all members of the school community and the importance of clear and consistent routines inside and outside the classroom.

The policy will therefore:

- Build upon the good practice that exists within the School;
- Support effective teaching and learning;
- Encourage adherence to an agreed set of principles of behaviour for the school community (Rights and Responsibilities);
- Help members of the school to distinguish between acceptable and unacceptable behaviour;
- Contribute to promoting mutual respect and tolerance in our inclusive school community.

Continued;

- Nazene Danielle School of Performing Arts (NDSOPA) will communicate the Behaviour Policy to all new and existing students through its expectations, code of conduct and in assemblies, tutorials and within the curriculum, where appropriate.
- The School will communicate the policy to all teaching and non-teaching staff by providing copies of the policy through the staff training programme, electronically and through new staff induction as well as regular updates and additional training
- The School will communicate its policy to parents and carers upon starting at the school, if the policy is changed on review or upon request.
- The Behaviour Policy will be reviewed regularly by the school community and continually revised and developed in response to identified needs.
- High standards of good behaviour should pervade all aspects of school life, the culture and ethos of the school and how pupils are taught and encouraged to behave.

The Behaviour Policy also links to the following policies:

- Safeguarding and Child Protection
- Anti-Bullying
- Code of Conduct

All staff must consider if there is an underlying reason for any negative behaviour and to consider if the pupil has been harmed or is at risk of significant harm. If there are any concerns, then the member of staff should report to the DSL and follow the school's usual procedures.

Legal framework for this Behaviour Policy

- Education Act 1996
- School Standards and Framework Act 1998
- Education Act 2002
- Education and Inspections Act 2006
- Equality Act 2010
- Education Act 2011

**Nazene Danielle School of Performing Arts (NDSOPA) Expectation Overview:**

- All students to show respect and courtesy towards teachers and other staff and towards each other.
- Parents to encourage their children to show respect and support the school's authority to discipline its students.
- The Principal to help create a culture of respect by supporting the staff's authority to discipline students and ensuring that this happens consistently fairly across the school.
- The Principal to deal with allegations against teachers and other school staff quickly, fairly and consistently in a way that protects the student and at the same time supports the person who is subject to the allegation.
- Every teacher will be good at managing and improving students' behaviour.

All members of Nazene Danielle School of Performing Arts (NDSOPA) have a right to a safe and challenging learning environment. Mutual respect amongst all members of the school students, staff and parents lies at the heart of this policy. Nazene Danielle School of Performing Arts (NDSOPA) expects behaviour to be of a high standard throughout the school day, when travelling to and from school and whilst participating on trips and visits.

Good behaviour needs to be taught, modelled and rewarded. Poor or unacceptable behaviour needs to be sanctioned. Creating positive relationships between and with students is the key to good behaviour, as students learn best in an ordered environment. The self-esteem of all students is enhanced by praise, reward and celebration.

## 2. Acceptable and Unacceptable Behaviour

Nazene Danielle School of Performing Arts (NDSOPA) defines acceptable behaviour as that which promotes courtesy, co-operation and consideration towards others by all members of the school community in terms of relationships between students, between students and teachers or other school staff or between students and visitors or other persons within the school premises or outside.

The School identifies name calling, verbal abuse, anti-social behaviour, vandalism, threatening language or behaviour, extremism, intimidation, physical abuse, bullying and harassment (including racist, sexist and homophobic abuse) as examples of unacceptable behaviour.

The School also includes any behaviour that disrupts or hinders learning taking place in the classroom or beyond as unacceptable.

The School communicates regularly the standards of acceptable and unacceptable behaviour to students, parents and carers. The School communicates the standards of acceptable and unacceptable behaviour to staff through staff training and/or meetings.

## 3. Code of Conduct

Please make reference to our Code of Conduct Policy for further information.

All staff are expected to manage behaviour well. The School operates a system of standard operating procedures which aims to maintain good order and discipline to enable effective learning to take place. These are communicated through formal staff training and/or meetings.

Behaviour is monitored in lessons by:

- Analysis of recorded behaviour related incidents
- Lesson Observations, including drop-ins by the Principal or Administrator/Office Staff.
- Classroom teacher monitors and reports incidents back to the Principal or Administrator/office staff.

Teachers have a statutory power to discipline students for misbehaving outside of the school premises, Section 89(5) of the Education and Inspections Act 2006. This also gives the Headteacher a specific statutory power to regulate students' behaviour in these circumstances "to such extent as is reasonable".

In response to all non-criminal poor behaviour and bullying which occurs anywhere off the School premises and which is witnessed by a member of staff or reported to the School, the School will sanction the behaviour accordingly.

This includes any misbehaviour when the student is:

- Taking part in any school-organised or school-related activity;
- Travelling to or from school;
- Wearing the school uniform;
- In some other way identifiable as a student of the school;

Misbehaviour at any time, whether or not the conditions above apply, that:

- a) could have repercussions for the orderly running of the school;
- b) poses a threat to another student or member of the public;
- c) could adversely affect the reputation of the school.

In response to criminal behaviour the School will report this to the police or if it is brought to the School's attention by the police fully cooperate with them.

## 4. Recognition and Rewards

Nazene Danielle School of Performing Arts (NDSOPA) will promote good and improved behaviour by students through a rewards system that is consistent and meaningful to students.

All teachers are expected to provide, where appropriate:

- Praise
- Positive verbal feedback

The following is a list of other ways we celebrate and reward success

- Displaying students' in the classroom or around the school
- Positive letters home to parents/carers
- Positions of responsibility including School Council etc.

The School will monitor the use of rewards to ensure that they operate with due regard to equal opportunities and anti-discrimination.

Merits will be given for recognition of excellent behaviour and excellent work.

Orders will be given for poor behaviour, attitude and work.

Please see the merits and order Documents

## 5. Early Intervention

Nazene Danielle School of Performing Arts (NDSOPA) recognises the importance of early intervention and preventative work in its positive reinforcement approach to behaviour management.

- The School will take steps to encourage young people to take responsibility for their own behaviour and help them to recognise the consequences of inappropriate behaviour.
- The School will provide training for staff in order to promote positive and consistent behaviour standards within the School.
- Parents and Carers will be contacted promptly to notify them of any serious incidents of misbehaviour in which their child has been involved.
- The School will take steps to identify students who may benefit from early intervention through the effective management of transition points at all Key Stages.

## 6. Behaviour Support

The School will regularly review the support available to those individual students identified as being at risk of disaffection or exclusion. Staff must consider whether a pupil with SEND understands his/her misbehaviour and if consequently a sanction is appropriate. If a sanction is imposed then staff must consider what appropriate support is offered afterwards. This will include:

- Access to alternative curriculum
- Teaching strategies - The Senior Leadership team or designated teacher will devise strategies for staff in order to make reasonable adjustments for students should their behaviour be the result of a Learning Difficulty, Disability or Medical Condition.
- Planned "Time Out" - Students who experience difficulty with impulsive behaviour can be offered a Time Out card where they will leave the lesson for a short period of time and sit with the Administrator/Pastoral Lead to continue their work. This should only be used as a last resort
- Acceptable Behaviour Contract (ABC) - An ABC is used for a period of four weeks when a student returns from a fixed period of exclusion or Internal Exclusion. It outlines what the student has agreed to do in order to make positive choices.
- Individual Behaviour Plan (IBP) – An IBP is used for those students who struggle with their behaviour. It will identify targets for the student to improve and outline the strategies and support that is being provided for them.
- Learning Support Centre planned interventions - This could mean a short term intervention delivered by external agencies or a counselor.

## 7. Sanctions

Students have the right to expect fair and consistently applied sanctions for wrong behaviour choices which make a clear distinction between serious and minor infringements of the Code of Conduct.

An appropriate sanction is one that is designed to put matters right and encourage better behaviour in the future. Nazene Danielle School of Performing Arts (NDSOPA) believes it is inappropriate to punish whole groups of students for the misdemeanours of a few, unless the bad behaviour is implemented by a whole group of students.

The School has developed and will implement a consistent range of strategies and sanctions to deal with inappropriate behaviour by students.

The Education Acts of 2006 and 2011 and the Education and Inspections Act 2006 gives all schools the 'Power to Discipline'. Teachers have a statutory authority to discipline students whose behaviour is unacceptable, who break the school rules or who fail to follow a reasonable instruction (Section 91 of the Education and Inspections Act 2006).

The power also applies to all paid staff (unless the Principal says otherwise) with responsibility for students, such as teaching assistants.

- Teachers can discipline students at any time the student is in school or elsewhere under the charge of a teacher, including on school visits.
- Teachers can also discipline students for misbehaviour outside school.

- Teachers have a specific legal power to impose detention outside school hours.
- Teachers can confiscate students' property

In determining whether a disciplinary sanction is 'reasonable' the following must be taken into account:

- Whether the sanction was a proportionate in the circumstances
- Any special circumstances which are known to the person imposing the sanction, including:

a. the student's age

b. any Special Educational Needs or Disability

c. any religious requirement affecting him/her

The Principal will take account of the following principles in determining and implementing the Behaviour Policy:

- None of the School's sanctions must be degrading or humiliating;
- All rewards and sanctions must be applied fairly and consistently, for example, it is not appropriate to issue a whole class sanction for the misbehaviour of a few;
- All paid staff at the School have a statutory authority to impose sanctions (called 'disciplinary penalties' in the Education and Inspections Act 2006);
- The Principal has the power to withdraw the authority from individual staff or classes of paid staff
- The Principal has the power to authorise any unpaid staff to impose disciplinary penalties.
- The following 'disciplinary Penalties' may be used (and will be reviewed annually):
- Removal from the group/class or particular lesson on a short-term basis
- Detention
- Withdrawal of privileges, including withholding participation in educational visits or events which are not essential to the curriculum
- Completion of work or extra work
- Carrying out a useful task in the school (community service)
- Internal Exclusion
- Fixed Term Exclusion
- Permanent Exclusion

## 8. Detention

Members of staff who have the right to hand out detentions include teachers who work at the School and in addition any other person who has the authority of the Principal, these include cover supervisors, supply teaching staff, teaching assistants and staff on duty at break and lunchtime.

Since September 2011, parental consent is not required for any detentions. There is no longer a requirement to give parents 24 hours' notice of a detention.

Teachers have a legal power to put students aged under 18 in detention, this includes detention outside of school hours. However, in order to work successfully with parents 24 hours' notice will continue to be provided at Nazene Danielle School of Performing Arts (NDSOPA) for all detentions at the end of the school day that last longer than 10 minutes.

There are exceptions to this:

- A member of staff can contact a parent/carer on the day of the detention and inform them of the detention and they must come to a practical decision of whether it is appropriate, taking into account the circumstances of the student. If not appropriate for that day, another day to hold the detention will be decided.
- The Principal makes the decision to retain the student after School hours for their own safety, this would not count as detention. For break and lunchtime detentions staff should allow reasonable time for the student to eat, drink and use the toilet.

Students can be detained for up to an hour at the end of the day. Parents must be given 24 hours' notice and this should be via email, letter or phone call. Notification should clearly state why the detention has been given, who has given the detention, where it is being held and for how long.

Teachers, Teaching Assistants and Cover Supervisors can set a maximum of 30 minutes for detention. With consultation with the Headteacher, detentions can last up to 1 hour.

Late detention is given to any student who arrives late to school without a valid reason more than once in a half term period. Late detention is for 1 hour and will be coordinated by the Teacher and Headteacher. Parents will be notified by email, letter or phone call.

Any member of staff detaining a student at the end of the day must notify the administrator/school office.

Records of detention will be kept in the Detentions Book, stored in the Administrators/school office.

## **9. Failure to Attend a Detention**

If a student fails to attend an after-session/school detention for a disciplinary offence without reasonable excuse, normally a more severe sanction should follow even.

For example, this may be upped to an after-school detention (if missed break/lunch detention) or 2 – 1 Hour after-school detentions on consecutive days.

Circumstances for not detaining a student.

- For certain students a detention might not be reasonable, however poor their conduct. For example, an after-school detention could probably not reasonably be imposed on a student who lived so far from school, if the student's only means of travelling home was in a bus leaving at a specific time and there was no other way the student could get home. However, the onus is on parents to demonstrate any unreasonableness about the proposed detention. Simple inconvenience to a parent or student in making alternative transport arrangements would not be sufficient reason to withdraw the detention.
- The student has known caring responsibilities which mean that the detention is unreasonable.



## 10. Behaviour Codes and Sanctions

Code	Type of Behaviour	Sanction	Action by
1	<ul style="list-style-type: none"> <li>● Low level chatting</li> <li>● Silliness</li> <li>● Lack of concentration</li> <li>● Mobile Phone out (without teacher permission for learning purposes)</li> </ul>	Verbal Warning	Subject Teacher
2	<ul style="list-style-type: none"> <li>● Continuation of chatting after warning</li> <li>● Failure to complete class work</li> <li>● Lateness to lesson</li> <li>● Mobile Phone out after warning</li> <li>● No homework submitted</li> </ul>	Order issued	Subject Teacher
3	<ul style="list-style-type: none"> <li>● No homework submitted a secondary time</li> <li>● Reluctance to follow instructions after warnings</li> <li>● Persistent chatting /disruption</li> <li>● Continued failure to complete class work</li> <li>● Inappropriate Language</li> <li>● Rudeness to another student (not discriminatory)</li> <li>● Rudeness to staff member (not discriminatory)</li> <li>● Incorrect Uniform</li> <li>● Misuse use of technology/school equipment, Inc. mobile phone / iPad / computer</li> </ul>	Order issued Meeting with the Principal	Subject Teacher
4	<ul style="list-style-type: none"> <li>● <u>Persistent from Behaviour Code 2 and 3</u></li> <li>● Defiance to a member of staff</li> <li>● Failure to attend Code 2/3 (10/30 Minute) detention</li> <li>● Poor behaviour outside class i.e. water throwing, littering (LC)</li> <li>● Lateness to school more than once per half term</li> </ul>	Parents should be notified by phone call Order Issued  Detention issued	Subject teacher alongside Principal
5	<ul style="list-style-type: none"> <li>● <u>Persistent from Behaviour Code 4</u></li> <li>● Smoking, inc. shisha or e cigarettes</li> </ul>	1 hour Senior Detention	Principal

	<ul style="list-style-type: none"> <li>● Minor Vandalism to School property / Graffiti</li> <li>● Rudeness or inappropriate language which is discriminatory or insulting to students, staff, parents or visitors.</li> <li>● One off incident between students deemed serious for referral to Senior Staff</li> </ul>	<p>Parents should be notified by letter and/or phone call</p> <p>Letter regarding bad behaviour sent to parents</p>	
6	<ul style="list-style-type: none"> <li>● <u>Persistent from Behaviour Code 5</u></li> <li>● Failed to attend Senior Detention</li> <li>● Bullying of any kind</li> <li>● Aggressive defiance</li> <li>● Wilful vandalism to School Property Premeditated or one off assault on another student</li> <li>● Inappropriate language or rudeness which is deliberately discriminatory, i.e. racial, homophobic or sexual</li> <li>● Threatening behaviour towards a member of staff</li> <li>● Theft (depending on nature)</li> <li>● Possession of Blade/sharp Knife</li> <li>● Bringing the School's name into disrepute (dependent on nature of incident)</li> </ul>	<p>Internal Exclusion</p> <p>Length dependent on incident.</p>	Principal
7	<ul style="list-style-type: none"> <li>● <u>Persistent from Behaviour Code 6</u></li> <li>● Possession / Intoxication of illegal substances</li> <li>● Serious and ongoing bullying</li> <li>● Serious assault on a student / member of staff</li> <li>● Extremely serious damage of property or building</li> <li>● Sexual or indecent assault</li> <li>● Serious threatening behaviour towards a member of staff or student</li> <li>● Possession of Blade/sharp Knife</li> <li>● Disrupting the internal exclusion or not following instructions whilst internally excluded</li> <li>● Theft (depending on nature)</li> </ul>	<p>Fixed Term Exclusion (depending on the circumstances could lead to Permanent Exclusion)</p> <p>Length dependent on incident. Maximum of forty days</p>	Principal

	<ul style="list-style-type: none"> <li>● Bringing the School's name into disrepute (dependent on nature of incident)</li> </ul>		
8	<ul style="list-style-type: none"> <li>● <u>Persistent from Behaviour Code 7</u></li> <li>● Being in possession of an offensive weapon Dealing of Illegal substances</li> <li>● Theft (depending on nature)</li> <li>● Making a malicious allegation against a member of staff which could have jeopardised their employment</li> <li>● Potentially any one off event deemed so serious that the inclusion of the student as part of the school is not compatible with good order and discipline</li> <li>● Extremist behaviour / act</li> <li>● Bringing the School's name into disrepute (dependent on nature of incident)</li> </ul>	Permanent Exclusion	Principal

N.B High profile/emergency services may be called to High Level Incident; however, it is not a sanction and therefore a sanction will need to be put in place. At times individual circumstances or the Equality Act 2010 may alter sanctions.

Fixed Term and Permanent Exclusion is always at the discretion of the Principal. This guide is not exhaustive. No guide can ever contain every action a child may commit. Staff must use their judgement if a negative behaviour choice is not listed above. If in doubt, staff should consult the Headteacher.

### **Child on child abuse**

Children are capable of abusing their peers. This can take different forms, such as bullying (including cyberbullying), physical abuse (such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; violence, particularly pre-planned, forcing other children to use drugs or alcohol, initiation/hazing type violence and rituals), emotional abuse (blackmail or extortion, threats and intimidation), sexual violence, such as rape, assault by penetration and sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, sexting, sexual abuse (indecent exposure, indecent touching or serious sexual assaults, forcing other children to watch pornography or take part in sexting) and sexual exploitation (encouraging other children to engage in inappropriate sexual behaviour, having an older boyfriend/girlfriend, associating with unknown adults or other sexually exploited children, staying out overnight, photographing or videoing other children performing indecent acts) and upskirting, which typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to

obtain sexual gratification or cause the victim humiliation, distress or alarm. Upskirting is now a criminal offence. Although it is more likely that girls will be victims and boys perpetrators, all peer on peer abuse is unacceptable and will be taken seriously. We do not tolerate these or pass them off as “banter”, “just having a laugh” or “part of growing up”.

The school has a strong commitment to an anti-bullying policy and will consider all coercive acts and peer on peer abuse within a Child Protection context. We recognise that some pupils will sometimes negatively affect the learning and wellbeing of other pupils and their behaviour will be dealt with under the school’s behaviour policy. As a school, we will minimise the risk of allegations against other pupils by providing a developmentally appropriate PSHE syllabus which develops pupils’ understanding of acceptable behaviour and keeping themselves safe, having systems in place for any pupil to raise concerns with staff, knowing that they will be listened to, believed and valued, delivering targeted work on assertiveness and keeping safe to those pupils identified as being at risk, developing robust risk assessments and providing targeted work for pupils identified as being a potential risk to other pupils. Any possible peer on peer abuse case will be shared with the DSL with a view to referring to appropriate agencies following the referral procedures. We also note the DfE’s advice and guidance on Preventing and Tackling Bullying. *See child on child abuse policy*

## 11. Force or Restraint

The use of force or restraint in order to control students, Section 93 of the Education and Inspections Act 2006, enables school staff to use such force as is reasonable in the circumstances to prevent a student from doing, or continuing to do, any of the following:

- Committing an offence;
- Causing personal injury to, or damage to the property of, any person (including themselves);
- Prejudicing the maintenance of good order and discipline at the school or among students receiving education at the school, whether during a teaching session or otherwise.

The staff to which this power applies is any teacher who works at the school and any other person whom the Principal has authorised to have control or charge of students.

There is no legal definition of reasonable force. However, nothing in the law concerning the use of reasonable force legitimises corporal punishment.

Nazene Danielle School of Performing Arts (NDSOPA) expects staff to always try and diffuse a situation without physical intervention. We also do not expect staff to put themselves at risk. However, should the need arise the member of staff available must use their judgement on whether to intervene. There is a power, not a duty, to use force so members of staff have discretion whether or not to use it. However, teachers and other school staff have a duty of care towards their students and it might be argued that failing to take action (including a failure to use reasonable force) may breach that duty.

The term ‘reasonable force’ covers the broad range of actions used by teachers at some point in their career that involve a degree of physical contact with students. Force is usually used either to control or restrain. This can range from guiding a student to safety by the arm through to more extreme circumstances such as breaking up a fight or restraining a student to prevent violence or injury.

The judgement on whether to use force with students with SEN or disabilities should not only depend on the circumstances of the case but also on information and understanding of the needs of the student concerned.

Schools do not require parental consent to use force on a student.

The Principal and authorised school staff may also use such force as is reasonable given the circumstances when conducting a search without consent for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm.

If physical intervention/restraint is used in any manner it must clearly be written and recorded on a referral form for negative behaviour and processed/followed up in the normal way with the addition that the designated Child Protection Officer must be notified. The student, restraint is used on, must also be given the opportunity to be examined, should they wish, by the School's Medical Staff (Pastoral or First Aid Officers) and/or Child Protection Officer.

## **12. The Right to Search Students**

The school will use the DfE guidance: Searching, Screening and confiscation July 2022

Schools' obligations under the European Convention on Human Rights (ECHR).

- Under article 8 of the European Convention on Human Rights students have a right to respect for their private life. In the context of these particular powers, this means that students have the right to expect a reasonable level of personal privacy.
- The right under Article 8 is not absolute, it can be interfered with but any interference with this right by a school (or any public body) must be justified and proportionate. The powers to search in the Education Act 1996 are compatible with Article 8.

School staff can search a student for any item if the student agrees.

Formal written consent from the student is not required, it is enough for the teacher to ask the student to turn out his or her pockets or if the teacher can look in the student's bag and for the student to agree.

The Principal and staff authorised by them have a statutory power to search students or their possessions, without consent, where they have reasonable grounds for suspecting that the student may have a prohibited item.

Prohibited items are:

- Knives or Weapons
  - Alcohol
  - Illegal drugs
  - Stolen items
  - Tobacco and cigarette papers including Shisha pens
  - Fireworks
  - Pornographic images including contents of ipads and phones
  - Any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence,
- A)

B) to cause personal injury to, or damage to the property of, any person (including the pupil)

The Principal and authorised staff can also search for any item banned by the school rules which has been identified in the rules as an item which may be searched for.

Should a member of staff suspect a student of carrying such items and they have refused their consent to be searched, the Principal has the authorization to search without consent. However, all members of staff can search if they believe there is an immediate risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.

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

A member of staff conducting a search must be the same sex as the student being searched; and there must be a witness (also a staff member) and, if at all possible, they should be the same sex as the student being searched. There is a limited exception to this rule. You can carry out a search of a student of the opposite sex to you and without a witness present, but only where you reasonably believe that there is a risk that serious harm will be caused to a person if you do not conduct the search immediately and where it is not reasonably practicable to summon another member of staff.

The search must take place in a suitably private area and never in front of another student, unless a group of students (the same sex) are being search and it is with their consent.

The person conducting the search may not require the student to remove any clothing other than outer clothing. 'Outer clothing' means clothing that is not worn immediately over a garment that is being worn as underwear but 'outer clothing' includes hats, blazers, shoes, coats, jumpers, boots, gloves and scarves. Any strip search must be carried out by the police with an appropriate adult present

The power to search, without consent, enables a personal search, involving removal of outer clothing and searching of pockets; but not an intimate search going further than that, which only a person with more extensive powers (e.g. a police officer) can do. Should a search not reveal anything and the member of staff remains certain that a student may still have in their possession illegal items or something they believe could be used as a weapon then the police must be called.

Any search of a student must be recorded on an incident form and processed in the normal manner. In addition, should any member of staff conduct a search without consent, the Headteacher must be informed. Searches must be recorded even if nothing is found.

Searches without consent can only be carried out on the school premises or, if elsewhere, where the member of staff has lawful control or charge of the student, for example on school trips. The powers only apply in England. Therefore, a member of staff conducting a search without consent, whilst on school trip in Wales, would be acting unlawfully.

## **13. Confiscation**

Staff can seize any prohibited item found as a result of a search. They can also seize any item, however found, which they consider harmful or detrimental to school discipline.

If the following items are found they must be given to the Principal or and the police will be contacted to collect the item and if necessary arrest the student:

- Knives
- Guns, genuine or imitation
- Any object thought to be a weapon  
Illegal substances of any class
- Stolen items (unless they are stolen in school and the decision is made to return them to their owner and the School follows its own disciplinary procedures)
- Pornographic images where the possession constitutes a specified offence (i.e. it is extreme or child pornography) in which case it must be delivered to the police.

If the following items are found, The Principal must be consulted in order to arrange for their disposal.

- Alcohol
- Cigarettes, tobacco and papers, Shisha pens
- Fireworks
- Laser Pens
- Other substances which are not believed to be controlled drugs, (e.g. legal highs)

If the following items are confiscated because they are against the School rules, they should be placed in the Administrators/School office for parental collection, they should be clearly labelled with the students name and who confiscated it and when.

- Mobile Phones & Ipads (If inappropriately used)
- Any other item which though not dangerous or illegal would be better collected by a parent rather than returned to the student. Large sums of money or expensive jewellery could fall into this category where the teacher deems there is a real risk of a student being robbed or assaulted for such items.

Many other items may be confiscated from students, normally because it is either against uniform requirements or it has disrupted or has the potential to disrupt learning or health and safety. Examples could include inappropriate clothing, food being consumed during a lesson or high caffeine content energy drinks. These items can be returned to a student at the end of the lesson or day (whichever is more appropriate).

## **14. Internal Exclusion**

A full investigation needs to occur with recommendations for the sanctioning of the student being discussed with the Principal. The same process as for a Fixed Term Exclusion. Should the decision be an Internal Exclusion then liaison must also go through the Principal from designated Teacher. A letter will be sent home on the day informing parents of internal exclusion and a phone call must be made home.

Any misbehaviour/refusal/defiance whilst internally excluded will automatically lead to Fixed Term Exclusion.

Parents will be called for a reintegration meeting before the student can return to normal lessons. The meeting will be with the Principal. Notes from this meeting or a recording should be taken. Tailored behaviour interventions will be discussed and put in place to enable the student to move forward positively.

The record of the meeting/notes should be sent to the parents concerned. Staff who normally teach a student who is internally excluded must provide suitable learning for the student.

## **15. Fixed Term Exclusion**

The School will use exclusion (fixed term or permanent) if a student has seriously broken school rules, internal exclusion has had limited impact or allowing them to stay in school would seriously harm their education or welfare, or the education and welfare of other students.

Only the Principal or Acting Principal can make the decision to exclude. Before deciding to exclude a student the Principal will:

- Ensure that an appropriate investigation has been conducted.
- Ensure that all the relevant evidence has been considered.
- Give the student an opportunity to be heard (this is particularly important if an exclusion could lead to a safeguarding concern)
- Consult other relevant people if necessary.

Having considered these matters the Principal will make a decision based normally on the balance of probability, having regard to any current guidance from the Department for Education.

Before deciding to exclude, the Principal will additionally consult the Senior Leadership Team should the student have a Statement of Special Educational Needs.

Before deciding to exclude the Principal will additionally consult the Designated Child Protection Officer should a student be on the Child Protection Register.

Before deciding to exclude the Principal will additionally consult the Designated Teacher for Looked After Children should a child be in public care or living independently.

The School will make appropriate educational arrangements for a student on their 6th day of Fixed Term Exclusion. For exclusion lasting 1 – 5 days Leader of Year will ensure learning is provided.

During a fixed term exclusion parents must ensure their child is not found in a public place during school hours and to attend a reintegration interview with the School at the end of a fixed period exclusion.

Nazene Danielle School of Performing Arts (NDSOPA) will notify parents/carers of the decision to exclude by telephone on the day of exclusion. The reason for and length of exclusion will be outlined. This will be followed by a letter which also outlines how a parent/carer can complain or challenge the decision should they wish.



A readmission meeting will occur before the student attends school again. A parent/carer must be in attendance. The readmission meeting will be conducted by the Principal, with the appropriate Teacher in attendance. The purpose of the readmission meeting is for the student to reflect on the behaviour which led to exclusion and how they will ensure that it does not happen again. Staff at the readmission should set up strategies in order to aid the student make positive choices. A readmission meeting form must be completed, copies of which will then be required to be sent home.

Exclusion will be inappropriate in cases of:

- Breaches of discipline
- Poor academic performance
- Truancy or lateness
- Pregnancy
- Non-compliance with uniform regulations, except where this amounts to a defiance
- In response to the unacceptable behaviour/attitude/conduct of a student's parents

The maximum length of time a student can be given fixed term exclusion for is 45 school days. This can be in one period or for shorter spells of time. However, no student can be excluded for more than 45 school days in any one academic year.

Removing students from the School for disciplinary reasons without following formal exclusions procedures is illegal and referred to as unofficial exclusion.

**Unofficial exclusions are:**

- The Principal or other school staff sending students home for disciplinary reasons, but not following the procedures required for formal exclusion.
- Student being sent home for either short periods of time, or for longer, indefinite, periods which can sometimes result in the students not returning to school at all.
- Where a critical situation has occurred during the school day and a student has been sent home to 'cool off'.
- Following a fixed period of exclusion, a student remains out of school awaiting a reintegration interview which may be indefinitely delayed, by the school, and the student does not return to school.

Behaviour and attendance are monitored by the Administrator/office staff. If a member of staff is found to have used unofficial exclusion it can result in disciplinary action, as this may result in a breach of a student's right to be educated.

## **16. Permanent Exclusion (Incl. Managed Transfer)**

A decision to exclude a student permanently, as befitting its gravity, will only be taken as a last resort when a wide range of strategies for dealing with disciplinary offences has been attempted but to no avail, or if an exceptional 'one-off' offence has been committed, such as:

- Serious violence, actual or threatened, against a student or member of staff
- Sexual abuse or assault
- Supplying an illegal drug
- Carrying an offensive weapon
- Or any other one-off offence considered by the Headteacher to be exceptionally serious.

Parents have the right to make representations to the governing body about exclusion and the governing body must review the exclusion decision in certain circumstances, which include all permanent exclusions. Where a governing body upholds a permanent exclusion parents have the right to appeal the decision to an independent appeal panel.

Schools are under a duty to provide suitable full-time education for an excluded student from the sixth school day of any fixed period exclusion of more than five consecutive school days. Local authorities are under a duty to provide suitable full-time education from the sixth school day of a permanent exclusion.

The Principal,, at her discretion, may offer a parent a 'Managed Transfer' instead of a permanent exclusion should the protocol be in existence. This will only be offered once, parents cannot negotiate this process. Acceptance of a Managed Transfer means that a parent will not dispute the original reason for exclusion and cannot change their mind once a new school has been allocated. Students will attend the new school on a trial basis and should the receiving school fail the student in this trial they will automatically be returned to Nazene Danielle School of Performing Arts (NDSOPA) where a Permanent Exclusion will formally take place.

## **17. Behaviour Form and Investigation**

Staff will report behaviour incidents directly to the Principal who will record the stated behaviour/incident in Behaviour File, alongside the Staff member reporting. However, should any incident require further investigations, and for all higher-level incidents, investigation summaries must also be completed with recommendations from the appropriate person. They are not in themselves a sanction. They are a public document which is kept on file and logged. Staff should be mindful of this when completing them.

It is the responsibility of the member of staff raising the form to deal with the matter, or where appropriate, to seek further support/guidance depending on the level of behaviour.

The School will complete investigations within a reasonable timescale but not normally exceeding five working days.

The monitoring and management of behaviour is the responsibility of all staff. However, the monitoring and assessment of students whose behaviour is continually disruptive is undertaken by Headteacher, who, alongside the class teacher and school Administrator, plans for the learning needs of individual students within their area and within the context of the student's behaviour needs.

## **18. Students with Disabilities**

The School aims to ensure that students with disabilities are not treated less favourably than other students and will endeavour to ensure that no exclusion of such a student has been caused directly or indirectly by the student's disability or special educational need. Any exclusion of a student with a disability will be closely monitored. The School has the legal responsibility to make reasonable adjustments in such cases.

## **19. The role of school leaders**

The school leadership team should be highly visible, with leaders routinely engaging with pupils, parents and staff on setting and maintaining the behaviour culture and an environment where everyone feels safe and supported.

School leaders have a crucial role to play in making sure all staff understand the behavioural expectations and the importance of maintaining them. School leaders should make sure that all new staff are inducted clearly into the school's behaviour culture to ensure they understand its rules and routines and how best to support all pupils to participate in creating the culture of the school.

School leaders should consider any appropriate training which is required for staff to meet their duties and functions within the behaviour policy. secondary school teachers who have, or are aspiring to have, responsibilities for leading behaviour or supporting pupil wellbeing in their school..

Schools will also wish to ensure that their staff have adequate training on matters such as how certain special educational needs, disabilities, or mental health needs may at times affect a pupil's behaviour. Ongoing engagement with experts, such as Educational Psychologists and other support staff such as counsellors and Mental Health Support Teams, can help to inform effective implementation, and even design, of behaviour policies – making links to whole school approaches to mental health and wellbeing as set out in the Mental health and behaviour in schools guidance.

## **20.The role of teachers and staff**

Staff have an important role in developing a calm and safe environment for pupils and establishing clear boundaries of acceptable pupil behaviour. Staff should uphold the whole-school approach to behaviour by teaching and modelling expected behaviour and positive relationships, as defined by the school behaviour policy, so that pupils can see examples of good habits and are confident to ask for help when needed. Staff should also challenge pupils to meet the school expectations and maintain the boundaries of acceptable conduct.

All staff should communicate the school expectations, routines, values and standards both explicitly through teaching behaviour and in every interaction with pupils. Staff should consider the impact of their own behaviour on the school culture and how they can uphold the school rules and expectations.

Staff should See the Mental health and behaviour in schools guidance for advice on supporting pupils whose mental health issues manifest themselves in behaviour.

Staff also receive clear guidance about school expectations of their own conduct at school.

## **21.The role of pupils**

All pupils deserve to learn in an environment that is calm, safe, supportive and where they are treated with dignity. To achieve this, every pupil should be made aware of the school behaviour standards, expectations, pastoral support, and consequence processes. Pupils should be taught that they have a duty to follow the school behaviour policy and uphold the school rules, and should contribute to the school culture. Pupils should be asked about their experience of behaviour and

provide feedback on the school's behaviour culture. This can help support the evaluation, improvement and implementation of the behaviour policy.

Every pupil should be supported to achieve the behaviour standards, including an induction process that familiarises them with the school behaviour culture. Schools might wish to repeat elements of this induction for all pupils at suitable points in the academic year.

Provision should be made for all new pupils to ensure they understand the school's behaviour policy and wider culture. Where necessary, extra support and induction should be provided for pupils who are mid-phase arrivals.

## **22. The role of parents**

The role of parents is crucial in helping schools develop and maintain good behaviour. To support the school, parents should be encouraged to get to know the school's behaviour policy and, where possible, take part in the life of the school and its culture. Parents have an important role in supporting the school's behaviour policy and should be encouraged to reinforce the policy at home as appropriate.

Where a parent has a concern about management of behaviour, they should raise this directly with the school while continuing to work in partnership with them. Schools should reinforce the whole-school approach by building and maintaining positive relationships with parents, for example, by keeping parents updated about their children's behaviour, encouraging parents to celebrate pupils' successes, or holding sessions for parents to help them understand the school's behaviour policy. Where appropriate, parents should be included in any pastoral work following misbehaviour, including attending reviews of specific behaviour interventions in place.

## **23. Managing Allegations from Students against Staff**

Please refer to the Complaints Policy/Safeguarding policy for further information.

If an allegation is made against a member of staff the quick resolution of that allegation should be a clear priority to the benefit of all concerned. At any stage of consideration or investigation, all unnecessary delays should be eradicated.

In response to an allegation staff suspension should not be the default option. An individual should only be suspended if there is no reasonable alternative. If suspension is deemed appropriate, the reasons and justification should be recorded by the school and the individual notified of the reasons.

Allegations that are found to have been malicious should be removed from personnel records and any that are not substantiated, are unfounded or malicious should not be referred to in references.

Students that are found to have made malicious allegations will be dealt with seriously. In line with Department for Education guidance, the School will consider Fixed Term or Permanent Exclusion (as well as referral to the police if there are grounds for believing a criminal offence may have been committed). If there is an allegation against a member of staff regarding abuse, then the LADO will be contacted.

## **24. Developing Capacity**

The School will develop a comprehensive training programme which is reviewed annually to ensure that it is responsive to the needs of its staff and students.

The School provides relevant information and training on behaviour management matters to all groups of staff, including:

- Lunchtime Supervisors (if separate to staff)
- Support staff (e.g. Learning Support Assistants and Teaching Assistants)
- Other school staff (e.g. buildings and maintenance, administrative and technical support)
- Supply Teachers
- Teachers

## **25. Reviewing Effectiveness**

The School advises all staff of the need for timeliness, accuracy and completeness in the recording of behaviour management incidents and will advise staff on the correct procedures for recording statements.

The School monitors behaviour incidents in order to identify issues and trends and will evaluate its policy against key improvement objectives which will include:

- General behaviour patterns across the School and within Year Groups
- Balance in the use of rewards and sanctions
- Behaviour management trends over time
- Effectiveness of the policy in encouraging positive behaviours

## **26. Equal Opportunities**

When applying sanctions to students, making and implementing this policy, account must be taken of the schools implementation of Equal Opportunities.

<b>Date of authorisation:</b>	November 2020
<b>Reviewed by:</b>	Nazene Langfield
<b>Date of Review</b>	August 2022
<b>Date of next review:</b>	October 2023