

BEHAVIOUR & EXCLUSIONS POLICY

Reviewed and amended: June 2022

Status: Statutory

Introduction

Harlington School endeavours to enable every student to reach their potential through the promoting of a calm, positive and purposeful learning ethos.

The School's Behaviour Policy emphasises a high regard for effective learning and social inclusion. Respect and personal responsibility for the pursuit of academic excellence underpins the School's focus on a relentless pursuit of excellent behaviour, high levels of attendance and punctuality, strict adherence to the wearing of the school uniform and positive and respectful attitudes towards one another. The School believes that taking a collective and consistent approach in this respect will lead to every student achieving the highest possible academic standards.

Everything contained within this policy is aimed at ensuring that learning can take place without interruption, that the School is a safe, happy and welcoming place in which to learn and work, and that the reputation of the School in the wider community is that of a high achieving and caring school with the best interests of its students at its heart. Students who work to the best of their ability and show respect and kindness to other people will be rewarded. Students who choose to disrupt the School's learning environment, or act in an inappropriate, unacceptable, unkind or antisocial way will be sanctioned in line with this policy.

The School welcomes all children, regardless of ability, aptitude, special educational needs or disability to further their education and learning, on the understanding that they accept that it is their responsibility to behave in such a way that learning is not disruptive to others at the School, and they behave in a way that ensures that everybody within the school community feels safe and happy.

The School expects all students (including sixth form students), their parents, members of staff and volunteers to support and uphold the School's Behaviour Policy and promote the principles contained therein. The School also asks parents to sign a Home School Agreement outlining the responsibilities of the parents and the School, including responsibilities relating to behaviour and attendance. This is because parents clearly play a major role in ensuring that their child is well behaved while they are at school and in the wider community. Where parents fail to meet these expectations, the Local Authority has a wide range of statutory powers at their disposal for addressing this.

In this policy, the term "parent" includes a natural or adoptive parent of a student (regardless of with whom the child lives, or whether the father has parental responsibility), as well as a non-parent with care of and/or parental responsibility for a student.

Application

The Behaviour Policy applies to all of the School's students, including sixth form students.

Sixth Form students also have to comply with the Sixth Form Code of Conduct, breach of which will be treated as a breach of the Behaviour Policy.

Key Principles

- Everybody has the right to learn and work in a purposeful, orderly and calm environment without being disrupted by others;

- Everybody has the right to feel safe at School and in the wider community;
- Everybody has the right to have their voice heard and their concerns listened to;
- Everybody has the right to be treated with fairness and respect;
- Everybody has the right to achieve, and be encouraged to achieve, their full potential.

Student Behaviour Code:**Students will behave in a way which shows 'Respect for Learning'.**

This means:

- Attending each day and arriving on time for school and lessons.
- Arriving to school, fully equipped and ready to learn.
- Following instructions first time, every time.
- Taking pride in all classwork and homework.
- Demonstrating excellent behaviour in every lesson.

Students will behave in a way which shows 'Respect for Self'.

This means:

- Being honest with yourself and others.
- Making effective use of your time.
- Taking good care of yourself and your property.
- Letting us know if they require help and support

Students will behave in a way which shows 'Respect for Others'.

This means:

- Being courteous, co-operative and friendly to others.
- Showing consideration for other people's feelings and points of view.
- Ensuring your behaviour does not impact the learning of others.
- Taking care of other people's property.
- Moving around the school safely and sensibly.

Students will behave in a way which shows 'Respect for the School'.

This means:

- Wearing full school uniform (as set out in the School Uniform Policy) on the journey to and from the School, wearing all items of school uniform correctly.
- Taking care of school property and our environment.
- Playing an active part in helping to improve the school and the local community
- Promoting the School in a positive manner

Students will behave in a way which shows 'Respect for the Community'

This means:

- Behaving in a sensible, appropriate and polite manner at all times, particularly while on the journey to and from the School, while in school uniform, or being recognised as a student of Harlington School.
- Taking care of our local environment and our neighbours
- Refraining from doing or saying anything which could pose a threat to a fellow student, parent, volunteer or member of the public

- Refraining from doing or saying anything which could adversely affect the reputation of the School or the local community
- Abiding by the law and adhering to the reasonable expectations of the local community and society

All students who work to the best of their ability and show respect and kindness to everyone will be rewarded. Any student who chooses to either disrupt the learning environment, or who acts in any way that could be considered unkind or antisocial, will be sanctioned in line with our policy.

Everyone is welcome to study at Harlington School, provided they accept the responsibility of behaving in such a way that learning is not disrupted and everyone in the school community feels safe and happy.

Whilst on school business, such as school trips; in uniform or journeying to or from school, pupils are subject to the same expectations as when on the school premises.

Rewards

We celebrate and reward students' effort, hard work and progress in their learning and positive actions that uphold the principles and ethos of the School.

- Students may receive positive letters and/or telephone calls to parents from members of staff, where this is deemed appropriate;
- Students are eligible each term to receive reward points for exceptional behaviour, punctuality, attendance and attainment. Students are then eligible to be nominated to attend the Reward trips;
- Students may be rewarded by any member of staff with positive points for exceptional work and/or behaviour;
- Students are eligible to receive subject and form nominations every term, subject, pastoral and achievement certificates and Scholarship-Passion-Inspiration (S-P-I) passport commendations;
- Students are awarded reward points each term based on their level of attainment that term in comparison to their target grades, as follows:
 - Students are awarded 10 points for every subject for which their attainment is above target;
 - Students are awarded 5 points for every subject for which their attainment is on target;
- Students may be nominated each term for a Jack Petchy Award. Students can be nominated by anyone within the school community for exceptional effort, perseverance, achievement, support for the school (including for individuals) or support for the local community. Any individual receiving at least one nomination each term is put through to a vote by members of the School Council. Award winners are rewarded with a sum of money to be spent on a school project of their choice.
- A house cup is awarded at the end of each term to the house with the most points during that term;
- The winning house over the school year will receive a rewards activities day.

The Behaviour for Learning Framework:**Traffic light System: How we conduct ourselves in class**

Our framework for fostering excellent behaviour in lessons features a 'traffic light' system, comprising of a **CHANCE**, **WARNING** and **REMOVAL**. This system will be used to address incidents of poor behaviour in all lessons.

CHANCE: In the first instance, students will be issued a **chance to stop** low level disruption, behaviour which blocks learning or for failing to follow the behaviour code. Students will be informed that they have received a **chance** and staff will explain the reason that they have reached this stage of the Behaviour Plan.

WARNING: If a student continues to demonstrate poor behaviour, block learning or fail to follow the behaviour code, they will be issued a final **warning**. Staff will inform the student that they have received a **warning** and explain the infringement which has led to them reaching this stage of the behaviour plan. Students will be reminded that further incidents of poor behaviour will result in the student being **removed** from the lesson.

NOTE: No sanctions are issued to the student for receiving a **chance** or **warning**.

REMOVAL: If the student continues to demonstrate poor behaviour, block learning or fail to follow the behaviour code, staff will inform the student that they are being removed from the lesson. The student will be collected from their lesson and escorted to our 'Back on Track' facility where they will reflect on their behaviour and complete any outstanding work until the end of the lesson. Students who are removed from a lesson will also serve a school detention on the same day (2.40pm – 4.00pm). Parents will be informed of this sanction by text message. When removed from a lesson, staff will confiscate any mobile devices. These will be returned to the student at the day, following their school detention.

Following a removal, the student and parent must attend a short reintegration meeting with the teacher who issued the removal. This meeting could also be with a member of the pastoral team. Reintegration meetings are an essential part of re-establishing a positive relationship between students, parents and teaching staff and are necessary before a student is permitted to return to the particular class. *Please note that during COVID-19 restrictions, these meetings will be taking place via telephone call.*

If a student receives two removals in one day, they will serve a Seclusion from 12.00pm – 5.00pm the following day.

On rare occasions, students may be immediately removed from lessons without following the process indicated above. Reasons for this include (but are not limited to):

- Violent behaviour
- Dangerous Behaviour
- Abusive behaviour
- Homophobic, racist, sexist or other discriminatory behaviour
- Significant disruption to learning

Additional sanctions may be imposed, depending on the nature of the incident. Reintegration meetings will also follow any additional sanctions.

Use of Electronic Devices

The use of electronic devices (headphones and mobile phones) is prohibited at any time in the school building, other than at break and lunchtime, and only outside or in the Dining Hall during these periods. This policy also applies to the 6th Form area. On the rare occasions that staff would like students to use devices in class, for educational purposes, they will be told when this can occur. If seen in the building, students will have devices and headphones confiscated until the end of the day, and if they refuse to hand over their items they will be secluded from the main school.

Sanctionable Misbehaviour

Misbehaviour of any kind has consequences, whether it occurs on the School's premises, outside of school while students are in the charge of members of staff, or outside of school at any other time.

Sanctions for Misbehaviour on the School's Premises

All members of staff (i.e. teachers, teaching assistants and other members of staff with responsibility for students) have the facility to refer students to Heads Of Year or a member of SLT to impose a disciplinary sanction (except an exclusion) on students whose behaviour is unacceptable, or who breach the Behaviour Policy, or who fail to follow a reasonable instruction.

Only the Headteacher has the power to exclude a student from school, either for a fixed term period or permanently.

Sanctions for Misbehaviour Outside of School

All members of staff have the facility to refer students to Heads Of Year or a member of SLT to impose a disciplinary sanction for misbehaviour occurring when the student is away from the School's site and:

- taking part in activities and trips organised by the School; or
- travelling to and from school, wearing the school uniform; or
- is in some other way identifiable as a student of the School.

Members of staff also have the power to impose a disciplinary sanction on a student for misbehaviour witnessed by a member of staff or reported to the School by any person which:

- could have repercussions for the orderly running of the School; or
- could pose a threat to another student or member of the public; or
- could adversely affect the reputation of the School.

Examples of misbehaviour occurring outside school for which a disciplinary sanction may be imposed include bullying (including cyber bullying), misbehaviour caused or exacerbated by alcohol or drug use, rudeness to members of the public or disorderly conduct in retail stores. This is not an exhaustive list.

Criminal Misbehaviour on the School's Premises or Outside School

The School has the power to impose an appropriate disciplinary sanction on a student who has misbehaved in a way which could amount to a criminal offence (for example, theft, physical or sexual assault, criminal damage, possession or supply of prohibited substances, harassment or public order offences). This applies to misbehaviour on the School's premises or outside school, and a sanction can be imposed even where the student was not identifiable as a student of the School at the time.

Any misbehaviour which may amount to an offence will be reported to the police by the School (if it has not

already been reported by the victim), and the School will cooperate fully with any criminal investigation conducted by the police, including handing over documentary or photographic/video evidence.

The police work to a much higher standard of proof (i.e. the criminal standard of proof – beyond reasonable doubt) than schools, which work to the civil standard of proof (i.e. on a balance of probabilities, which means more likely than not). The Crown Prosecution Service and police also apply a two limbed statutory test before deciding whether to prosecute or take other formal action (i.e. for example, a formal caution), namely that there must be a realistic prospect of conviction (on a balance of probabilities) and that it is in the public interest to proceed.

This means that there are likely be times when the police decide to take no formal action against a student, but this does not always mean that the police have cleared the student of guilt – they may be satisfied that an offence was committed, but have decided it was not in the public interest to take formal action. The School will therefore carry out its own investigation (applying the civil standard of proof) and, taking into consideration the reasons why the police decided to take no formal action, impose a sanction where it is fair, reasonable and proportionate to do so.

Joint Enterprise

On occasion, serious acts of misbehaviour may be carried out by more than one student. Efforts may be made to determine the level of severity for each individual involved in an incident, with differing sanctions applied accordingly. Sometimes, however, this is not possible. In such cases the school will apply the notion of 'Joint enterprise' with all students involved in a behaviour incident receiving the same reprimand. Where students witness inappropriate behaviours, they are expected to take reasonable steps to prevent them from occurring, provided this does not bring themselves into danger. This may involve alerting a member of staff or contacting the school (if outside the school's premises). Where students fail to take reasonable steps to attempt to avert acts of misbehaviour, they may be sanctioned through joint enterprise.

Disciplinary Sanctions

The decision to impose a disciplinary sanction may be made by the Head of Year or a member of the SLT (with the exception of fixed term and permanent exclusion, which may only be imposed by the Headteacher).

A disciplinary sanction must be:

- Fair and reasonable (taking into account the student's age, special educational needs and/or disability, or any religious requirements affecting the student); and
- Proportionate to the misbehaviour concerned; and
- Compliant with the law (for example, regulations governing exclusions, the Special Educational Needs & Disability Code of Practice 2014 and the Equality Act 2010).

Types of Sanctions

There is a wide range of disciplinary sanctions which may be imposed by members of staff, including (but not limited to):

- Verbal or written reprimand or warning;
- Setting additional work;
- Requiring unsatisfactory work to be repeated;
- Losing privileges or being stripped of appointments;
- Confiscation of property belonging to students (including retention and disposal);
- School community work (for example, collecting litter, removing graffiti);

- Being placed on report;
- Restorative action;
- Detention (during breaks, after school);
- Internal suspension
- Use of Seclusion school
- Withdrawal to the school's alternative provision (Harlington AP)

In addition, the Headteacher has a statutory power to impose:

- Fixed term exclusion from school;
- Permanent exclusion from school.

Low level behaviour is usually (but not always) dealt with through the Traffic Light system as outlined in our Behaviour for Learning Framework, and by any member of staff. If the student does not respond to this intervention and support, more formal support will be put in place and more severe sanctions imposed by the Pastoral Teams, consisting of Form Tutors, Heads of Year or by the Senior Leadership Team.

Persistent misbehaviour and/or serious breaches of this policy and/or the Sixth Form Code of Conduct is likely to lead to fixed term or permanent exclusion from the School, resulting in the student's name being deleted from the School's Admission Register and being placed in Alternative Provision until a place at another school is found for him or her.

The following tables are **indicative only** and **should not be taken as a guarantee of what type of sanction will be imposed for any particular behaviour**, as misbehaviour and sanctions are highly subjective and the School must always take into consideration the individual student's level of culpability, the circumstances, and the mitigating factors present.

CONSEQUENCES FOR LOW LEVEL MISBEHAVIOUR	
Examples of Misbehaviour	Possible Intervention, Action or Sanctions
<ul style="list-style-type: none"> • Lateness arriving at school/for lessons; • Minor school uniform infringements; • Use of electronic devices • Refusal to follow instructions; • Low level disruption of learning; • Minor damage to property; • Non-threatening verbal abuse of others; • Play fighting and other disorderly behaviour; • Incomplete or inadequate work or attainment. 	<ul style="list-style-type: none"> • Incidents that occur in lessons are usually dealt with by class teachers. Incidents that have occurred outside of lessons are addressed by members of the Pastoral Team. These sanctions typically constitute of the following: • Verbal Chance and Warning; • Removal from lesson • Parents contacted • Restorative action • Detention • Charging for replacement or repair of property • Confiscation of student's property <p>A 'Record of Incident' will be added to the student file</p> <p><u>Repeated incidents will usually be dealt with by the</u></p>

	<p><u>Classroom Teacher, by way of one or more of the following:</u></p> <p>All of the above, plus:</p> <ul style="list-style-type: none"> • Reintegration meetings • Written warning; • Meeting with parents;
	<p><u>Persistent incidents will usually be dealt with by the Curriculum Leader or HOY, by way of one or more of the following:</u></p> <p>All of the above, plus:</p> <ul style="list-style-type: none"> • Removal of student from the lesson • Internal suspension • Short term placement in Harlington AP
<p><u>Failure to comply with Sanctions</u></p> <ul style="list-style-type: none"> • Students failing to respond to this system of consequences will receive monitoring/intervention through the report system for repeat offenders; • Students who fail to attend a school detention will receive an internal suspension the following day (5 Negative Behaviour Points); • Students who refuse to serve their internal suspension will be placed on Seclusion from 12-5pm and serve this sanction in our Seclusion School (located in Harlington AP). Parents will be requested to meet with pastoral staff to discuss this behaviour. 	

SERIOUS/MALICIOUS INCIDENTS	
Behaviour	Possible Consequences
<p>Misbehaviour including (but not limited to):</p> <ul style="list-style-type: none"> • Persistent disruptive behaviour, which prevents the orderly running of the school, or for which school sanctions and other interventions have not been successful in modifying the student's behaviour; • Actions which put the student or others in danger; • Failure to stop/ pushing / barging past a member of staff* • Bullying (Physical, Mental and by Cyber); • Serious actual or threatened violence against another (staff or students); • Verbal abuse towards staff or students; • The procurement or circulation of pornographic material or any other material that is likely to 	<p>Dealt with by Head of Year (HOY) in consultation with SLT:</p> <ul style="list-style-type: none"> • Placed on Report; • Letter to parent/guardian/ carer; • Meeting with parent/guardian/carer; • Internal suspension; • Placement in the School's Alternative provision on site Harlington AP • Direction to off-site education provision to improve behaviour;

cause offence on the grounds of race, culture, religion, gender or sexual orientation; <ul style="list-style-type: none"> • Racist, culturally offensive or sexist language or inappropriate behaviour; • Homophobic language or behaviour that causes offence to any member of the LGBTQ+ Community; • Language or behaviour deemed to be discriminatory towards any of the other protected characteristics as listed in the Equalities Act 2010; • Misbehaviour caused or exacerbated by substance abuse • False allegations against a member of staff; • Sexual abuse or assault* (this includes any form of inappropriate or unsolicited touching as reported by the victim); Indecent behaviour • Persistent refusal to wear the school uniform correctly • Smoking or possession of smoking-related paraphernalia; • Use of, possession of, or supply of any electronic cigarettes, shisha pens or equivalents**; • Use or supply of illegal substances**; • Use or supply of other harmful substances including alcohol**; • Carrying an offensive weapon; • Arson; • Damage to property; • Theft; • Carrying or any involvement in the supply or use of fireworks (including Category 1 snappers). 	<ul style="list-style-type: none"> • Fixed term exclusion* • Permanent exclusion*** <p>** A Record of Incident will again be placed on the student file, for each breach of the policy</p>
***STUDENTS MAY JUMP STRAIGHT TO THIS LEVEL WHERE APPROPRIATE	

False Allegations against Members of Staff

Making an allegation of misconduct against a member of staff which is subsequently found to be false and/or malicious will be treated as a very serious breach of the School's Behaviour Policy, and dealt with accordingly by way of a disciplinary sanction (including fixed term or permanent exclusion, where appropriate). This is because making an allegation of misconduct has very serious consequences for the member of staff concerned, which can be long lasting and far reaching.

False and/or malicious allegations must, however, be differentiated from allegations which are found to be unsubstantiated or which were genuinely believed to be true by the student but subsequently found not to be true following investigation. The School does not want to discourage students from reporting misconduct by members of staff because they are afraid that, if the allegation is found to be unsubstantiated, they will face a disciplinary sanction.

Students are encouraged to discuss any concerns they have about a member of staff with another member

of staff who they have a good relationship and trust.

Detentions

School detentions (After school; 1 hour 20 minutes: 2.40pm – 4.00pm)

School detentions are issued for failure to comply with the terms set out in our student behaviour code. Any member of staff can recommend a school detention but this will usually be approved by a pastoral or senior leader. School detentions run from 2.40pm until 4.00pm and are served on the same day. Parents will be informed of this sanction by text message. As stated above, any student removed from a lesson will automatically receive this sanction on the day of their removal.

Departmental detentions (After school; 30 minutes: 2.40pm – 3.10pm)

Departmental detentions can be issued by any member of staff for lack of equipment or failure to complete homework. Parents will be notified of this sanction by a telephone call home. These detentions are served at least a day after they are issued. Students who fail to attend a departmental detention, may be sanctioned with a school detention by a member of the Pastoral Team or SLT.

Late detention (After school; 2.40pm -3.15pm or 2.40pm – 4.00pm)

Any pupil entering the school building after 8:10am will be marked late. Students will then serve a same-day detention until 3.15pm. Any student who arrives to school after 08.30am will receive a same day 4.00pm school detention. Parents will be advised of this sanction via text message. Parents should advise the school of any instances when they are aware that their child will arrive after 08.30am.

The School is not required to notify parents in advance of any detentions set, but makes every effort to do so.

When a detention is imposed, the student must attend it unless they can provide reasonable justification for not doing so (for example, because they were too ill to attend and this is supported by a note from the student's parent or medical note). Failure to comply with any sanction is regarded as defiance which is punishable with a separate, more severe, sanction than the one that was not complied with.

Record of Incident forms will be completed by members of staff after a serious incident. These are forwarded to appropriate member of the Leadership Committee/Senior Leadership Team and Pastoral Team.

All incident reports, pastoral monitoring reports and positive/negative points are monitored and saved to students' SIMS files to ensure that appropriate intervention occurs at the right time.

Exclusion from School

As stated above, only the Headteacher has the power to exclude a student from the School, either for a fixed term period or permanently. This will not prevent other members of staff (usually members of the Senior Leadership Team) from investigating incidents and reporting their findings to the Headteacher for a decision to be made, where exclusion is a possible option.

A student will only be excluded from School where it is fair, reasonable and proportionate in relation to the misbehaviour involved, taking into account any contributing factors and the background of the student, including any special educational needs or disability (SEND) that the student may have. In the case of SEND and /or vulnerable students, reasonable adjustments will be made to avoid the risk of exclusion and in the exclusion process itself.

Interim fixed term exclusions will not be imposed, however it may sometimes be necessary for the

Headteacher to impose a further consecutive fixed term or permanent exclusion on a student for the same misbehaviour where further evidence comes to light after a fixed term exclusion has been imposed. This will be the exception, not the norm.

The Headteacher will only permanently exclude a student in response to:

- A serious breach, and/or persistent breaches, of the School's Behaviour Policy; and;
- Where allowing the student to remain at the School would seriously harm the education or welfare of the student or others at the School.

There is a statutory procedure in place for dealing with exclusion from school and the way in which this may be challenged, which is set out in the Department for Education's statutory guidance which can be accessed [here](#). The Headteacher will ensure that the principles and procedure set out in the statutory guidance are adhered to at all times.

Investigation of Incidents

All incidents, whether they occur on the School's premises or outside school, will be investigated by School before a sanction is imposed. This will usually be overseen by a member of the Senior Leadership Team.

The School will make every effort to identify and speak to witnesses. Students who were involved and are at risk of being sanctioned will always be given the opportunity of giving their account and putting forward any background or mitigating information before they are sanctioned.

In the majority of cases, a written witness statement will be obtained from each witness, who will be asked to read, amend (where necessary), sign and date it. Where this is not possible, the interviewing member of staff will produce their own a signed and dated witness statement confirming exactly what the witness said during their meeting, which will then be shown to the witness so that any mistakes can be corrected.

The School is permitted to speak to students during the investigation into an incident without their parents being present or providing their consent, and parents will not normally be notified in advance or asked to attend the School during the investigation. Student witnesses will not normally be accompanied during the meeting at which they provide their witness statement.

Parental Consent for Sanctions

The School is not required to obtain parental consent before imposing a disciplinary sanction on a student. It is for the School, not parents, to decide what sanctions will be imposed, following investigation of incidents of misbehaviour. Parents are expected to support the School in disciplinary matters, as it is clearly counter-productive in attempting to improve a student's behaviour if their parents will not accept that their child has done anything wrong.

In particular, parents should note that parental consent is not required for detentions to be imposed outside of school hours, and neither is the School legally required to give parents notice of detentions (including same-day detentions), although we will usually do so via a phone call or text message.

Where a detention/withdrawal of privileges takes place at lunch time, students will be given a reasonable amount of time to eat, drink and use the toilet facilities.

Where a detention takes place after school, it will only be imposed where the School is satisfied that the

student will not be put at risk, and that suitable travel arrangements can be made by the student's parents. Parents should note, however, that the cost of alternative travel arrangements, and inconvenience caused by making alternative travel arrangements, will not be taken into account.

Sanctions Imposed on Other Students

Parents will not be involved in either the process or decision to sanction a student who is not their child, even where their child was a victim of that student's misbehaviour.

The reason for this is threefold. Firstly, as stated above, it is for the School to decide what sanction, if any, should be imposed. Secondly, information about the investigation and sanction will be the personal data of the other student and will not normally be disclosed to another parent or student without their consent, except in very limited circumstances. This is in line with GDPR regulations. Lastly, the process will inevitably involve obtaining information about the other student's background and mitigating factors which will directly impact upon the type and level of sanction imposed, which other parents/students should not be privy to.

In view of the above, parents are asked to refrain from seeking to influence decisions made by the School in relation to sanctions imposed on other students and/or asking for information about sanctions to be disclosed to them.

Items Prohibited from School

There are a number of items which students are prohibited from being brought into school, either by law or by the School in its Behaviour Policy. We must reiterate that students must not bring in, use or have contact with, any item that, in the opinion of the Headteacher, may be detrimental to the health, wellbeing or safety of students and / or staff.

Involvement with any of the items below may result in either fixed term or permanent exclusion from Harlington School.

The items which are prohibited from being brought into school by law are:
<ul style="list-style-type: none">• Knives and items manufactured to be weapons for example, guns (including BB guns)• Alcohol• Illegal substances (including so-called "legal highs" which are now illegal)• Stolen items• Tobacco and cigarette papers• Fireworks (including Category 1 snappers)• Pornographic images (still or video)• Any item that a member of staff reasonably suspects has been, or is likely to be, used to commit an offence• Any item that a member of staff reasonably suspects has been, or is likely to be, used to cause personal injury to any person (including the student in possession of it)• Any item that a member of staff reasonably suspects has been, or is likely to be, used to damage the property of any person (including the student in possession of it)

The items which are prohibited from being brought into school by the School are:

- Items not manufactured to be weapons but which the School reasonably believes are intended to be used, or may be used, as a weapon (for example, a baseball bat or a table leg)
- Lighters and matches
- Material which is likely to cause offence or distress on the grounds of race, religion or belief, disability, sex, sexual orientation, gender reassignment or gender identity.
- Aerosol canisters of any kind
- Spray deodorant/perfume/aftershave
- Energy drinks
- Chewing gum

The School also permits certain items to be brought into school but place restrictions on their use during school hours. The following table sets this out.

The items which are permitted to be brought into school but in relation to which restrictions are imposed are:

Item	Restriction
Mobile phones and games consoles	May only be used at break and lunch time in the Dining Hall or <u>outside</u> of the building.
Laptops and tablets	Must be kept in the student's bag and switched off at all times while on the School's site, unless they are being used during a lesson with the permission of the member of staff in charge at the time

Items which are permitted to be brought into school but have restrictions put on their use will be treated as prohibited items if they are used by a student in breach of that restriction, and are therefore subject to confiscation as set out below. The school will not accept liability for any lost or stolen items, and parents should ensure they have appropriate insurance for high value items that are brought onto the premises.

Searching Students for Prohibited Items

Searches With Consent

Members of staff can search a student and their possessions (for example, bags, desk drawers and lockers) if the student agrees to be searched. Written consent is not required – verbal consent will suffice, and this will be satisfied where a student is asked to turn out his or her pockets and does so without objecting.

Searches Without Consent

The Headteacher and members of staff who have been authorised by the Headteacher have a statutory power to search students and their possessions (for example, bags, desk drawers and lockers) without their consent where they have reasonable grounds for suspecting that the student may be in possession of a prohibited item, as set out above. Such searches may only be carried out when the student is on the School's site or under the lawful control or charge of the member of staff (for example, on a school trip).

There is no requirement for parents to be notified in advance of a search, and parental consent is not required.

Conducting the Search

The member of staff conducting a search of a student must be the same sex as the student, and there must be another member of staff present as a witness who, if at all possible, should also be the same sex as the student. However, where the member of staff reasonably believes that there is a risk of serious harm to any person (including the student concerned) if the search is not conducted immediately, and it is not reasonably practicable to summon another member of staff to witness the search, that member of staff can search a student of the opposite sex and/or without another member of staff being present to witness the search.

The student will not be required to remove any clothing other than outer clothing, which is clothing worn next to the skin or immediately over underwear. Outer clothing will include hats, shoes, boots, gloves and scarves as well as coats, jackets and double layers (for example, a pullover worn over a shirt). Intimate searches will never be carried out by any member of the School's staff – if it appears necessary, the matter will be reported to the police for them to decide whether to use their statutory powers in this respect.

It is to be noted that KCSIE 2022 now advises “[DSLs should]...liaise with the headteacher to inform him or her of issues - especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations. This should include being aware of the requirement for children to have an Appropriate Adult. Further information can be found in the Statutory guidance - PACE Code C 2019.”

PACE Code C 2019 details the role a person undertakes when acting as the “appropriate adult” while a student is being questioned or detained by the police. It includes an expectation that the appropriate adult will “support, advise and assist” the young person, and also “observe whether the police are acting properly and fairly to respect the young person’s rights and entitlements, and inform an officer of the rank of inspector or above if they consider that they are not”. The safeguarding team will undertake training on this code and ensure they act in the best interest of the child if joining an interview in the role of “appropriate adult.”

The school will work within this framework at all times.

The student’s possessions will include bags, desk drawers, lockers and any other receptacle over which the student has control. The student’s possessions will only be searched in the presence of the student and another member of staff except where there is a risk that serious harm will be caused to any person (including the student concerned) if the search is not conducted immediately and it is not reasonably practicable to summon another member of staff.

When conducting search for an item which is prohibited by law (but not items prohibited by the School), the member of staff can use reasonable force (i.e. such force as is reasonable in the circumstances).

Where a student fails to cooperate with a search for any item (including items prohibited by the School), this will be regarded as defiance and a disciplinary sanction imposed, in addition to any disciplinary sanction for other misbehaviour leading to the search.

The school operates within Department for Education guidance with respect to searching students and property, if there are any concerns that dangerous or illegal items have been brought onto the school premises. The Police will be called if a student fails to cooperate with a search.

Screening

We may, periodically ask students to undergo screening, either through a metal detection arch or through the use of a hand-held wand even if we do not suspect them of having a weapon and without the consent of the student. Our statutory duty to manage the safety of staff and students allows us to impose the requirement for students to be screened. Any member of the school staff can screen students.

If a student refuses to be screened they will be withdrawn from the main school and parents contacted.

The school also occasionally employs the services of a drug detector dog service to screen for illegal substances, to keep the school a drug – free zone.

Advance notice is not given of screening events.

Confiscation of Prohibited Items and Other Items

The School has a general power to confiscate, retain and dispose of any item belonging to a student (including items which are not prohibited from being brought into school) as a disciplinary sanction for misbehaviour, where it is reasonable to do so.

Where an item prohibited by law has been found, it will be confiscated and will not be returned to the student at all. The items will then be dealt with as follows:

Such items will either be destroyed or disposed of in an appropriate way (in the case of alcohol, tobacco, cigarette papers, fireworks, aerosols/spray deodorants/perfume/aftershave or legal pornographic images)

CONSEQUENCES OF CONFISCATION	
Knives and items manufactured as weapons	Handed over to the police immediately
Alcohol	Disposed of by the School in any way it deems appropriate (other than returning it to the student/parents)
Illegal substances (including “legal highs”)*	Handed over to the police immediately or, if there is a good reason** not to, destroyed by the School
Stolen items	Either handed over to the police immediately or, where there will be no criminal investigation, returned to the rightful owner where possible, or disposed of by the School in any way it deems appropriate (other than returning it to the student/parents) if not possible to return it to the rightful owner
Tobacco and cigarette papers	Disposed of by the School in any way it deems appropriate (other than returning it to the student/parents)
Vapes	Disposed of by the School in any way it deems appropriate (other than returning it to the student/parents)
Fireworks (including Category 1 snappers)	Disposed of by the School in any way it deems appropriate (other than returning it to the student/parents)
Illegal pornographic images (for example, extreme or child pornography)	Handed over to the police immediately
Legal pornographic images (for example, adult pornography)	Destroyed immediately (including permanently deleting images and video footage from electronic devices and cloud storage)
Items used or intended to be used to commit an offence	Either handed over to the police immediately or, where there will be no criminal investigation, disposed of by the School in any way it deems appropriate (other than returning it to the student/parents)
Items used or intended to be used to cause personal injury	Either handed over to the police immediately or, where there will be no criminal investigation, disposed of by the School in any way it deems appropriate (other than returning it to the student/parents)

Items used or intended to be used to damage property	Either handed over to the police immediately or, where there will be no criminal investigation, disposed of by the School in any way it deems appropriate (other than returning it to the student/parents)
Items not manufactured as weapons but intended to be used as weapons	Either handed over to the police immediately or, where there will be no criminal investigation, disposed of by the School in any way it deems appropriate (other than returning it to the student/parents)
Lighters and matches	Disposed of by the School in any way it deems appropriate (other than returning it to the student/parents)
Aerosol canisters	Disposed of by the School in any way it deems appropriate (other than returning it to the student/parents)
Spay deodorant/perfume/aftershave	Disposed of by the School in any way it deems appropriate (other than returning it to the student/parents)
Material likely to cause offence or distress to certain groups	Either handed over to the police immediately or, where there will be no criminal investigation, disposed of by the School in any way it deems appropriate (other than returning it to the student/parents)

Items used in breach of restriction imposed by the School	<p>Either:</p> <ul style="list-style-type: none"> Retained by the School for a specified period of time which will be notified to the student shortly after confiscation, the length of which will be determined by the nature of the breach of the restriction and the student's previous behaviour, before being returned to the student; <p>Or:</p> <ul style="list-style-type: none"> Disposed of by the School in any way it deems appropriate (other than returning it to the student/parents) in the case of persistent breaches of the restriction; <p>Taking into account all relevant circumstances and using professional judgement.</p> <p>Before returning electronic devices to students, the School may examine data and files on the device or in cloud storage attached to the device, and either hand these over to the police where they may amount to or be evidence of a criminal offence, or permanently erase them where there is a good reason** to do so.</p>
<p>*Where the member of staff is not sure whether a substance found is illegal or not, but has reason to believe that it may be an illegal substance, it will be treated as an illegal substance.</p> <p>**In determining whether there is a "good reason" not to hand items over to the police, or for erasing data or files from electronic devices, the member of staff will take into account all relevant circumstances and use their professional judgement, including considering the value or a stolen item, and whether an item can be safely disposed of by the School.</p>	

The Seizure of Electronic Devices

In line with Df guidance, where the person conducting the search finds an electronic device they may reasonably suspect has been or may be used to commit an offence or cause personal injury or damage to property or disrupt learning or break school rules, they may examine data or files on the device where there is a good reason to do so, unless they are going to give the device to the police.

They may also delete data or files if they think there is a good reason to do so, unless they are going to give the device to the police. There is no reason for the school to acquire parental permission to search through a student's phone if there is reason to believe it has been used or is likely to be used to commit an offence

or cause personal injury or damage to property or disrupt learning or break school rules.

The School's Liability for Seized Items

The law protects members of staff from any liability in any proceedings brought against them for any loss of, or damage to, any items they have lawfully confiscated.

The School will ensure that reasonable care is taken of seized items which are being retained for a specified period of time before being returned to the student/parents, for example by keeping them in a securely locked container.

The Use of Reasonable Force

Members of staff have a power to use reasonable force, and where reasonable force is used lawfully, the member of staff will be able to rely on this as a defence to any prosecution or other legal action.

Parents and students should note that it is not illegal for members of staff to touch/have physical contact with a student other than when using reasonable force, where this is proper and necessary. Examples of when such physical contact would include when comforting a distressed student, congratulating or praising a student, demonstrating how to use an instrument or piece of equipment, demonstrating an exercise or technique during a PE lesson, or administering first aid. This is not an exhaustive list.

The term "reasonable force" means such force as is reasonable in the circumstances, and covers a broad range of actions involving a degree of physical contact with a student which are used by most teachers and other members of staff in schools at some point during their careers. Force is usually used to control or restrain, ranging from guiding a student to safety by the arm, to more extreme circumstances such as breaking up a fight, or restraining a student to prevent violence or injury.

The term "reasonable in the circumstances" means using no more force than is needed to achieve the desired result, proportionate to the possible consequences it is intended to prevent.

Members of staff will always try to avoid using reasonable force in a way which might cause injury but, in extreme cases, it may not always be possible to avoid injuring a student.

When can reasonable force be used?

Reasonable force can be used to:

- Prevent students from hurting themselves or others;
- Prevent students from damaging property;
- Prevent students from causing disorder;
- Search for items prohibited from being brought into school by law (but not items prohibited from being brought in by the School).

Reasonable force is generally used for two main purposes; to control students, or to restrain students. The term "control" means either passive physical contact (such as standing in between two students or blocking the path of a student), or active physical contact (such as leading a student by the arm out of a classroom). The term "restrain" means to hold back physically or to bring a student under control.

Examples of when reasonable force can be used include removing students from a classroom when they have refused to follow an instruction to do so, prevent a student from behaving in a disruptive manner at a school

event or on a school trip, prevent a student from leaving a classroom where allowing them to leave would put their safety or the safety of others at risk, stop a fight between students, restraining a student during an outburst to prevent them from harming themselves or others. This is not an exhaustive list.

Force can never be used as a punishment, or disciplinary sanction for misbehaviour. Corporal punishment is illegal.

The decision as to whether or not to physically intervene is down to the professional judgement of the member of staff concerned, and will always depend on the specific circumstances involved or perceived to be involved at the time when the decision needs to be made, sometimes within seconds. It is a power, not a duty, and a member of staff is not therefore under a duty to intervene, however members of staff do have a duty of care towards students and members of staff may therefore decide that not intervening may potentially breach that duty of care.

In the event of a member of staff having to intervene or use reasonable force in a situation deemed to be unsafe, students must follow staff requests to desist immediately. Students who do not follow these instructions are deemed to be beyond reasonable control of the school and will receive severe sanctions, including Seclusions or Fixed Term Exclusions. Students who demonstrate aggression or forceful defiance towards any member of staff will be sanctioned in accordance with this policy and risk fixed term or permanent exclusion.

Where a student is disabled or has special educational needs, reasonable adjustments will need to be made by the member of staff.

Where a serious incident has occurred which involved the use of reasonable force, this will be notified to the student's parents. In deciding whether an incident is serious, the School will consider the student's behaviour and the level of risk involved, the degree of force used, the effect of the use of reasonable force on the student or the member of staff and the student's age.

Training in the use of reasonable force will be provided to members of staff, where appropriate.

Equality

The Equality Act 2010 ("EqA 2010") sets out seven "protected characteristics" relevant to students as follows:

- Disability;
- Gender reassignment;
- Pregnancy and maternity;
- Race;
- Religion or belief;
- Sex;
- Sexual orientation.

When implementing this policy, the School will not:

- Directly discriminate against a student (i.e. treat them less favourably because of a protected characteristic they have than it treats or would treat other students who do not have that protected characteristic);
- Indirectly discriminate against a student or group of students (i.e. ensure that the implementation of the Behaviour Policy does not put students who share a protected characteristic at a particular disadvantage compared to those who do not share it, unless it can be objectively justified as a proportionate means of achieving a legitimate aim of the School, such as on health and safety grounds, as there is no other way to achieve this aim which would not cause the disadvantage).

The School must not impose any disciplinary sanction (including exclusion) upon a student because they have a protected characteristic (for example, because they are disabled or because of their race). This does not, however, mean that a student who has a protected characteristic (for example, a disability) can never be sanctioned or excluded.

Disabled Students

“Disability” is defined as a physical or mental impairment which has a substantial and long term adverse effect (lasting or recurring, or likely to last or recur, for at least twelve months) on their ability to carry out normal day to day activities.

The definition therefore potentially includes behavioural disorders (for example, Autistic Spectrum Disorder or Attention Deficit Hyperactivity Disorder) where the definition is met. Disabled students may also have special educational needs, however not all students with special educational needs will meet the definition for having a disability under the EqA 2010.

The School will not discriminate (either directly or indirectly) against disabled students, and will not discriminate against them in relation to something arising in consequence of their disability, unless it can be objectively justified as set out above.

Reasonable Adjustments

The School will also meet its duty to make “reasonable adjustments” for disabled students, as follows:

- Where a policy or practice (such as this Behaviour Policy) puts a disabled student at a substantial disadvantage in comparison to non-disabled students, the School will take such steps as it is reasonable to take to avoid that disadvantage.

This means that the School is not under an absolute duty to make an adjustment for a disabled student in every case, but is under a duty to consider whether the disabled student is at a substantial disadvantage compared to other students and, if so, identify firstly whether there are any steps (for example, behaviour management strategies) that can be taken to avoid that disadvantage, and secondly whether it is reasonable for the School to take those steps;

- Where a disabled student would, but for the provision of an auxiliary aid, be put at a substantial disadvantage compared to a non-disabled student, to take such steps as it is reasonable to take to provide the auxiliary aid. An auxiliary aid can include a piece of equipment or the allocation of a particular member of staff to a particular student (for example, a one-to-one support worker).

This means that the School is not under an absolute duty to provide an auxiliary aid for a disabled student in every case, but is under a duty to consider whether the disabled student is at a substantial disadvantage compared to others and, if so, identify firstly whether there are any aids (for example, objects designed to reduce disruptive behaviour or a one-to-one support worker) which could be provided to avoid that disadvantage, and secondly whether it is reasonable to provide those aids.

When assessing whether it is reasonable for a step or an aid to be taken by the School, high cost will be a factor that can be considered, although the School recognises that it is under a duty to fund reasonable adjustments for disabled students.

In practice, the School will always take pre-emptive steps to reduce or avoid the risk of disciplinary sanctions being imposed on disabled students where the misbehaviour is linked to their disability (for example, where they have a behavioural disorder which meets the definition), by putting in place various tried and tested

behaviour management strategies and other aids aimed at managing and improving their behaviour.

The School will also make adjustments for a disabled student whose misbehaviour is linked to their disability when it is imposing disciplinary sanctions (including an exclusion) in these circumstances (for example, by imposing no sanction or a less severe sanction in circumstances where a non-disabled student would have received a sanction or a more severe sanction).

Statutory Exception for Students with a Tendency to Physical Abuse of Others

Parents should note that there is a statutory exception which prevents “a tendency to physical abuse of others” from being regarded as impairment capable of being a disability and therefore receiving protection under the EqA 2010. This means that, where a student has a tendency to physical abuse of others (for example, by assaulting others or deliberately throwing objects at them, rather than behaving in a manner which may inadvertently result in others coming to harm, such as throwing an object at a wall which then rebounds onto another student standing elsewhere), it will not be discrimination to sanction or exclude for that behaviour, and there will be no duty to make reasonable adjustments either.

There must be a tendency to physical abuse of others, which is more than just a series of irregular instances of this kind of behaviour, however if there is a tendency, the exception will apply even where the tendency is caused by a condition or disorder which does, in itself, meet the definition of a disability.

Complaints

Parents wishing to complain about a reward given to, or disciplinary sanction imposed on, their child, or about force used against their child following an incident, may do so under the School’s published Complaints Policy, which sets out the procedure which will be followed by the School in this respect.

Parents should note that, in the case of complaints about the use of force, the onus will be on them to establish that its use was not reasonable – it is not for the member of staff to prove that they acted reasonably. Parents should also note that members of staff will not automatically be suspended where an allegation has been made that they used force unreasonably.

Complaints about an exclusion will not be dealt with under the School’s published Complaints Policy, as there is a statutory procedure in place for dealing with exclusions, and this procedure includes the process by which parents can challenge the exclusion by making representations to the Governing Body. Further information about this is contained within the statutory guidance published by the Department for Education which can be accessed [here](#) and will be outlined in the exclusion notification letter sent to parents.

Other resources:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/488034/Behaviour_and_Discipline_in_Schools_-_A_guide_for_headteachers_and_School_Staff.pdf