



**CRANLEIGH**  
EX CULTU ROBUR

# **Behaviour and Discipline Policy**

---

**Cranleigh School**

September 2022

## Contents

1	Aims .....	3
2	Scope and application.....	3
3	Regulatory framework .....	4
4	Publication and availability .....	5
5	Definitions.....	5
6	Responsibility statement and allocation of tasks .....	5
7	Promoting good behaviour .....	6
8	Minor breaches of discipline.....	6
9	Serious breaches of discipline.....	7
10	Parent involvement .....	8
11	Additional needs .....	9
12	Safeguarding .....	9
13	Malicious allegations against staff.....	10
14	Use of reasonable force .....	10
15	Searching pupils .....	10
17	Training .....	10
18	Risk assessment .....	10
19	Record keeping .....	11
20	Version control.....	11

## Appendix

Appendix 1	Rewards and sanctions .....	13
Appendix 2	Investigations into serious breaches of discipline .....	15
Appendix 3	Disciplinary meeting with the Head.....	16
Appendix 4	Use of reasonable force .....	19
Appendix 5	Searching and confiscation .....	20
Appendix 6	COVID-19 Specific Behaviour Expectations	24

## Statement of Principles

High standards of behaviour are expected from all members of the School and are particularly valued within the Cranleigh community. Good behaviour is rooted in positive relationships, and pupils are expected to conduct themselves with honesty, courtesy and respect for others at all times. Unpleasant, inappropriate or illegal behaviour, or any behaviour which endangers the wellbeing of another are not tolerated at Cranleigh. The School has a duty of care to its students and staff and a responsibility to intervene on behalf of the community as a whole where the behaviour of one or more of its members threatens the safety of others.

Pupils are encouraged to develop awareness of their own actions, and to cultivate self-discipline; indeed, this is the main form of discipline within the community. Common Sense is to be used in interpreting the School Conventions and in general behaviour. Pupils must always accept the authority of a member of Common Room and in return there are structures in place to allow pupils to ask honest, well-intentioned questions about the logic behind disciplinary processes to ensure that pupils have an opportunity to understand the rationale behind disciplinary boundaries and decisions.

### 1 Aims

- 1.1 This is the behaviour and discipline policy of Cranleigh School (**School**).
- 1.2 The aims of this policy are as follows:
  - 1.2.1 to promote good behaviour amongst pupils;
  - 1.2.2 to actively promote and safeguard the welfare of pupils at the School and to protect all who come into contact with the School from harm;
  - 1.2.3 to ensure, so far as possible, that every pupil in the School is able to benefit from and make his/her full contribution to the life of the School, consistent always with the needs of the School community;
  - 1.2.4 to set out a clear and fair process for the proper investigation of allegations of poor behaviour and/or breaches of discipline;
  - 1.2.5 to encourage pupils to accept responsibility for their behaviour;
  - 1.2.6 to set out the sanctions available to the School in the event of pupil misbehaviour;
  - 1.2.7 to help to create a culture of safety, equality and protection.

### 2 Scope and application

- 2.1 This policy applies to the whole School.
- 2.2 This policy (together with the School Conventions and all School rules and policies on behaviour and discipline) applies to all pupils at the School and at all times when a pupil is:
  - 2.2.1 in or at School;
  - 2.2.2 representing the School or wearing School uniform;
  - 2.2.3 travelling to or from School;
  - 2.2.4 on School-organised trips; or

- 2.2.5 associated with the School at any time.
- 2.3 This policy shall also apply to pupils at all times and places including out of School hours and off-School premises in circumstances where failing to apply this policy may:
  - 2.3.1 affect the health, safety or well-being of a member of the School community or a member of the public;
  - 2.3.2 have repercussions for the orderly running of the School; or
  - 2.3.3 bring the School into disrepute.
- 3 Regulatory framework**
- 3.1 This policy has been prepared to meet the School's responsibilities under:
  - 3.1.1 Education (Independent School Standards) Regulations 2014;
  - 3.1.2 *Boarding schools: national minimum standards* (Department for Education (DfE), September 2022 );
  - 3.1.3 Education and Skills Act 2008;
  - 3.1.4 Children Act 1989;
  - 3.1.5 Childcare Act 2006;
  - 3.1.6 Data Protection Act 2018 and General Data Protection Regulation (GDPR); and
  - 3.1.7 Equality Act 2010.
- 3.2 This policy has regard to the following guidance and advice:
  - 3.2.1 Keeping children safe in education (DfE, September 2022 (KCSIE)
  - 3.2.2 Working together to safeguard children (DfE, July 2022);
  - 3.2.3 Information sharing advice for safeguarding practitioners (DfE, July 2018)
  - 3.2.4 Behaviour in schools (DfE, September 2022);
  - 3.2.5 Use of reasonable force (DfE, July 2013);
  - 3.2.6 Searching, screening and confiscation: advice for schools (DfE, July 2022);
  - 3.2.7 Mental health and behaviour in schools (DfE, November 2018); and
  - 3.2.8 Relationships education, relationships and sex education and health education (DfE, September 2021).
- 3.3 The following School policies, procedures and resource materials are relevant to this policy:
  - 3.3.1 acceptable use policy for pupils;
  - 3.3.2 anti-bullying policy;
  - 3.3.3 policy on smoking, alcohol and the misuse of drugs and substances;
  - 3.3.4 safeguarding and child protection policy and procedures;

- 3.3.5 risk assessment policy for pupil welfare;
- 3.3.6 policy on special educational needs and learning difficulties;
- 3.3.7 disability policy;
- 3.3.8 expulsion and removal: review procedure;
- 3.3.9 staff code of conduct; and
- 3.3.10 School conventions.

#### 4 **Publication and availability**

- 4.1 This policy is published on the School website.
- 4.2 This policy is available in hard copy on request.
- 4.3 A copy of the policy is available for inspection from the Head's Office during the School day.
- 4.4 This policy can be made available in large print or other accessible format if required.

#### 5 **Definitions**

- 5.1 Where the following words or phrases are used in this policy:
  - 5.1.1 References to the **Proprietor** are references to the Board of Governors.
  - 5.1.2 References to **working days** mean Monday to Friday, when the School is open during term time. The dates of terms are published on the School's website. In the event that the application of this definition is likely to introduce excessive delays, due to intervening School holidays, the School's approach is to take sensible and reasonable steps so as to minimise any hardship or unfairness arising from such delays.
  - 5.1.3 References to the **Head** may include deputies.
  - 5.1.4 A **Parent** in this policy is a person with parental responsibility (or their representative) for the child or the child's main carer.
  - 5.1.5 Communications or instructions from one of the Parents shall be deemed by the School to be received from all Parents (as defined) unless there is evidence of a contrary view. [This requirement does not apply to the giving of notice for the cancellation of a place or the withdrawal of the pupil from the School. The persons required to consent or give notice of cancellation or withdrawal are set out in the parent contract.]
  - 5.1.6 References to a **Review** are to the review by a panel of the Head's decision in accordance with the expulsion and removal: review procedure.

#### 6 **Responsibility statement and allocation of tasks**

- 6.1 The Proprietor has overall responsibility for all matters which are the subject of this policy.
- 6.2 To ensure the efficient discharge of its responsibilities under this policy, the Proprietor has allocated the following tasks:

<b>Task</b>	<b>Allocated to</b>	<b>When / frequency of review</b>
Keeping the policy up to date and compliant with the law and best practice	Deputy Head	As required, and at least termly
Monitoring the implementation of the policy, relevant risk assessments and any action taken in response and evaluating effectiveness	Deputy Head	As required, and at least termly
Maintaining up to date records of all information created in relation to the policy and its implementation as required by the GDPR	Deputy Head	As required, and at least termly
Seeking input from interested groups (such as pupils, staff, Parents) to consider improvements to the School's processes under the policy	Deputy Head	As required, and at least annually
Formal annual review including effectiveness of policy and procedures in promoting good behaviour and trends relating to disciplinary measures taken.	Proprietor	Annually

## 7 Promoting good behaviour

- 7.1 Pupils are educated about good behaviour through the operation of the School's curriculum, PSHE programmes, and the School's pastoral support systems. Pupils are encouraged to act responsibly and, through the operation of this policy, to accept responsibility for their behaviour.
- 7.2 The School uses rewards to promote and reinforce good behaviour. The ways in which the School may reward good behaviour are set out in Appendix 1.
- 7.3 The School recognises that where challenging behaviour is related to a pupil's disability, use of positive discipline and reward methods may enable the School to manage the pupil's behaviour more effectively and improve their educational outcomes.

## 8 Minor breaches of discipline

- 8.1 The School has pastoral support systems in place to assist pupils in managing their behaviour. A range of sanctions are available for those who breach the School rules and policies for behaviour and discipline.
- 8.2 Allegations, complaints or rumours of minor breaches of discipline are dealt with by staff as they occur. Staff may carry out informal investigations and/or interviews with the pupils

involved. Low level sanctions may be given following such processes (see Appendix 1 for details of possible sanctions).

- 8.3 When considering the appropriate sanction, the risks posed to pupil welfare by an individual's behaviour will be assessed. This may include consideration of how any action taken, sanctions applied or inaction may affect that individual's welfare and, where appropriate, how it may affect other pupils' welfare and/or the School community as a whole.

## 9 **Serious breaches of discipline**

- 9.1 Allegations, complaints or rumours of serious breaches of discipline (as defined in 9.2) should be referred to the Deputy Head.

- 9.2 The main categories of misconduct which are likely to be considered to be serious breaches of discipline and which may therefore result in expulsion or a requirement to leave the School, include but are not limited to:

9.2.1 Supply (including any promotion/ advertisement or facilitating supply)/possession/ use of drugs and solvents or their paraphernalia or substances intended to resemble them, or alcohol or tobacco as prohibited by the school policy on smoking, drugs and substances ;

9.2.2 Actual or attempted theft, blackmail, physical violence, intimidation, racism or bullying or other potentially criminal offences including being an accessory or conspirator;

9.2.3 physical or emotional abuse or harassment;

9.2.4 harmful/inappropriate sexual behaviour including sexual violence and sexual harassment and upskirting;

9.2.5 behaviour in contravention of the School's policies on the acceptable use of technologies or online safety;

9.2.6 supply or possession of pornography;

9.2.7 behaviour which may constitute a criminal offence, such as

(a) possession or use of firearms, knives or other weapons;

(b) vandalism or computer hacking;

9.2.8 persistent minor breaches of discipline or attitudes or behaviour which are inconsistent with the School's ethos;

9.2.9 other misconduct which adversely affects the welfare of a member or members of the School community or which brings the School into disrepute (single or repeated episodes); and

9.2.10 other misconduct specifically prohibited in the School's parent contract and/or School Conventions.

- 9.3 Sanctions for serious breaches of discipline include:

9.3.1 **Suspension:** a pupil may be sent or released home for a limited period as a disciplinary sanction.

9.3.2 **Removal:** the Parents may be required to remove a pupil from the School if, after consultation with one or more of the Parents and if appropriate the pupil, the Head is of the opinion that:

- (a) the pupil has committed a breach or breaches of School Conventions or discipline for which removal is the appropriate sanction; or
- (b) by reason of the pupil's conduct or behaviour, the pupil is unwilling or unable to benefit sufficiently from the educational opportunities and/or the community life offered by the School; or
- (c) one or more of the Parents have treated the School or members of its staff or any member of the School community unreasonably.

In these circumstances and at the discretion of the Head, the Parents may be permitted to withdraw the pupil as an alternative to removal being required.

9.3.3 **Expulsion:** a pupil may be expelled from the School for a serious breach of discipline as defined in 9.2, suspected criminal offences and, for the avoidance of doubt, for persistent lower level breaches.

9.4 An allegation, complaint or rumour of a serious breach of discipline will be investigated in accordance with the procedures set out in Appendix 2.

9.5 If the findings of the investigation support the allegation, complaint or rumour of a serious breach of discipline, a disciplinary meeting will be held in accordance with the procedures set out in Appendix 3.

9.6 The School will act fairly and in accordance with the principles of natural justice and will ensure that where a pupil's place at the School is at risk, the Parents and the pupil are provided with sufficient information about the allegations to understand them and the factual findings made in the investigation; and will have an opportunity to make representations about:

9.6.1 the factual findings made;

9.6.2 whether or not they constitute serious misconduct; and

9.6.3 the sanctions under consideration

9.7 Sanctions imposed will be fair and proportionate to the breach.

9.8 If a pupil is withdrawn from the School before the conclusion of disciplinary procedures, the School reserves the right to complete the procedures, in the absence of the pupil and the Parents if necessary, and to make appropriate findings. The School reserves the right to report these findings to regulators and/or local authorities/police and/or refer to disciplinary procedures and findings in references provided for the pupil.

## 10 **Parent involvement**

10.1 The School seeks to work in partnership with Parents over matters of discipline, and it is part of the Parents' obligations to the School to support the School conventions and rules and this policy.

10.2 Parents will normally be informed as soon as reasonably practicable after it becomes clear that the pupil may face disciplinary action for a serious breach of discipline, but may be prevented from doing so immediately e.g. by the police if they are involved.

10.3 All Parents will be notified of any pending disciplinary hearing in accordance with paragraph 9.6.

10.4 Parents will be notified of disciplinary sanctions:

10.4.1 Imposed for significant minor breaches of discipline (i.e. gating or more serious sanctions or persistent minor breaches such as demerits); and those

10.4.2 Imposed for serious breaches of discipline and any rights of review;  
as required and/or within School reports.

10.5 Parents will be consulted about their child's conduct and the application of this policy to their child where the School considers, in its professional judgement, that these give rise to significant concern about pupil welfare.

## 11 **Additional needs**

11.1 Consistent with the School's overriding legitimate aim of protecting the needs, well-being and interests of the whole school community, the School will make reasonable adjustments for managing behaviour which is related to a pupil's disability and ensure that the School's response to such behaviour is proportionate. Staff should seek advice from the Deputy Head or Head of Learning Support if they are unsure about how to manage a pupil's behaviour where this is or may be related to a disability.

11.2 If there is a concern that a pupil's behaviour is as a result of unmet educational or other needs, advice should be sought from the Deputy Head or Head of Learning Support and further action in accordance with the School's policy on special educational needs and learning difficulties will be considered.

11.3 Where Expulsion or Removal needs to be considered, the School will make such adjustments as are reasonable so as to assist a pupil with a disability or special educational needs is able to present their case fully where their disability or special educational needs might hinder this.

## 12 **Safeguarding**

12.1 Some behaviour by a pupil towards another may be of such a nature that safeguarding concerns are raised. Safeguarding issues can manifest themselves via peer on peer abuse. This includes, but is not limited to:

12.1.1 bullying (including cyber-bullying);

12.1.2 physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;

12.1.3 sexual violence and / or sexual harassment;

12.1.4 upskirting and/or attempts to commit upskirting;

12.1.5 sexting (which includes youth produced sexual imagery); and

12.1.6 initiation/hazing type violence and rituals.

12.2 The School's policy and procedures with regard to peer on peer abuse are set out in the School's safeguarding and child protection policy and procedures. If behaviour and

discipline matters give rise to a safeguarding and child protection concern, the procedures in the safeguarding and child protection policy will take priority.

### 13 **Malicious allegations against staff**

- 13.1 Where a pupil makes an accusation against a member of staff and there is reasonable suspicion that the accusation has been deliberately invented or malicious, the Head will consider whether to take disciplinary action against the pupil in accordance with this policy.
- 13.2 Where a Parent is found to have made a malicious allegation (as defined in 13.3), the Head will consider whether to require that Parent to remove their child or children from the School on the basis that they have treated the School or a member of staff unreasonably and compromised the requirement for mutual trust and confidence and/or whether the allegations should be reported to the police.
- 13.3 The School will consider a malicious allegation to be one where there is sufficient evidence on the balance of probabilities to disprove the allegation and that, by the same test there is sufficient evidence that there has been a deliberate act to deceive or cause harm to another.

### 14 **Use of reasonable force**

- 14.1 Corporal punishment is not used at the School and force must never be used as a form of punishment.
- 14.2 Any use of force by staff will be reasonable, proportionate and lawful. Reasonable force will be used as set out in Appendix 4. More detailed guidance about the use of reasonable force is provided to staff in the Staff code of conduct.

### 15 **Searching pupils**

- 15.1 **Informed consent:** School staff may search a pupil or their possessions or accommodation with their consent for any item. If a member of staff suspects that a pupil has a banned item in their possession, they can instruct the pupil to turn out their pockets or bag. If the pupil refuses, sanctions will be applied in accordance with this policy.
- 15.2 **Searches without consent:** the Head, and staff authorised by the Head, may search a pupil or pupils' possessions, without their consent, where they have reasonable grounds for suspecting that a pupil has a prohibited item in their possession. Please see Appendix 5 for the School's policy on searching and confiscation and the definition of prohibited items.

### 16 **Staff Training**

- 16.1 The School ensures that regular guidance and training is arranged on induction and at regular intervals thereafter so that staff and volunteers understand what is expected of them by this policy and have the necessary knowledge and skills to carry out their roles.
- 16.2 The level and frequency of training depends on the role of the individual member of staff.
- 16.3 The School maintains written records of all staff training.

### 17 **Risk assessment**

- 17.1 Where a concern about a pupil's welfare is identified pursuant to this policy or otherwise, the risks to that pupil's welfare will be assessed and appropriate action will be taken to reduce the risks identified.

- 17.2 The format of risk assessment may vary and may be included as part of the School's overall response to a welfare issue, including the use of individual pupil welfare plans (including Education Health and care plans, as appropriate). Regardless of the form used, the School's approach to promoting pupil welfare will be systematic and pupil focused.
- 17.3 The Deputy Head (Pastoral) has overall responsibility for ensuring that matters which affect pupil welfare are adequately assessed and for ensuring that the plans are implemented, monitored and evaluated as required.
- 17.4 Day to day responsibility to carry out risk assessments under this policy will be delegated to the Deputy Head (Pastoral) who have/has been properly trained in, and tasked with, carrying out the particular assessment.

## 18 Record keeping

- 18.1 All records created in accordance with this policy are managed in accordance with the School's policies that apply to the retention and destruction of records.
- 18.2 The School will keep a separate record of sanctions imposed on pupils for serious misbehaviour. The record includes:
  - 18.2.1 the name and year group of the pupil concerned;
  - 18.2.2 the nature and date of the offence;
  - 18.2.3 the sanction imposed and reason for it; and
  - 18.2.4 the name of the person imposing the sanction.
  - 18.2.5 identifying whether these are relating to Boarding
- 18.3 This record is reviewed regularly by the Deputy Head so that patterns in behaviour can be identified and managed appropriately.
- 18.4 The records created in accordance with this policy may contain personal data. The School has a number of privacy notices which explain how the School will use personal data about pupils and Parents. The privacy notices are published on the School's website. In addition, staff must ensure that they follow the School's data protection policies and procedures when handling personal data created in connection with this policy. This includes the School's data protection policy and information security policy.

## 19 Version control

Date of adoption of this policy	26 <sup>th</sup> September 2019
Date of last review of this policy	September 2021

Date for next review of this policy	August 2022
Policy owner (SMT)	Deputy Head

## Appendix 1 Rewards and sanctions

### 1 Rewards

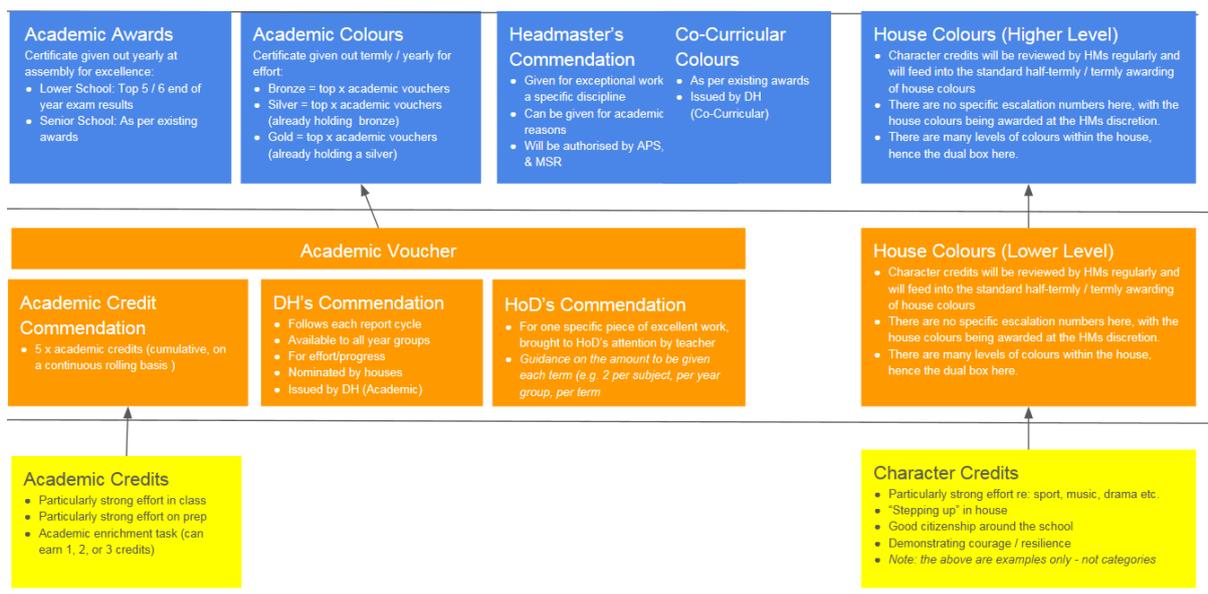
1.1 Encouragement of students is an essential part of the educational process, and the School aims to celebrate character and personal values as much as it does effort and achievements. This validation of pupils' successes forms a key part of the ethos of the School and is often most meaningful when it takes place informally, for example in conversation between a teacher and a pupil. In addition however, the School operates a wide range of more formal rewards to recognise pupils' endeavours.

1.2 Boarding Houses are encouraged to use a wide range of rewards to recognise and encourage positive behaviour. These are not precisely defined, but the Deputy Heads review these regularly to ensure that standards are similar across all Houses and that all pupils have the opportunity to benefit from them.

School-wide Rewards will include: Academic/Character Credits; Effort/Achievement Grades; Commendations; Colours; Cups/Trophies; Speech Day Awards; Scholarships/Exhibitions

1.3 Rewards for excellent academic achievement or demonstrating admirable character traits may be issued according to the process below:

### Rewards Process



### 2 Sanctions

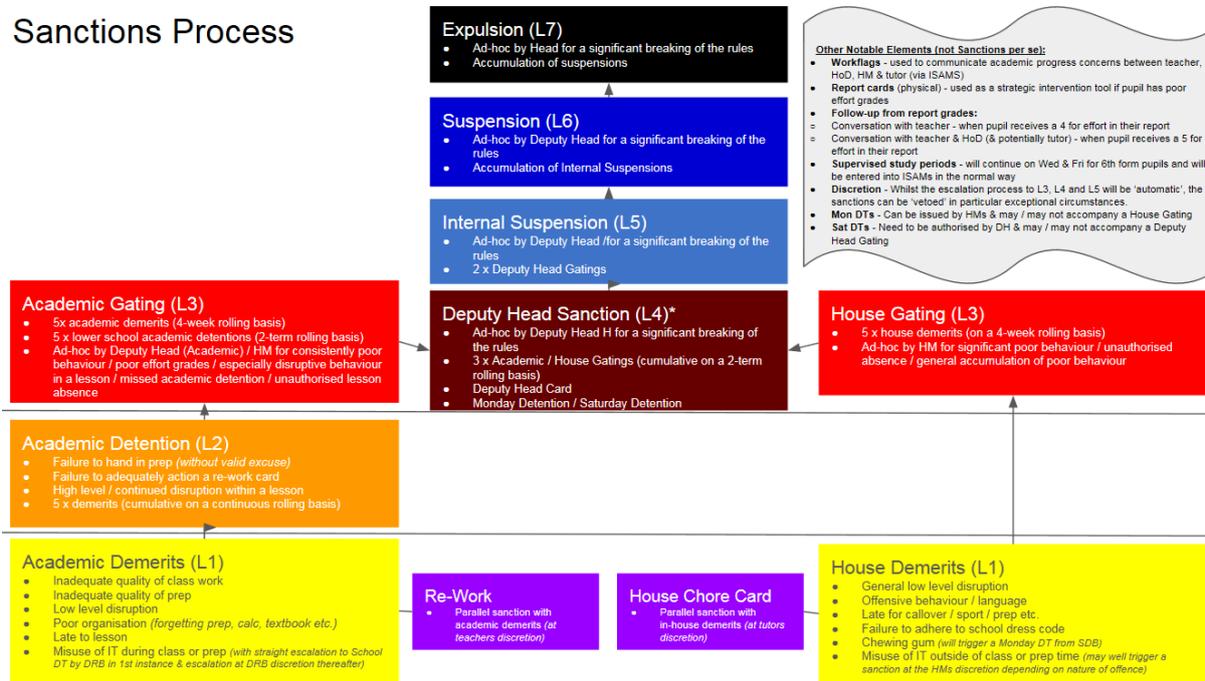
2.1 In addition to the particular sanctions set out in this Appendix 1, the Head may prescribe and authorise the use of such other sanctions as comply with good education practice and promote good behaviour and compliance with the School Conventions.

2.2 As a general rule the first disciplinary response to misbehaviour will be to engage the pupil in discussion about what has been done. Given the range of specific

circumstances the Sanctions Process is not wholly prescriptive. However, an *illustrative* guideline is outlined below.

3

### Sanctions Process



## **Appendix 2 Investigations into serious breaches of discipline**

- 1 The Head will generally appoint a senior member of staff to carry out an investigation of an allegation, complaint or rumour of serious breaches of discipline, but if appropriate, the Head may investigate matters themselves or instruct a third party to undertake the investigation. The purpose of such an investigation is to make findings on the balance of probabilities, where possible, as to what has happened.
- 2 If the pupil is to be interviewed as part of the investigation, consideration will be given as to whether the pupil should be accompanied by another member of staff and in any event a note of the interview will be made by the interviewing member of staff.
- 3 If it becomes clear that the pupil may face disciplinary action for a serious breach of discipline the pupil and their Parents will be informed of this as soon as reasonably practicable, unless the School is prevented from doing so, for example by the police if they are involved.
- 4 A pupil may be suspended from the School as a neutral act pending the outcome of a disciplinary process. Should a suspension continue for a period of more than 5 School days, the School will take reasonable steps to put in place arrangements to ensure the continuing education of the pupil and will keep the terms of the suspension under regular review. Parents should note that there may be a delay in providing work whilst teaching staff are given the opportunity to determine what work should be set. Alternatively, and at the discretion of the Head, the pupil may be offered a segregated regime on School premises.
- 5 A pupil's space or (following appropriate risk assessment) belongings may be searched during the course of the investigation. See Appendix 5 of this policy for the School's policy on searching and confiscation.
- 6 It may be necessary to delay the School's investigation or put it on hold, for example where external agencies, such as the police or social services, are involved and have recommended this. A decision to suspend an investigation will take into account advice from appropriate external agencies and will be subject to periodic review. In relation to alleged sexual violence or sexual harassment, the School will have regard to the DfE guidance Sexual violence and sexual harassment between children in schools and colleges (May 2018) and the School's designated safeguarding lead (or a deputy) will take a leading role on decisions.
- 7 If considered necessary, the School may make arrangements for legal representation for the pupil, to be funded entirely at the Parents' expense. Regardless of delays caused by a police or other external agency investigation, the School will provide appropriate pastoral and other support for all pupils affected by the allegations under investigation while they remain on the School roll.
- 8 The outcome of the investigation, where delegated to a member of staff or other third party, will be reported to the Head. If the findings of the investigation appear to support the allegation, complaint or rumour, a disciplinary meeting will then be convened in accordance with the procedures in Appendix 3 of this policy.

### **Appendix 3 Disciplinary meeting with the Head**

- 1 Where the findings of the investigation into an allegation, complaint or rumour of a serious breach of discipline appear to support the allegation, complaint or rumour, a disciplinary meeting with the Head will take place.
- 2 **Attendance**
  - 2.1 The pupil and his/her Parents (if available) or their representative or a member of staff of the pupil's choice will be invited to attend the disciplinary meeting with the Head. Where the complaint concerns the behaviour of the Parents, the pupil will not generally be entitled to attend the meeting and this procedure applies to the Parents only.
  - 2.2 The person who undertook the investigation will usually be in attendance to explain the circumstances of the complaint, his/her investigation and findings and an additional member of staff will usually be present to minute the meeting.
  - 2.3 If the Parents or the pupil have any special needs or disability which call for additional facilities or adjustments (e.g. parking or the provision of documents in large print or other accessible format) those requirements should be made known to the Head as soon as reasonably practicable so that appropriate arrangements can be made.
  - 2.4 If a Parent is unable to attend because of, for example, travel and working commitments, the School will make reasonable alternative arrangements to ensure the Parent can be involved, remotely if necessary, with the disciplinary process and their child's education and care pending its outcome.
- 3 **Meeting**
  - 3.1 Documents available at the disciplinary meeting with the Head may include:
    - 3.1.1 a statement setting out the allegations regarding the pupil or, where applicable, the Parents;
      - (a) relevant documents including the investigation report;
      - (b) the pupil's conduct record;
      - (c) the relevant School policies and procedures.
  - 3.2 The Head will inform the pupil and his/her Parents of the range of disciplinary sanctions which the Head considers are open to him.
  - 3.3 The pupil and his/her Parents will have an opportunity to make representations on:
    - 3.3.1 The investigator's findings;
    - 3.3.2 whether they constitute serious misconduct;
    - 3.3.3 the appropriate sanction to be imposed.

- 3.4 Unless the Head considers that further investigation is needed, he will close the meeting and inform the pupil and the Parents that they will be notified of his decision in writing or verbally inform them.

#### 4 **Decision**

- 4.1 The Head will consider:
- 4.1.1 whether the allegation, complaint or rumour has been sufficiently proved. The standard of proof shall be the civil standard, i.e. the balance of probabilities;
  - 4.1.2 Whether the findings constitute serious misconduct; and
  - 4.1.3 The appropriate sanction to be imposed (and the pupil's disciplinary record will be taken into account where the complaint concerns the conduct of the pupil).
- 4.2 The Head may expel or remove a pupil or impose any other sanction he considers to be appropriate in accordance with this policy.
- 4.3 The Head will notify the Parents of his decision in writing, with reasons, within 3 working days of the disciplinary meeting.
- 4.4 A decision to expel or remove a pupil shall take effect within 5 working days of the date of the Head's letter confirming his/her decision. Until then, the pupil may remain suspended and away from School premises.

#### 5 **Review**

- 5.1 The Parents or the pupil may request a Review of the Head's decision:
- 5.1.1 to expel or remove a pupil from the School; or
  - 5.1.2 where the pupil is suspended from the School for 11 working days or more; or
  - 5.1.3 where suspension would result in the pupil missing a public examination.
- 5.2 A request for a Review must be made in writing within 5 working days of the date of the Head's letter confirming his decision.
- 5.3 If such a request is made, the pupil shall remain suspended until the Review has taken place and either the sanction is upheld or a reconsidered decision made.
- 5.4 See the **Expulsion and Removal: review procedure** for further information about requesting a Review and the detail of the procedure.

#### 6 **Leaving status**

- 6.1 If a pupil is expelled or removed, his/her leaving status will be one of the following: expelled, removed or, if the offer is made by the Head and accepted by the Parents, withdrawn by parents.
- 6.2 Additional points of leaving status to be considered may include:
- 6.2.1 the form of letter which will be written to the Parents and the form of announcement in the School;

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

#### **Appendix 4 Use of reasonable force**

- 1 There are circumstances when it is appropriate for staff to use reasonable force to safeguard pupils. Any use of reasonable force will be in accordance with the DfE guidance Use of reasonable force (DfE, July 2013).
- 2 Reasonable force may be used to prevent a pupil from doing or continuing to do any of the following:
  - 2.1 committing a criminal offence;
  - 2.2 injuring themselves or others;
  - 2.3 causing damage to property, including their own;
  - 2.4 engaging in any behaviour prejudicial to good order and discipline at the School or among any of its pupils, whether that behaviour occurs in a classroom or elsewhere.
- 3 In these circumstances, force will be used for two main purposes: to control pupils or to restrain them. Reasonable force may be used, for example, to restrain a pupil at risk of harming themselves or another individual or to prevent a pupil leaving a classroom where allowing them to do so would risk their safety or lead to behaviour that disrupts the behaviour of others.
- 4 In addition, reasonable force may be used to conduct a search for certain "prohibited items" (see Appendix 5 below).
- 5 In these circumstances, 'reasonable' means using no more force than is needed.
- 6 In deciding whether reasonable force is required, the needs and particular vulnerabilities of individual pupils will be considered and reasonable adjustments will be made for pupils with special educational needs or disabilities. The School will establish proactive and positive behaviour support strategies for pupils with particular needs, in consultation with their Parents, to reduce the occurrence of challenging behaviour and the need to use reasonable force.
- 7 Where reasonable force is used by a member of staff, the Deputy Head must be informed of the incident and it will be recorded in writing. The pupil's Parents will be informed about serious incidents involving the use of force.

## Appendix 5 Searching and confiscation

- 1 All schools have a general power to impose reasonable and proportionate disciplinary measures (Education and Inspections Act 2006). This enables a member of staff to confiscate, retain or dispose of a pupil's property as a disciplinary penalty where it is reasonable to do so.
- 2 The School's policy on searching and confiscation has regard to the DfE guidance Searching, screening and confiscation: advice for schools (DfE, July 2022).

### 3 Prohibited items

3.1 The following are "prohibited items":

3.1.1 under Section 550ZA(3) of the Education Act 1996, Regulation 3 of the Schools (Specification and Disposal of Articles) Regulations (SI 2012/951), and Section 3 of the Searching, Screening and Confiscation advice (July 2022) :

- (a) knives or weapons, alcohol, illegal drugs and stolen items;
- (b) tobacco and cigarette papers, fireworks and pornographic images;
- (c) any article that a member of staff reasonably suspects has been, or is likely to be used:
  - (i) to commit an offence; or
  - (ii) to cause personal injury to, or damage to the property of, any person (including the pupil); and

3.1.2 any item banned by the School Conventions or rules that are identified as being items which may be searched for.

The School has banned these items as they reasonably believes them to be likely to cause harm or disruption. Being in possession of a prohibited item may mean that a pupil is involved or at risk of being involved in anti-social or criminal behaviour. Pupils must not have these items in their possession on School premises or at any time when they are in the lawful charge and control of the School.

### 4 Searching with consent

- 4.1 A search can be considered if the member of staff has reasonable grounds for suspecting that the pupil is in possession of a prohibited item or any item identified in the school rules for which a search can be made, or if the pupil has agreed.
- 4.2 The authorised member of staff should make an assessment of how urgent the need for a search is and should consider the risk to other pupils and staff.
- 4.3 Before any search is undertaken, a pupil will usually be asked to consent. The member of staff conducting the search should explain to the pupil why they are being searched, how, and where the search is going to take place, and give them the opportunity to ask any questions.
- 4.4 In seeking consent, the age and maturity of the pupil will be taken into account together with any special needs the pupil may have. Written consent will not

usually be required. If items are "prohibited items" as listed in section 3 above the School is not required to seek consent.

- 4.5 The consent of the pupil must be obtained for searches for items that are not "prohibited items" as listed in section 3 above. The consent of the pupil must be sought even if he/she is not at the School at the time.
- 4.6 If the pupil refuses to provide consent, disciplinary action may be taken in accordance with the School's behaviour and discipline policy.

## **5 Searching for prohibited items**

- 5.1 Where the Head or an authorised member of staff has reasonable grounds to suspect that a pupil may have a prohibited item, consent is not required and a search can be carried out, using reasonable force if necessary.
- 5.2 Searches will be carried out on School premises or, if elsewhere, where the member of staff has lawful control or charge of the pupil, for example on an educational visit or in training settings.
- 5.3 If it is believed that a pupil has a prohibited item, it may be appropriate for a member of staff to carry out:
  - 5.3.1 a search of outer clothing; and/or
  - 5.3.2 a search of School property (e.g. pupils' lockers or desks, bed, studies or dormitories); and/or
  - 5.3.3 a search of personal property (e.g. bag or pencil case).
- 5.4 The Head, with support from the DSL, will oversee the school's practice of searching to ensure that a culture of safe, proportionate and appropriate searching is maintained. Searches will be conducted in such a manner as to minimise embarrassment or distress. Searches of a pupil or their possessions will generally be carried out in the presence of the pupil and another member of staff. Where a pupil is searched, the searcher and the second member of staff present will be the same sex as the pupil.
- 5.5 Where it is reasonably believed that serious harm may be caused if the search is not carried out immediately, and in the time available it is not reasonably practical to summon the pupil, or another member of staff, or a member of staff of the same sex, a member of staff may carry out a search in any event.
- 5.6 When a member of staff conducts a search without a witness they should immediately report this to another member of staff and ensure a record of the search is kept.
- 5.7 The DSL (or Deputy) should be informed of any searching incidents where the member of staff had reasonable grounds to suspect a pupil was in possession of a

prohibited item. The staff member should also involve the DSL without delay if they believe a search has revealed a safeguarding risk.

- 5.8 Where the Head, or staff authorised by the Head, find anything which they have reasonable grounds for suspecting is a prohibited item, they may seize, retain and dispose of that item in accordance with this policy.
- 5.9 A strip search is a search involving the removal of more than outer clothing. Strip searches in school premises can only be carried out by police officers. While the decision to undertake the strip search and its conduct are police matters, school staff retain a duty of care to the pupil(s) involved and should advocate for pupil wellbeing at all times.
- 5.10 Before calling police into school, staff should assess and balance the risk of a potential strip search on the pupil's mental and physical wellbeing and the risk of not recovering the suspected item.
- 5.11 Unless there is an immediate risk of harm and where reasonably possible, staff should inform a parent of the pupil suspected of concealing an item in advance of the search, even if the parent is not acting as the appropriate adult. Parents should always be informed by a staff member once a strip search has taken place. Schools should keep records of strip searches that have been conducted on school premises and monitor them for any trends that emerge.

## 6 **Confiscation**

- 6.1 Under the School's general power to discipline, a member of staff may confiscate, retain or dispose of a pupil's property as a disciplinary penalty where it is reasonable to do so.
- 6.2 Confiscation of an item may take place following a lawful search, as set out above, or however the item is found if the member of staff considers it to be harmful or detrimental to School discipline.

## 7 **Searching electronic devices**

- 7.1 An electronic device such as a mobile phone or a tablet computer may be confiscated in appropriate circumstances in accordance with this policy. If there is good reason to suspect that the device has been, or could be used to cause harm, to disrupt teaching or break School Conventions, any data or files on the device may be searched and, where appropriate, data or files may be erased before the device is returned to its owner. Any search of an electronic device should be conducted in the presence of a member of the IT staff.
- 7.2 Any data or files will only be erased, if there is good reason to suspect that the data or files have been, or could be used to cause harm, to disrupt teaching or break School rules.
- 7.3 Subject to 7.4 below and the requirements set out in KCSIE, if inappropriate material is found on an electronic device, the member of staff may delete the material, retain it as evidence of a breach of School discipline or criminal offence or hand it over to the police if the material is suspected to be evidence relevant to an offence.
- 7.4 Staff should not view or forward illegal images of a child. When viewing an image is unavoidable staff should follow the School's policy on sexting as set out in the

Safeguarding and Child Protection Policy/consult the advice set out in the Searching screening and confiscation advice (for schools) and UKCCIS sexting advice (for schools and colleges).

## 8 Disposal of confiscated items

- 8.1 **Alcohol:** alcohol which has been confiscated will be safely disposed of.
- 8.2 **Controlled drugs:** controlled drugs will usually be delivered to the police as soon as possible. In exceptional circumstances and at the discretion of the Head or authorised member of staff, the drugs may be safely disposed of without the involvement of the police if there is good reason to do so. All relevant circumstances will be taken into account and staff will use professional judgement to determine whether the items can be safely disposed of. They will not be returned to the pupil.
- 8.3 **Other substances:** substances which are not believed to be illegal drugs but which are harmful or detrimental to good order and discipline may be confiscated and destroyed. Where it is not clear whether or not the substance seized is an illegal drug, it will be treated as though it is illegal and disposed of as above.
- 8.4 **Stolen items:** stolen items will usually be delivered to the police as soon as possible. However, if, in the opinion of the Head or authorised member of staff, there is good reason to do so, stolen items may be returned to the owner without the involvement of the police. This is likely to apply to items of low value, such as pencil cases.
- 8.5 **Tobacco or cigarette papers:** tobacco or cigarette papers will be destroyed.
- 8.6 **Fireworks:** fireworks will not be returned to the pupil. They will be disposed of safely at the discretion of the Head or other authorised member of staff.
- 8.7 **Pornographic images:** pornographic images involving children or images that constitute "extreme pornography" under section 63 of the Criminal Justice and Immigration Act 2008 will be handed to the police as soon as practicable. As possession of such images may indicate that the pupil is at risk of harm, the Designated Safeguarding Lead will also be notified and will decide whether to make a referral to children's social care.
- 8.8 Other pornographic images will also be discussed with the Designated Safeguarding Lead. The images may then be passed to children's social care for consideration of any further action. If no action is to be taken by the local authority the images will be erased after a note has been made for disciplinary purposes, confirming the nature of the material.
- 8.9 **Article used to commit an offence or to cause personal injury or damage to property:** such articles may, at the discretion of the Head or authorised member of staff taking all the circumstances into account, be delivered to the police, returned to the owner, retained or disposed of.
- 8.10 **Weapons or items which are evidence of an offence:** such items will be passed to the police as soon as possible.
- 8.11 **An item banned under School Conventions:** such items may, at the discretion of the School or authorised member of staff taking all the circumstances into account, be

returned to its owner, retained or disposed of. Where staff confiscate a mobile electronic device that has been used in breach of School rules to disrupt teaching, the device will be kept safely until the end of the school day when it can be claimed by its owner, unless the Head considers it necessary to retain the device for evidence in disciplinary proceedings in accordance with 8.12 below. If a pupil persists in using a mobile electronic device in breach of School Conventions, the device will be confiscated and must be collected by a Parent.

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

## 9 **Communication with Parents**

- 9.1 There is no legal requirement for the School to inform Parents before a search for banned or prohibited items takes place or to seek their consent to search their child or their possessions and it will not generally be practicable to do so
- 9.2 Schools should reinforce the whole-school approach by building and maintaining positive relationships with parents. Parents should always be informed of any search for a prohibited item listed in paragraph 3 that has taken place, and the outcome of the search as soon as is practicable. A member of staff should inform the parents of what, if anything, has been confiscated and the resulting action the school has taken, including any sanctions applied.
- 9.3 We will keep a record of all searches carried out, including whether the search is with or without the consent of the pupil. The record will include details of any disposal of items confiscated.
- 9.4 Complaints about searching or confiscation will be dealt with through the School's parental complaints policy and procedures.
- 9.5 The School will take reasonable care of any items confiscated from pupils. However, unless negligent or guilty of some other wrongdoing causing injury, loss or damage, the School does not accept responsibility for loss or damage to property.

## **Appendix 6 COVID-19 Specific Behaviour Expectations**

1. In addition to the main School Rules and Behaviour and Discipline Policy, there will be some further disciplinary regulations specifically related to the return to school at the beginning of the Autumn Term, and aimed at protecting pupils and staff while COVID 19 remains a threat to health.
2. It is acknowledged that a lack of routines and classroom discipline over the period of national lockdown may contribute to an initial increase in disciplinary issues as pupils reengage in school life. At the start of the school year therefore, and at regular intervals thereafter, pupils will be reminded of the high behavioural standards we expect of them. A supportive, compassionate approach will be taken to assist pupils in readjusting, with a view to facilitating a prompt and smooth return to the usual expectations.
3. Given the dynamic nature of the pandemic, it is anticipated that the precise measures taken by the School to minimise the risk to health from COVID-19 will evolve over the school year. The measures in place will be explained to pupils when they return in September, and new measures clarified as they are introduced. Help will be given to pupils as they adjust to the new expectations and norms.
4. All pupils are required to adhere to the new measures and to play their part in minimising the risk of transmission.
5. Transgressions of COVID-19 measures will incur disciplinary sanctions. The most serious transgressions, such as those that could potentially harm others, will attract more serious sanctions.
6. In particular any deliberate, potentially harmful behaviour designed to undermine the safety measures taken by the School to protect staff and pupils will be considered to be of a serious disciplinary nature. This includes acts such as deliberately coughing on or spitting at other people or surfaces.