

The Emmbrook School

Pupil Behaviour and Discipline Policy 2019

Next full review completed by: Summer 2020

The Emmbrook School

“Learning Together, Succeeding together”

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General Principles and Introduction

All members of the school community have the responsibility to uphold the school's pupil behaviour and discipline policy.

The core purpose and focus of The Emmbrook School is learning. The Governors and Headteacher believe that excellent standards of behaviour and discipline underpin and create the best environment for effective and safe learning and they are central to both educational success and success in future life.

The school believes that no pupil has the right to disrupt the education of others. The school encourages high rates of progress for all pupils supported by excellent conduct, attitudes and learning behaviours in the school and beyond. The school encourages:

- High aspirations and enthusiasm
- Effort, focus, commitment, determination and persistence
- Resilience and happiness
- Independence, maturity, wisdom & self-discipline
- Individuality, team work & community
- Equality, diversity and inclusion

- Success, loyalty to the school and pride

The Emmbrook School also has wider ambitions, along with parents and others, including educating its pupils to contribute positively to society and to develop character, British values, noncognitive skills, resilience, creativity, mindfulness and well-being. These ambitions are best supported by a positive behaviour ethos and high expectations.

There is an expectation that secondary aged pupils can distinguish right from wrong and must show respect for civil and criminal law in England. Secondary aged pupils (and their parents) must accept the consequences associated with both negative and positive behaviours, including disciplinary penalties and non-tangible rewards.

The Governors and Headteacher must consider the impact of any poor behaviour by individuals in the context of the impact on other pupils, staff and the wider community in determining appropriate consequences and disciplinary penalties and must weigh up competing interests.

A Good school & reputation

The Emmbrook School is a Good school.

The school aspires to the Ofsted criteria for 'Outstanding' Safety and Behaviour as outlined in Annex 1 of this policy.

Pupils are expected to behave in a way which reinforces and builds the good standing of the school and must not behave in a way, in the school or elsewhere (including on the internet and on social media and other emergent technologies), which could bring the school into disrepute, could harm its standing or damage positive perceptions of the school which brings benefit to pupils do anything which could threaten to damage relationships between the school and others.

The Pupil Behaviour & Discipline Policy supports the valued ethos of the school and seeks to:

- Promote, among pupils, self-discipline and proper regard for authority,
- Encourage proactive good behaviour and respect for others on the part of pupils and, in particular, discourage and address all forms of bullying, hate or intimidation among pupils,
- Secure that the standard of behaviour of pupils is acceptable at all times and exemplary most of the time,
- Secure that pupils complete any tasks reasonably assigned to them in connection with their education, and
- Otherwise regulate the conduct of pupils.

Disciplinary Measures to promote outstanding behaviour & regulate pupil conduct

Key Principle: The standard of behaviour which is to be regarded as acceptable will be that determined by the Headteacher, so far as it is not determined by the Governors through this policy.

The standard of proof to be used in the context of school discipline is the civil standard 'On the Balance of Probabilities' which means that the Headteacher and staff should consider whether it is more likely than not that what is alleged happened. This is a lower standard of proof than

required in the criminal justice system so the school is not required to 'be sure beyond doubt' in determining when to apply its disciplinary penalties.

The Governors and Headteacher will determine the rules and disciplinary penalties including measures to regulate the conduct of pupils:

- when on the school premises,
- when elsewhere under the lawful control of a member of school staff or
- at a time when pupils are not on the premises of the school and are not under the lawful control of a member of the staff of the school (as far as it is reasonable for the school to regulate the pupil's conduct at such a time).

'Disciplinary penalties' mean penalties imposed where a pupil's conduct falls below the standard which could be reasonably expected of a pupil at The Emmbrook School¹ whether because the pupil fails to:

- follow a school rule, or
- follow an instruction given to him/her by a member of its staff or
- comply with a penalty previously imposed on him/her or
- act in a way which is considered detrimental to school discipline or for any other reason.

Disciplinary penalties including detentions (exclusion is addressed separately in this policy) must be **lawful** and they are lawful if the following three conditions are satisfied:

1. The imposition of the penalty on the pupil is NOT in breach of any statutory requirement or prohibition (for example in respect of disability, special educational needs, race, gender, sexual orientation, pregnancy and other equalities and human rights) and it must be reasonable in the circumstances.
2. *The decision* to impose the penalty was made by any paid member of staff of the school (unless the Headteacher has determined that the member of staff (directly or indirectly employed) is not permitted to impose the penalty on the pupil) or for any other member of staff to impose the penalty where the Headteacher has authorised² them to impose the penalty and it is reasonable to do so.
3. *The decision* to impose the penalty was made, and any action taken on behalf of the school to implement the decision was taken on the school premises or elsewhere at a time when the pupil was under the lawful control or charge of a member of staff of the school.

In determining whether the imposition of a penalty is **reasonable**, the following matters must be taken into account:

- Whether the imposition of the penalty constitutes a **proportionate** punishment in all the circumstances of the case
- Any special circumstances relevant to its imposition on the pupil which are known to the person imposing it (or of which he/she ought reasonably to be aware) including in particular,
 - Any special needs the pupil may have
 - Any disability (for the purposes of the DDA 1995) the pupil may have
 - Any religious requirement affecting the pupil

¹ Note: Different schools will have different standards, which are determined by the Governors and Headteacher of each school. ² The Headteacher may authorise in relation to a member or members of staff of a particular description, a particular disciplinary penalty or penalties of a particular description or in relation to a particular pupil or pupils of a particular description or generally in relation to pupils.

Corporal punishment (within the meaning of section 548 of the EA 1996) is never permissible.

Disciplinary penalties must comply with all other legislation and in particular the Equality Act 2010 in respect of safeguarding and in respect of pupils with special educational needs and disabilities. In particular, this means that staff should consider whether the SEN or disability is such that it would require a reasonable adjustment to the disciplinary penalty prior to it being determined or imposed. The school provides disability awareness training to staff periodically.

Teachers have statutory authority to discipline pupils whose behaviour is unacceptable, who break the school rules or who fail to follow a reasonable instruction. This power applies to all paid staff (unless the Headteacher says otherwise) with responsibility for pupils². The Headteacher may extend the power to discipline to adult volunteers, for example parents who have volunteered to help on a school trip².

Staff should give consideration to whether the behaviour under review gives cause to suspect that a pupil is suffering, or is likely to suffer, significant harm. Where this may be the case, staff should follow the school's safeguarding procedures.

Staff should also consider whether continuing disruptive behaviour might be the result of unmet educational or other needs and whether a multi-agency assessment is appropriate.

The Emmbrook School expects high standards of behaviour from its pupils, on site and elsewhere, for example on school trips, on the journey between home and the school, in nonlesson breaks whether during the school day or at other times wherever and whenever it is reasonable for the school to regulate pupil conduct. This includes where the pupil's behaviour might damage the school's reputation in the community or could have a detrimental impact on the learning or behaviour and discipline within school or have a detrimental impact on other pupils, staff or the wider school community. This includes when a pupil is operating on the internet or cyberspace.

The school's ethos of academic and social expectations is fundamental to the good standards of behaviour and discipline for which it is recognised.

The Emmbrook School subscribes to a 'restorative justice' approach in its day to day management of behaviour and has a range of strategies to facilitate excellent relationships between staff and pupils in particular, including respect for one another and respect for authority.

The Emmbrook School has a wide range of strategies to promote good standards of behaviour and offers high quality support to all its pupils to meet these reasonable expectations.

The Emmbrook School believes that all members of the school community have the right to learn, the right to be respected and the right to be safe and feel secure.

The Emmbrook School believes that good pupil behaviour and discipline at the school are fundamental to pupil and school progress, the raising of educational standards and to increasing educational inclusion.

The Emmbrook School believes that good behaviour is fostered by clear expectations and firm rules supported by a range of positive strategies to encourage and reward appropriate and good behaviour and by structured approaches to respond to poor behaviour, including the use of exclusion or other alternatives, where deemed by the Headteacher as appropriate and through the use of support strategies and agencies.

Respect

The Emmbrook School believes that teachers have a responsibility to act with respect for pupils and meet the school's expectations of teachers. Similarly, The Emmbrook School expects all its pupils to show respect and courtesy towards self, each other, all school staff, others in authority and visitors.

The Emmbrook School expects parents to ensure their children show that respect to those in authority, expects parents to be respectful to school staff and requires parents to fully support the school's authority to discipline their children.

The rules for respectful discussion include:

- Speaking with the right tone of voice
- Speaking at an appropriate volume
- Being aware of who else may be able to hear
- Respecting the rights and sensibilities of other people in the vicinity
- Participating in the discussion, speaking and listening in turn, but not dominating
- Choosing the right time (making an appointment where necessary)
- Demonstrating respectful body language
- Respecting personal space
- Selecting or moving to the right place to talk confidentially and avoid disturbing the work or business of others

Where visitors, pupils or parents are abusive, threatening, aggressive, or violent – in person, by phone or in writing, or make unfounded or exaggerated allegations about staff, the school may take formal action and may also issue a legal 'exclusion order' to prevent individuals from coming to or near the school or its staff or pupils or seek other restrictions such as acceptable behaviour contracts.

Roles and responsibilities

Schools and their staff have the legal powers needed to provide a safe and structured learning environment in which teachers can teach and pupils learn. The Emmbrook School will use these powers lawfully, reasonably and proportionately to maintain very high standards of behaviour.

Every member of staff will be expected to maintain effective discipline in the classroom, in the school and out of school as appropriate.

The Governors and the Headteacher will support their staff in using their authority to discipline pupils appropriately and in confidently using the powers given to maintain an ethos of respect and learning to the benefit of the whole school community.

The Governors and the Headteacher intend that this policy will provide safeguards for pupils and staff against the impact on others of poor pupil behaviour and discipline.

All members of the school community have the responsibility to uphold the school behaviour and discipline policy.

Pupils are expected to take responsibility for their own behaviour including modelling positive behaviours and not merely complying with the rules. Pupils must also enable staff to teach and promote learning without interruption or harassment and pupils and teachers must be able to support others with their learning. Pupils also have a responsibility to ensure that incidents or potential incidents of poor behaviour, illegal activity, disruption, violence, bullying and any form of harassment are reported immediately and for contributing to a culture of safety and respect.

Staff, including teachers and support staff, are responsible for ensuring that the policy and procedures are followed, and consistently and fairly applied and the desired behaviours are modelled. All staff are 'on duty' in respect of this policy at all times and it is not acceptable for any adult employed in the school to ignore inappropriate behaviour. Mutual support amongst all staff in the implementation of the policy is essential. Staff have a key role in advising the Headteacher on the effectiveness of the policy and procedures.

The Headteacher (and those to whom he delegates) is responsible for ensuring arrangements are in place for the implementation and day-to-day management of the policy and procedures and for carrying out any relevant statutory duties assigned solely to the Headteacher. The Headteacher is also responsible for determining the standard of behaviour which is to be regarded as acceptable so far as it is not determined by the Governors.

Parents, guardians and carers must work in support of the school in maintaining high standards of behaviour. Each pupil and their parent/guardian/carer must sign and support the Home School Agreement. Parents take responsibility for ensuring their child's behaviour and attendance meet the standards expected by the school.

The Governors will establish, in consultation with the Headteacher, staff and parents, the policy and principles for the promotion of good behaviour and keep the policy under review. It will ensure that it is communicated to pupils and parents, is non-discriminatory and that the expectations are clear. Governors will support the school in maintaining high standards of behaviour.

The Governors, Headteacher and staff, will ensure there is no differential application of the policy and procedures on any grounds, particularly ethnic or national origin, culture, religion, gender, disability or sexuality. Vulnerable pupils, including looked-after children, children with SEN, physical or mental health needs, will be offered behavioural support if appropriate.

The Governors will also monitor the implementation and effectiveness of this policy by considering indicators such as Ofsted inspection and school to school review outcomes, data on the use of exclusions, other data on rewards and sanctions, parental, pupil and staff surveys and pupil progress data, including by group.

The Governors will support the policy practically by holding hearings following exclusions, and by reviewing complaints and responses to consultations.

Home-School Agreement

The Emmbrook School Agreement is a document which parents should sign following their child's admission to the school. The Home-School Agreement states that 'In applying for and accepting a place at The Emmbrook School, it is expected that parents/guardians accept all reasonable requirements of the school'.

Among other things, the school sets some basic expectations upon pupils including:

Pupils must:

- Work to the best of their ability at all times and ask for help when needed
- Come to school with all the equipment they need to learn
- Demonstrate thoughtful and considerate behaviour
- Show respect and kindness to others in and out of school
- Follow the school rules and take responsibility for their actions and behaviour
- Attend regularly on time, in full uniform or dress code, well-presented and ready to learn
- Co-operate with all staff and follow instructions first time, every time
- Record, complete and submit homework or coursework on time (i.e. before the deadline)
- Respect the school environment and the local community, and take a stance to ensure others do so as well
- Adopt a positive attitude towards and take an active part in the life of the school
- Keep their planner neat and tidy and look after all their books well
- Be responsible for taking communications to and from school
- Take pride in their school and work to make it 'excellent in all areas'
- Contribute positively to the wider community
- Tell their form tutor or an adult they trust if they are worried or unhappy
- Support, thank and congratulate teachers and support staff when they help them, do a good job or give up time to organise extra-curricular activities and school trips
- Behave well on their way to and from the school and in the community so they bring credit to the school
- Use all electronic devices, social media and the internet safely, sensibly, legally and appropriately whether in the school or elsewhere.

'Thoughtful and considerate behaviour' means, for example, waiting for others to pass, holding doors open, putting hands up whilst waiting to speak, letting others speak without interrupting, keeping noise levels down, moving about the school site safely, being welcome and positive, smiling, looking after new or younger pupils, helping others to learn, etc.

Pupils need to encourage each other to behave well: in class, through reminders by other pupils, involvement in review of rules, responsibility posts in managing queues, class monitors, subject leaders, mini teachers, award badges, etc.

Pupils need to respond positively and respectfully to all adults in tone using polite language at all times; listen to adults and respond positively and well to additional instructions. Spaces should be safe and calm and relationships harmonious as a result.

The 'Home-School Agreement' sets out expectations upon parents in a similar fashion and outlines what the school commits to as well.

At The Emmbrook School, it is expected that everyone will act with courtesy and show consideration to others at all times. This means for example that pupils, parents and staff should always speak politely to each other.

In class, it is important that pupils make it as easy as possible for everyone to learn and for the teacher to teach. Pupils must always ensure they are well prepared for their lessons and have the correct relevant equipment. Pupils must take pride in the school and keep it clean and tidy so that it is a welcoming and comfortable place to work in. Pupils must wear their school uniform with pride and remember that their appearance and behaviour influence the way the wider community perceives The Emmbrook School.

Rules

The following are some of the main rules which must be adhered to:

1. Pupils should aim to be at school at 8.20 a.m. in the morning at the latest in full school uniform or dress code, well presented and ready to learn. Lateness and non-attendance, to school or lessons, may result in disciplinary penalties. The school day ends at 2.55 p.m. for most students (except those with period 6 lessons or involved in extra-curricular activity).
2. Pupils are responsible for ensuring they have the right equipment, materials and books for their learning. Failure to be adequately prepared for learning may result in an appropriate disciplinary penalty.
3. Pupils must move around the school quietly and purposefully, without loitering between lessons or at the end of breaks. Failure to behave appropriately around the school may result in disciplinary penalties.
4. Pupils must not engage in or facilitate betting or gambling of any kind, regardless of the level of stakes. Betting and gambling is not allowed at any time on the school site, on the way to or from the school, on school trips or activities or at any time when in school uniform/dress code.
Gambling and smoking are not socially responsible and are not legal on the school site. Gambling or smoking may lead to the imposition of disciplinary penalties.
5. Under no circumstances are pupils to invite any member of the public to or near the school without seeking permission from the Headteacher. Encouraging or condoning unwelcome or troublesome outsiders (this would include family members other than parents) to come to or near the school may result in disciplinary penalties, including permanent exclusion for this offence.
6. Fire and emergency procedures are on display around the school. Pupils and others must ensure that they are aware of what to do if the fire alarm sounds. It is an offence under the law to set off a fire alarm falsely or interfere with fire safety equipment such as fire extinguishers, as to do so can cause serious injury or death to people using the building. Any pupil setting off the fire alarm when there is no fire or other emergency or interfering with or damaging fire safety equipment will be subject to disciplinary penalties, may be vulnerable to permanent exclusion and may be subject to criminal prosecution with a fine of up to £10,000.

7. Lunch / Break Times

- a. Pupils must queue at the correct time and in an orderly way where there is an expectation to queue (e.g. in the canteen facilities, when waiting to enter classrooms, in fire drills, etc.). Failure to behave appropriately in such circumstances may result in disciplinary penalties being imposed.
 - b. Pupils must take special care to behave courteously towards those in authority including Canteen Supervisors, Caretakers, Cleaners and other staff. Inappropriate behaviour or rudeness may incur disciplinary penalties.
 - c. Taking food or drink without paying for it will be treated as theft. Theft will result in disciplinary penalties
 - d. Theft, criminal damage (including to school property and/or learning materials and/or pupil work) and any other crime may be reported to the Police and could result in arrest, caution, prosecution and/or permanent exclusion.
 - e. Having another person use a pupil's money or credit to pay for food or drink may be treated as bullying. Bullying will be addressed in accordance with the school's Anti-bullying Policy.
 - f. Packed lunches may be brought into the school. Packed lunches should be consistent with healthy eating guidance and the school may involve parents in discussion if there are concerns about the quality of packed lunches.
 - g. No food or drink is to be consumed anywhere other than in the designated areas. Disciplinary penalties may be applied where consumption occurs outside of designated areas. Bottled water may, however, be consumed throughout the school day.
 - h. Chewing gum is not permitted in any part of the school or its site. The school may impose disciplinary penalties for chewing gum or other anti-social behaviours.
 - i. Do not leave litter – please use the bins provided. Disciplinary penalties, including community service, may be imposed for littering.
 - j. Anti-social behaviours such as swearing, spitting, vandalism, graffiti, play-fighting, arguing, smoking, etc. will not be tolerated and disciplinary penalties may be imposed.
 - k. Pupils in Year 7 – 11 must remain on school site at break/lunchtimes and sixth formers must abide by the equivalent restrictions that apply to them. Truancy at any time will incur disciplinary penalties and encouraging others to truant will incur additional sanctions.
8. The school is near to a residential area. Pupils are expected to behave well at all times and present a positive image to members of the community, on public transport, etc.

On the way to or from the school, pupils should be dispersed, and must not congregate in large groups on streets, outside shops, in residential areas or elsewhere.

Behaviour at bus stops, train stations and on public transport should be respectful to other travellers and to the image of the school that is being presented.

Groups of teenagers can be perceived as intimidating, particularly by vulnerable members of the community such as elderly people, pregnant ladies, children, medically infirm persons, those with nervous conditions, those with some mental health conditions, disabled persons, those with some special needs, and those that have been the victims of violence or crime in the past. All members of the public should be treated with respect and kindness.

The school works in close partnership with the bus companies, residents, shop keepers, councillors, businesses, the police and others. The school may impose a disciplinary penalty

on its pupils if they behave in a way which is anti-social, illegal or could damage the reputation of the school in the local community. Pupils must behave in a way which reflects positively on the school at all times and in particular before and after school, each day, and on public transport.

9. Pupils must not go out of bounds on the school site. This means pupils must not exceed the designated area of the school field and pupils in Years 7-11 should not enter the boundaries of those areas designated for use by staff or sixth formers only.
10. Under no circumstances may 'Prohibited' or 'Banned items' be brought on or near the school site, on school trips, etc. or their procurement or transporting facilitated in any way. The school may impose a disciplinary penalty, including permanent exclusion, where a pupil does so.
11. Illegal behaviour will normally be sanctioned within the school as well as being reported to the police.

Other serious misbehaviour such as:

- being involved in gang behaviours inside or outside of the school, or acting in a way which supports such behaviour, or coercing or encouraging others to do so,
- possessing, using or providing weapons (including replica weapons), offensive weapons or coercing or encouraging others to do so,
- possessing, using, providing drugs or coercing or encouraging others to do so,
- humiliation (e.g. pulling down clothing) or coercing or encouraging others to do so,
- sexual misconduct at the school, elsewhere or on social media,
- Bullying and intimidation of others, or coercing or encouraging others to do so,
- engaging in behaviour which risks bring the school into disrepute or damaging its reputation or coercing or encouraging others to do so,
- interfering with religious clothing, or coercing or encouraging others to do so,
- making inappropriate allegations, or coercing or encouraging others to do so,
- damaging school property or premises, or coercing or encouraging others to do so,
- possessing, using or providing alcohol or drugs, or coercing or encouraging others to do so,
- possessing or providing illegal items (including those on the prohibited items list), or coercing or encouraging others to do so,
- extortion or threats and persistent & defiant misbehaviour which affects the learning or safety of others, or coercing or encouraging others to do so, etc.

The list above are examples (not an exhaustive list) of poor behaviour, which may result in permanent exclusion from The Emmbrook School.

Lesson routines

Pupils are expected to follow these basic routines in class, plus any additional routines determined by the class teacher. The routines are displayed and used as reminders. All staff will expect the same basic standards of good behaviour in each class.

- Pupils must enter the classroom in a safe, calm, quiet and orderly fashion, in proper uniform or dress, well-presented and ready to learn.
- Pupils must, without challenge, sit in their allocated seating plan place, as determined by the teacher.

- Pupils must set out all the equipment, planner and books needed for the lesson on their desk and start learning as quickly as possible once they are seated (commencing any starter activity immediately).
- Pupils must safeguard the school's equipment and books to prevent damage.
- Pupils must do their best work at all times, present their work well and pay attention to spelling, punctuation and grammar.
- Pupils should use the time effectively to learn as much as is possible and make excellent progress every lesson.
- Pupils must be in proper uniform or dress code throughout, take off coats and outdoor clothing and put bags on the floor in a safe place where they do not represent a trip hazard (for example under the desk).
- Pupils must not lean the chair back on 2 legs, not sit on tables or desks, not put feet up on furniture or damage the classroom furniture or displays in any way.
- Pupils must be quiet whilst an accurate register is taken.
- Pupils should raise their hand to show that they can answer a question or if they need help.
- Pupils should support each other in their learning.
- Pupils must not have prohibited or banned items and must not eat, chew or drink (except water). Pupils must be respectful and co-operative at all times, to each other and to those in authority.
- Pupils should, when the teacher instructs, tidy the classroom, tuck in chairs and put any rubbish collected in the bin before leaving the classroom.
- Pupils must not leave the classroom earlier than the lesson changeover time/buzzer.
- Pupils should leave the class in a calm, quiet and orderly manner after having been dismissed by the teacher.

Beyond the classroom routines

Pupils are expected to follow these routines around the school site and respect the rules and expectations of each particular area of the school.

It is important that there is a culture of respect and good behaviour beyond the classroom as this will also have an impact on behaviour within the classroom and make for a more pleasant working environment.

'Beyond the classroom' rules include:

- Keep your hands and feet to yourself at all times.
- Line up sensibly and quietly when required e.g. in eating areas, before lessons, at the bus stop, entering assemblies, etc.
- Walk safely in corridors and on staircases
- Speak quietly inside the building and on the concourse.
- Do not go out of bounds.
- Speak politely without swearing or cussing around the school.
- Walk calmly in corridors at lesson changeover.
- Do not loiter on your way to lessons and arrive to lessons on-time.

‘Measures’ & ‘Disciplinary Penalties’ to promote ‘outstanding’ behaviour & regulate conduct.

The Emmbrook School deploys the full gamut of measures and disciplinary penalties, appropriate and proportionate to all the circumstances, with a view to regulating the conduct of pupils (subject to availability in some cases).

The list of measures and disciplinary penalties below is not intended to be exhaustive, but is typical. Their application is intended to encourage good behaviour, to demonstrate that misbehaviour is not acceptable at The Emmbrook School, to signal the degree of disapproval of the school community of some behaviours and to deter all pupils from continuing, repeating or replicating unwanted behaviours.

Measures and disciplinary penalties with a view to regulating the conduct of pupils at The Emmbrook School, in no particular order, include:

- Congratulations
- Positive comments when marking
- High academic and social expectations and a strong learning ethos
- Firm routines and clear rules
- Praise
- Smiles
- Thanks
- Rewards trips
- Certificates
- Nominations celebrated in an assembly
- Inclusion in events
- Responsibilities
- Acknowledgement of positive changes in behaviour
- ‘Restorative Justice’ conversations
- Annual Prize Giving
- Trophies, prizes and badges
- Gain or loss of privileges
- Appropriate communication with home (good or bad) including letters, emails, calls, texts, postcards.
- Detentions
- Reminder, warning or insistence on compliance
- Verbal reprimands
- Extra work or repeating unsatisfactory work until it meets the required standard
- Community service (school based and/or in the wider community)
- Catch-up sessions with staff
- Change of class (temporary or permanent)
- Change of seating plan
- Curriculum change (rare)
- Seclusion (Isolation)
- ‘Extended Day’ placement
- Managed Transfer (where possible and appropriate) or other available alternative to permanent exclusion
- Exclusion, temporary or permanent (Decision by Headteacher only)
- On-report for behaviour, attendance, punctuality, progress, etc.
- Parental meeting
- Parenting Contract or Parenting Order and/or Fixed Penalty Notice

- Early reporting for school
- Screening
- Personal searching
- Police searching
- Referral to police or other agencies
- 'Random' uniform, equipment, behaviour, mobile phone or other audits or checks
- Restrictions on future activity
- Referral for in-house support
- Behaviour contract and/or targets
- Notes in the pupil planner
- Confiscation, retention and disposal of prohibited, banned or other items detrimental to school discipline
- Interrogation of seized electronic devices
- Written Warning
- Final Warning where appropriate
- Situation discussed at a management meeting (e.g. Behaviour Meeting, Attendance and punctuality meeting, Subject or Year Group meeting, etc.)
- Multi-agency referral
- Mediation
- Consideration of assessment for a Statement of SEN, Statement review or an Education, Health and Care plan
- Behaviour contract
- Referral to learning support
- Involvement of police
- LADO consultation
- CAF referral
- Referral to off-site or alternative provision
- Referral to the School Counsellor
- Referral to Health (School nurse, CAMHS, etc.)
- Referral to Family Support Worker
- Mentoring by Year Manager, Teaching Assistant or others
- Note on school record
- Supporting police investigations

Different rewards and sanctions may be appropriate for different pupils involved in the same incident taking account of factors such as SEN, disabilities or other equalities considerations, different levels of involvement or responsibility, mitigating factors (e.g. provocation), aggravating factors (e.g. lack of remorse), previous behaviour history where appropriate, etc.

The school will normally only discuss a pupil's behaviour and any disciplinary penalties taken with the pupil and their parents and not the parents of other children involved in the same incident.

Detention / RJs

Detention of pupils outside of school sessions is one of the measures taken at The Emmbrook School with a view to regulating the conduct of pupils. Detention is a disciplinary penalty and does not generally require consultation or consent from the parent or pupil.

A detention can be imposed during any school day, for example during a break without notice.

A detention can also be imposed:

- On a school day, other than a day when a pupil has been authorised by the Headteacher to be absent,
- On a day (whether or not in term time) which is set aside wholly or mainly for the performance of duties by members of staff of the school other than teaching, other than such a day which is excluded by regulations made by the Secretary of State.

A detention may be scheduled at other times by agreement with the parent (or pupil over the age of 18) but cannot be imposed.

Where a pupil must travel to the school for the purposes of serving a detention or travel home after the detention then consideration should be given to whether the detention is reasonable or what steps can be taken to make ensure it is. This consideration would need to take into account relevant factors and in particular the age of the pupil, whether they normally travel independently to and from the school, daylight hours and weather, whether suitable travelling arrangements **could** reasonably be made by the parent and the pupil's special needs or disabilities.

Staff may issue no-notice 'out of hours' detentions but are advised to provide parents with a minimum of 24 hours written notice, communicated by any effective method, if the pupil is to be detained for any significant period of time (normally greater than 30 minutes at The Emmbrook School) or is a particularly vulnerable pupil. Parental consent is not required.

Exclusion

The exclusion of pupils (for fixed term(s) or permanently) is one of the measures taken at The Emmbrook School with a view to regulating the conduct of pupils. The use of exclusion should be in accordance with the prevailing regulations at the time of exclusion and will have regard to the Department for Education's guidance 'Exclusion from maintained schools, Academies and pupil referral units in England (1 September 2012)' or its subsequent versions.

The Student Disciplinary Committee of the Governors should avoid formality and technicality in hearings relating to the Headteacher's decision to exclude a pupil and have regard to the guidance provided by the Secretary of State.

The decision to exclude can only be taken by the Headteacher following a thorough investigation.

The use of reasonable force

The school does not have a 'no-contact' policy. Friendly, respectful and non-intimate touching (such as shaking hands, pats on the back, guiding and shepherding, etc.) is considered as part of the normal interaction between pupils and staff, can be important in teaching, particularly in practical subjects and is often an essential element of the duty of care towards pupils.

The school aims to create an ethos where reasonable force is rarely necessary and is only used as an act of care.

The term 'reasonable force' covers the broad range of actions used by most staff at some point in their career that involves a degree of physical contact with pupils to control or restrain. The use of reasonable force does not require parental consent.

Staff should normally only use reasonable force when to do so would not put them at risk of harm. Consideration should be given, for example, to the wisdom of a small member of staff intervening in a fight between two larger pupils or a single member of staff intervening in an altercation involving many pupils. Wherever possible, staff should seek assistance from others in situations that may require the use of reasonable force.

Control can be passive such as standing in between pupils or blocking a pupil's path or active physical contact such as leading a pupil by the arm or hand out of a classroom or guiding a pupil to safety by the arm.

Restraint means holding back physically or pushing or pulling to bring a pupil under control, for example when two pupils are fighting and refuse to separate without physical intervention or where a pupil is restrained to prevent violence or injury. More extreme behaviour may justify more restrictive holds.

'Reasonable' in this context means the minimum force deemed necessary to resolve the situation that require the use of force and normally where other strategies such as instructing the pupil have been tried and failed.

All members of staff may use such force as is **reasonable** in the circumstances for the purpose of preventing a pupil from doing (or continuing to do) any of the following when on the school premises of the school in question or they are elsewhere and the member of staff has lawful control or charge of the pupil concerned, namely

- Committing any offence,
- Causing personal injury to, or damage to the property of, any person (including the pupil himself or herself, other pupils, staff or visitors), or
- Prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.

This also applies to any person who is, in relation to a pupil, a member of staff of any other school at which education is being provided for the pupil and others temporarily put in charge of pupils such as unpaid volunteers and parents.

A calm and measured approach to a situation that may require the use of reasonable force is needed and the use of reasonable force in temper, frustration or anger or as a punishment is not appropriate and may be viewed as excessive.

Examples of appropriate use of reasonable force include:

- Physically separating pupils that are fighting.
- Preventing a physical attack on a pupil or member of staff
- Stopping or preventing deliberate damage or vandalism to property
- Preventing a pupil behaving in a way that disrupts an school event or school trip or lesson.

- Physically removing a disruptive pupil who refuses to leave a room.
- Intervening to prevent a pupil from causing harm.
- Preventing a pupil from leaving a classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour or learning of others.
- Restraining a pupil at risk of harming themselves through physical outbursts.

A safeguarding and/or HR investigation will take place when a member of staff has been accused of using excessive force but suspension will not be an automatic response to such allegations.

In considering the use of force, staff will also need to give consideration to whether a reasonable adjustment is required for a pupil's relevant disability or relevant special educational needs.

Corporal punishment (within the meaning of section 548 of the EA 1996) is never permissible.

Screening Pupils and their belongings

Surveillance will be undertaken in and around the school site in accordance with legislation (including data protection and GDPR requirements) using technology and monitoring equipment which may include CCTV.

Screening involves little or no physical contact. It may involve the turning out of pockets (but not reaching into them) and the removal of outer garments or bags for searching away from the person. It does not involve 'patting down'. Screening is generally carried out publicly.

Screening of groups of pupils may also be used in situations such as classrooms when, for example, an item has gone missing during a lesson and no-one admits to having taken the item.

Any member of staff can screen pupils but only authorised staff can then conduct a search in accordance with the school guidance on searching (Annex 8). The screening of adults and visitors would, if needed, normally be conducted by senior staff authorised by the Headteacher.

As part of screening, a pupil's possessions (but not their person), may be searched publicly and the remote search of the pupil's property should be witnessed by another responsible person who can be of the same or opposite gender to the pupil. The pupil should normally be present when their possessions are remotely searched.

Screening is a 'reasonable condition of admittance', a reasonable rule on behaviour and a reasonable action by an employer to ensure the safety of staff, pupils and visitors.

Non-admittance should be managed in such a way as not to expose a vulnerable pupil to significant risk, so factors such as pupil age, special educational needs and disabilities may need to be taken into account in the arrangements surrounding non-admittance.

Refusal to be screened would not normally, on its own, justify the use of reasonable force but reasonable force may be appropriate, for example, if there was a reasonable suspicion that the

pupil was in possession of a knife or weapon and poses a serious risk of harm to themselves or others. Staff receive training on the reasonable use of force and pupil restraint periodically and should adhere to school guidance in relation to these actions.

However, prior to commencing the screening of a pupil's belongings or a personal search of a pupil, the member of staff should first take steps to ensure their own safety (for example, by asking the pupil whether they have any sharp or harmful items in their belongings) and the safety of other staff and pupils and should also consider whether it may be appropriate to involve the police.

If a pupil refuses to be screened, staff **MUST** refuse to have the pupil on the premises (until they agree to be searched or screened) but may also call the police, for example, if the pupil is believed to be carrying a knife or weapon and poses a serious and on-going danger to themselves or others.

Where there is 'Immediate Need', the member of staff may need to call the police on '999'. Otherwise permission to call the police requires authorisation from the Headteacher.

A refusal to admit a pupil under these circumstances does not require exclusion and will be recorded as 'Unauthorised Absence' and the Attendance Officer should be informed. The aim will be to resolve the impasse to the school's satisfaction, do so in the shortest possible time, get the pupil back into school and apply any additional measures or disciplinary sanctions that are deemed appropriate.

In these circumstances, every effort should then be made by the relevant pastoral and attendance staff to achieve full compliance and return the pupil to normal schooling as soon as possible. Full compliance may require submission for confiscation of a specific banned item and a disciplinary penalty may be imposed for, for example, the failure to follow reasonable instructions.

The 'Screening Record' within the search log will not record the names of every pupil/person screened but an entry in the 'search log' of the date and nature of the screening should usually be made.

Searching pupils

School Staff, authorised by the Headteacher, may undertake same-gender (see below for nonbinary and transgender pupils) searches of a pupil's person and their belongings. The school provides written guidelines on searching and makes available training and support for those authorised to undertake searches.

All qualified teachers employed by the school on a contract who have undertaken training at The Emmbrook School are normally authorised and certified (normally at induction) to undertake searches in accordance with this guidance, unless prohibited by the Headteacher.

Support staff and unqualified teachers are individually authorised and certified by the Headteacher to conduct personal searches. The contemporary list of support staff and/or support staff roles authorised by the Headteacher to undertake personal searches of pupils is maintained by the Headteacher.

Eligible staff intending to undertake a personal search should normally contact the Headteacher in advance to talk through the reasons for the search with him to confirm that the search is justified and will be conducted in accordance with this policy. In exceptional circumstances, for example where there is an urgent need on safety grounds, the Headteacher may be contacted, without delay, after the search to review a decision to search without getting permission in advance

Any teacher or member of support staff can carry out an 'Immediate Search' if they deem it necessary, but must report doing so to the Headteacher without delay afterwards. Those that are not authorised by the Headteacher to undertake a personal search should consider carefully whether there is really no alternative before they themselves carry out an immediate search.

Pupils can be searched for any item (not just those on the lists of prohibited and banned items in this policy) but only if they give their consent.

A pupil must be capable of giving consent to a search where consent is needed. This requires consideration of their age and other factors such as SEN, ASD, Speech Language & Communication difficulties, disabilities, etc. In circumstances where a pupil is not capable of giving consent, consideration should be given as to whether parental or other consent or other reasonable adjustments may be needed for some searches.

There is no need for formal written consent of the pupil (or parent). Parents do not need to be informed of routine searches, before or after the personal search.

Parents have no authority to refuse or interfere with the rights to search, screen or confiscate items from pupils on the school site or elsewhere where the member of staff has lawful control or charge of pupils, for example on school trips in England or in training settings. The powers only apply in England. The rules for other countries may vary and international trips will need to give consideration to this in the trip risk assessment but standards and safeguards should not normally fall below those in the UK.

Prohibited Items

Pupils can be legally searched **without** their consent, by the Headteacher and staff authorised by him, where there are reasonable grounds for suspecting a pupil may have any of the following prohibited items:

- ✓ Knives or weapons (including make-shift and imitation weapons including BB, nerf, cap or pellet guns for example). ✓ Alcohol.
- ✓ Illegal drugs.
- ✓ Stolen items.
- ✓ Tobacco and cigarette papers (for e-cigarettes consult with the Headteacher).
- ✓ Fireworks.
- ✓ Pornographic images (this would include any indecent image of a child/pupil under 18 years of age including themselves or other pupils).
- ✓ Any article that staff reasonably suspects has been, or is likely to be, used to commit an offence.

- ✓ Any article that staff reasonably suspects has been, or is likely to be, used to cause personal injury, or damage to the property of, any person (including the pupil themselves). **Banned items**
- ✓ Any item banned by the school rules and identified as an item which may be searched for and confiscated. Banned items that can be searched for and confiscated include:
 - Non-uniform items (e.g. hoodies, steel capped boots and other non-uniform footwear, T-shirts, visible vests, coloured sweatshirts, make-up, jewellery, bandanas, baseball caps, excessive layers of clothing, etc.)
 - Excessive amounts of cash
 - Video or audio recording devices and covert technologies.
 - Other banned electronic devices such as music players, games consoles, e-cigarettes and computer games.
 - Legal 'highs', solvents or medicines (prescription and non-prescription).
 - Racist, Sexist or Homophobic material.
 - Stimulant drinks.
 - Chewing gum.
 - Materials which may be used for or to facilitate gambling or betting.
 - Valuables or quantities of money.
 - Aerosols or any propellants.
 - Glass/ceramic bottles and containers.
 - Stink bombs.
 - Laser pens, laser pointers or similar.
 - Water propelling devices.
 - Drones and radio controlled devices.
 - Balloons and water bombs.
 - Any other items considered as sharp, dangerous, offensive, inappropriate or that may compromise safety, learning or be detrimental to school discipline.

Staff can use such force as is reasonable given the circumstances when conducting searches for all prohibited items and when conducting searches for banned items where this is deemed necessary for the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.

Pupils do not have a right to choose who searches them or who acts as the witness except in the case of non-binary / transgender pupils who may only choose the gender of the searcher/witness and not a particular person.

For transgender / non-binary pupils, the gender of the member of staff undertaking the search will not necessarily be the same as the gender of the pupil at birth and proper consideration must be given to the wishes of the transgender / non-binary pupil. The transgender / non-binary person will be given the opportunity to choose the gender of the person searching them and the witness. A transgender / non-binary pupil may choose a transgender / non-binary member of staff where this is possible provided the member of staff agrees to be authorised by the Headteacher to conduct searches and is willing to do so. For searches involving the police, the school will act as advocate for the pupil (binary / transgender / non-binary).

Any pupil who refuses to co-operate with a personal search would lead to the application of disciplinary penalties in the same way as refusal to follow any reasonable instruction or request. Some circumstances (for example, where there is reasonable suspicion that a prohibited item is being concealed) may justify the use of reasonable force and/or the involvement of the police.

The school makes it a pre-condition for pupils and staff of having access to offices, desks, lockers, etc. that consent to search is given in advance as a condition of use. If a pupil refuses or withdraws that consent then the school can search such places for the prohibited items and for items banned by the school rules without permission.

All searches must normally have another member of staff as a witness. This person should also normally be of the same gender as the pupil.

In the case of an 'Immediate Search' being necessary and no other staff being present, the searcher may be able to call upon another suitable person or proceed without a witness present if it is not practical to summon one in time.

Where a pupil has a history which makes it more probable they may bring prohibited or banned items to the school in the future and thus may, for example, create an on-going risk to the health and safety of pupils or staff, the Headteacher may impose, as a condition of admittance, a period in which quasi-random (i.e. occasional, no notice) searches will be carried out, referred to as '*random*' searches. The limited list of current pupils subject to these '*random*' searches will be maintained with the search log by the Headteacher's Office. The reason for being on the list, the length of time on the list and the approximate frequency of searches envisaged will also be recorded.

School staff can conduct a personal search but not an intimate search.

There should normally be two staff present for a personal search, the searcher and a witness. The witness may also screen the pupil's belongings. Both should normally be of the same gender as the pupil being searched. There should not normally be more than two staff present, unless the third is the Headteacher or someone specifically needed to support the pupil, for example their special needs assistant or a person able to support where particular religious or cultural sensitivities apply. Privacy of the search room may benefit from a sign being posted outside stating 'Personal Search in Progress – Do Not Enter'.

Where more than one pupil is to be searched, each should be securely secluded and supervised first then searched separately to provide a reasonable degree of privacy for each.

A personal search may seem like an intimidating experience for some and effort should be made to protect the person's dignity and privacy as far as possible and practical in a school setting. Older pupils may expect a greater level of privacy when being searched than younger ones. It is good practice for the searcher to check that the pupil being searched is happy with the level of privacy and to make reasonable adjustments to ensure adequate privacy for that individual if not / upon request.

With the exception of an 'Immediate Search', a personal search should be in a suitable *private* space and not in public view and/or the sight of other pupils. Consideration should be given to whether privacy is compromised by the windows in the room to be used for a personal search. The search space should not be cramped and ideally should allow for the witness to observe at a non-intrusive distance.

The police may agree to support or undertake a search under certain circumstances where a pupil refuses to be searched or whenever an intimate search may be necessary. A member of staff of the same gender as the pupil must be present throughout a police search as a witness and to act as the child's advocate in *loco parentis*.

An authorised search should never be ceased or done less thoroughly for fear of upset, aggression, anger, complaint, cultural or religious objections but must always be carried out in a lawful and reasonable manner.

A personal search should always be thorough but no more extensive than necessary for the reason it is being undertaken.

All searches should be recorded in the 'search log' maintained by the Headteacher's PA along with monitoring information.

An 'Immediate Search' or 'Immediate Need' is defined for these purposes as a search where the staff member reasonably believes that there is a risk serious harm will be caused to a person if the search is not conducted immediately. This must be reported to the Headteacher afterwards and without undue delay.

In **exceptional circumstances**, a search of a pupil could be carried out by a member of staff of the opposite gender and without a witness but only where the staff member reasonably believes that there is a risk of serious harm will be caused to a person if the search is not conducted immediately and where it is not practical to summon another member of staff (or other suitable person) in time.

If this circumstance were to arise, the circumstances must be reported and explained to the Headteacher without undue delay.

Confiscation. Retention and Disposal of Seized Items

Confiscation, retention and/or disposal of items seized from pupils are measures taken at The Emmbrook School as disciplinary penalties with a view to regulating the conduct of pupils.

In most cases, the confiscated item will be retained and will be returned towards the end of the academic year or following academic year if confiscated in July or when the pupil leaves the school. However, prohibited items will not be returned and may be safely disposed of or given to the police.

Section 550ZA of the Education Act 1996 ("the EA 1996") sets out the school's power to search for and seize specific items banned by statute. Section 550ZC(1) allows schools to seize

prohibited items or items which are evidence of an offence. Section 550ZC of the EA 1996 also provides a power to seize items which are identified as banned by the school under the Behaviour Policy. Such items can be returned to its owner, retained by the school or disposed of (Section 550ZC(6C)). Section 94 Education and Inspections Act 2006 provides that, where an item is seized from a pupil as a disciplinary penalty, the school will not be liable if they retain or dispose of it, or if any damage or loss occurs in relation to it (provided they have acted reasonably).

School staff can seize (confiscate) from pupils any prohibited item, any banned items or any item which the Headteacher or authorised staff consider harmful or detrimental to school discipline, irrespective of whether the item is 'owned' by the pupil, their parents or others.

Confiscation of an item can be used as a disciplinary penalty for misbehaviour under the school's general power to discipline, separately to the power to confiscate an item because it is a prohibited item or has been banned by the school.

A member of staff who seizes, retains or disposes (as the case may be) of such items is not liable in any proceedings in respect of the seizure, retention or disposal (as the case may be) or any damage or loss which arises as a consequence of it provided the seizure, retention or disposal (as the case may be) was lawful.

In addition, mobiles phones will contain "personal data" (and may also contain "sensitive personal data") of pupils as defined by the Data Protection Act 1998 ("the DPA 1998"). "Sensitive personal data" includes, for example, information about mental or physical health or sex life, which is the sort of information that may be recorded by pupils on their mobile phone (for example, in emails and text messages).

Pupils have a right to respect for their private life. In the context of the powers for searching, screening and confiscation, pupils have a right to expect a reasonable level of personal privacy. This right (under article 8 of ECHR) is not absolute and can be interfered with by a school but any interference must be proportionate and justified. It would not be proportionate or justified, for example, to 'out' a pupil discovered to be gay when accessing mobile phone content relating to other matters or to inform parents of a pupil about legal sexual activity. Schools and their staff adhering to this guidance and seeking advice from the Headteacher on complex or sensitive matters before proceeding should have no difficulty in demonstrating compliance with Article 8.

The school reserves the right to withdraw permission for any pupil to bring in mobile phones at its discretion. The school may also confiscate phones or other pieces of equipment that are used inappropriately, e.g. for bullying or threatening others, for rude or offensive messages, for creating inappropriate videos, etc. This may also apply to misuse out of school, for example if this may impact negatively on other pupils, staff, health and safety or standards of behaviour & discipline within the school. There are circumstances in which school staff also have the right to access, view, download and copy data and images (including video clips), for example, to maintain good order and discipline or investigate alleged indiscipline. Some matters may require referral to outside agencies such as the police where for example there may be evidence of a crime and/or to social care where serious safeguarding issues are uncovered.

Anti-Bullying and Anti-Harassment

Bullying & Harassment will not tolerated be at The Emmbrook School. Every pupil has the right to be safe, be respected and to learn.

The aim of The Emmbrook School Anti-bullying and Anti-Harassment Policy is to raise awareness to pupils and staff that bullying is always unacceptable. The school recognises the importance and value of the individual and aims to deal with bullying in a sensitive and open way. Everyone has the right to be safe and happy in school and the right to be protected when they are feeling vulnerable.

The school recognises that different types of bullying may occur. Bullying is defined as deliberate hurtful behaviour. It may be repeated over a period of time making people feel uncomfortable or threatened whether it is intended or not.

All pupils and staff at The Emmbrook School must raise awareness of bullying if witnessed. They should be alert to the signs and act promptly. Pupils should report all incidents witnessed to staff. Staff need to be alert at all times, and take action as required to incidents witnessed in the classroom, at break and lunchtimes, around corridors, between lessons all playground areas and anywhere on site.

Staff should use every opportunity to reinforce the established Behaviour and Discipline Policy relating to appropriate behaviour and mutual respect.

The school recognises that there are different types of bullying, including:

- Verbal: e.g. Name calling, teasing, intimidation, spreading rumours, offensive graffiti, etc.
- Physical: e.g. Jostling, hitting, kicking, taking personal belongings, etc.
- Social or psychological: e.g. Being unfriendly, excluding, tormenting, spreading rumours, writing unkind letters, looks, etc.
- Internet or mobile: e.g. Circulating copied chats or images, sending abusive texts, emails, participating in hate websites and chat rooms, revenge porn, etc.
- Racial: as above targeting a child as a result of the racial group to which he/she belongs, etc.
- Homophobic: as above targeting a child on account of their actual or perceived sexual orientation, etc.

It is essential to encourage pupils to develop acceptance and respect for others, patience, tolerance, trust and empathy, together with co-operation and understanding. Staff should reinforce these aspects through their own conduct and where appropriate through lesson content.

Allegations against or aggression towards staff

The Governors and the Headteacher will deal with allegations against staff in a timely fashion, objectively and fairly to protect pupils against harm and protect staff.

The school, in consultation with the Education 'Local Authority Designated Officer' (LADO) and other agencies as necessary, will follow its safeguarding procedures and/or, as necessary, confidential HR procedures.

The complainant will only be advised that the procedures have been initiated and may, where appropriate, be advised that they have been concluded but will not be normally provided with any further information which is likely to be confidential.

The school will also deal firmly with unfounded, malicious, libellous, baseless, exaggerated or deliberately disproportionate allegations by pupils, parents or others.

Allegations of this nature made by pupils will be considered as very serious matters and will result in strong disciplinary action which could include a decision by the Headteacher to permanently exclude the pupil.

The school may also take legal action, including the recovery of costs of legal action, where parents or other adults make unfounded, malicious, libellous, baseless, exaggerated or deliberately disproportionate allegations.

Parenting Contracts and Orders

The school knows that the vast majority of our parents provide excellent support for their children, the school and its staff. In the rare circumstances where parents are not supporting their children and the school well, the school will offer all available help, guidance and support and, in some cases, use the legal powers available to it, for example, to seek a parenting order, issue fixed penalties and/or involve the police, social care and other agencies.

Annex 1: Ofsted criteria for ‘outstanding’ personal development, behaviour & welfare Outstanding (1) – January 2018

- Pupils are confident, self-assured learners. Their excellent attitudes to learning have a strong, positive impact on their progress. They are proud of their achievements and of their school.
- Pupils discuss and debate issues in a considered way, showing respect for others’ ideas and points of view.
- In secondary schools, high quality, impartial careers guidance helps pupils to make informed choices about which courses suit their academic needs and aspirations. They are prepared for the next stage of their education, employment, self-employment or training.
- Pupils understand how their education equips them with the behaviours and attitudes necessary for success in their next stage of education, training or employment and for their adult life.
- Pupils value their education and rarely miss a day at school. No groups of pupils are disadvantaged by low attendance. The attendance of pupils who have previously had exceptionally high rates of absence is rising quickly towards the national average.
- Pupils’ impeccable conduct reflects the school’s effective strategies to promote high standards of behaviour. Pupils are self-disciplined. Incidences of low-level disruption are extremely rare.
- For individuals or groups with particular needs, there is sustained improvement in pupils’ behaviour. Where standards of behaviour were already excellent, they have been maintained.
- Pupils work hard with the school to prevent all forms of bullying, including online bullying and prejudice-based bullying.
- Staff and pupils deal effectively with the very rare instances of bullying behaviour and/or use of derogatory or aggressive language.
- The school’s open culture actively promotes all aspects of pupils’ welfare. Pupils are safe and feel safe at all times. They understand how to keep themselves and others safe in different situations and settings. They trust leaders to take rapid and appropriate action to resolve any concerns they have.
- Pupils can explain accurately and confidently how to keep themselves healthy. They make informed choices about healthy eating, fitness and their emotional and mental well-being. They have an age-appropriate understanding of healthy relationships and are confident in staying safe from abuse and exploitation.
- Pupils have an excellent understanding of how to stay safe online and of the dangers of inappropriate use of mobile technology and social networking sites.
- Pupils’ spiritual, moral, social and cultural development equips them to be thoughtful, caring and active citizens in school and in wider society.

Annex 2: Ofsted Definition of Safeguarding (August 2016)

Ofsted adopts the definition used in 'Inspecting safeguarding in early years, education, skills settings'. This can be summarised as:

- protecting children from maltreatment
- preventing impairment of children's health or development
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care
- taking action to enable all children to have the best outcomes.

Safeguarding action may be needed to protect children and learners from:

- neglect
- physical abuse
- sexual abuse
- emotional abuse
- bullying, including online bullying and prejudice-based bullying
- racist, disability and homophobic or transphobic abuse
- gender-based violence/violence against women and girls
- radicalisation and/or extremist behaviour
- child sexual exploitation and trafficking
- the impact of new technologies on sexual behaviour, for example sexting and accessing pornography
- teenage relationship abuse
- substance misuse
- issues that may be specific to a local area or population, for example gang activity and youth violence
- domestic violence
- female genital mutilation
- forced marriage
- fabricated or induced illness
- poor parenting, particularly in relation to babies and young children
- other issues not listed here but that pose a risk to children, young people and vulnerable adults.

Safeguarding is not just about protecting children, learners and vulnerable adults from deliberate harm, neglect and failure to act. It relates to broader aspects of care and education, including:

- children's and learners' health and safety and well-being including their mental health
- meeting the needs of children who have special educational needs and/or disabilities
- the use of reasonable force
- meeting the needs of children and learners with medical conditions
- providing first aid
- educational visits
- intimate care and emotional well-being
- online safety and associated issues

- appropriate arrangements to ensure children's and learners' security, taking into account the local context.

Annex 3: British Values (November 2014)

The term 'British Values' is interpreted to include democracy, tolerance and respect for the rule of law, and as such schools/colleges can confidently promote 'British Values' through educating and engaging with children and young people about equality, human rights and inclusion in a positive and pro-active way.

Pupils must be encouraged to regard people of all faiths, races and cultures with respect and tolerance.

It is expected that pupils should understand that while different people may hold different views about what is 'right' and 'wrong', all people living in England are subject to its law.

The school's ethos and teaching, which schools should make parents aware of, should support the rule of English civil and criminal law and schools should not teach anything that undermines it.

If schools teach about religious law, particular care should be taken to explore the relationship between state and religious law. Pupils should be made aware of the difference between the law of the land and religious law.

Schools should promote the fundamental British values of democracy, the rule of law, individual liberties, and mutual respect and tolerance of those with different faiths and beliefs.

Actively promoting the values means challenging opinions or behaviours in school that are contrary to fundamental British values.

Attempts to promote systems that undermine fundamental British values would be completely at odds with (maintained) schools' duty to provide SMSC.

The Teachers' Standards expect teachers to uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school. This includes not undermining fundamental British values.

Schools should:

- enable pupils to develop their self-knowledge, self-esteem and self-confidence;
- enable pupils to distinguish right from wrong and to respect the civil and criminal law of England;
- encourage pupils to accept responsibility for their behaviour, show initiative, and to understand how they can contribute positively to the lives of those living and working in the locality of the school and to society more widely;
- enable pupils to acquire a broad general knowledge of and respect for public institutions and services in England;
- further tolerance and harmony between different cultural traditions by enabling pupils to acquire an appreciation of and respect for their own and other cultures;
- encourage respect for other people; and

- encourage respect for democracy and support for participation in the democratic processes, including respect for the basis on which the law is made and applied in England.

The list below describes the understanding and knowledge expected of pupils as a result of schools promoting fundamental British values.

- an understanding of how citizens can influence decision-making through the democratic process;
- an appreciation that living under the rule of law protects individual citizens and is essential for their wellbeing and safety;
- an understanding that there is a separation of power between the executive and the judiciary, and that while some public bodies such as the police and the army can be held to account through Parliament, others such as the courts maintain independence;
- an understanding that the freedom to choose and hold other faiths and beliefs is protected in law; □ an acceptance that other people having different faiths or beliefs to oneself (or having none) should be accepted and tolerated, and should not be the cause of prejudicial or discriminatory behaviour; and
- an understanding of the importance of identifying and combatting discrimination.

It is not necessary for schools or individuals to 'promote' teachings, beliefs or opinions that conflict with their own, but nor is it acceptable for schools to promote discrimination against people or groups on the basis of their belief, opinion or background.

Annex 4: Anti-radicalisation

The Prevent strategy was published by the Government in 2011 as part of its overall counterterrorism strategy, CONTEST.

The introduction of Part 5 of the Counter-Terrorism and Security Act 2015 gives the Prevent strategy legal status in schools and colleges in England and Wales which are now obliged by statute 'to have due regard' to the need to prevent people from being drawn into terrorism.

Teachers are committed to the well-being of their students and understand the role education can play in supporting their well-being. Responding to new and existing forms of extremism requires a coherent education system where schools/colleges can ask for support and share strategies for teaching about democratic values and about human rights.

The Prevent strategy does not reduce or constrain opportunities for 'safe' and professional educational debate. Student's need opportunities within appropriate subjects, curricula opportunities, or tutor groups to express views, seek advice and have questions answered.

Children and young people in all key stages of education require the opportunity to explore the issue of diversity, human rights and understanding Britain as a multi-cultural society. Providing a learning environment for thinking and questioning in which children and young people can raise controversial questions and concerns without fear of reprimand or ridicule are extremely valuable. Students need opportunities to explore boundaries of what is acceptable and what will engender an open attitude to multi-cultural, race and religious issues.

Young people will be more able to discuss difficult, complex or controversial issues openly and safely, with teacher support and without fear of reprisal where the principles of human rights are identified and discussed, and schools/colleges actively challenge sexism, racism, 'disablism', homophobia, Islamophobia, anti-Semitism and far-right extremism.

Whole school programmes such as the International Values-based Education Quality Mark and UNICEF's Rights Respecting Schools Award, for example, enable of schools to promote a broader and more positive approach across schools towards inclusion, tolerance, cohesion and citizenship.

Ajegbo (2007): "All pupils, regardless of their background, need to be helped to develop a sense of belonging and a cultural understanding and critical literacy skills within their neighbourhoods, however disparate". Developing this sense of belonging is key.

Consider how to develop, with colleagues, ways to use the curriculum to:

- develop critical personal thinking skills using curriculum opportunities, including small group work;
- consider using the social and emotional aspects of learning (SEAL) materials;
- explore controversial issues;
- promote community values;
- recognise local needs; challenge extremist narratives; □ promote human rights; and □ promote critical analysis.

Annex 5: e-Safety & ICT Acceptable Usage Policy:

Please refer to separate policy found on the school network

Annex 6: Equalities

The Emmbrook School is an inclusive community school which focuses on achieving the highest progress possible for all students.

The Equality Act provides a framework to support the school's commitment to valuing diversity, tackling discrimination, promoting equality and fostering good relationships between all people. It also ensures that the school continues to tackle issues of disadvantage and underachievement of different groups.

These duties reflect international human rights standards as expressed in the UN Convention on the rights of the Child, the UN convention on the rights of people, with Disabilities and the Human Rights Act 1998.

Annex 8: Searching Guidance: Personal Search Technique

1. Where possible and practical, eligible staff intending to undertake a personal search should make concerted efforts to contact the Headteacher in advance to talk through the reasons for the search with him, to confirm that the search is justified and will be conducted in accordance with this policy.

In exceptional circumstances, for example where there is an urgent need on safety grounds, the Headteacher may be contacted, without undue delay, after the search to review a decision to search without getting permission in advance. There needs to be a proper justification for a personal search of a particular individual, not just a suspicion or feeling or general concern.

2. Even though the permission of the pupil to search them or their belongings will often not be a requirement because the search is for 'prohibited' or 'banned items', it is good practice nevertheless to seek consent to search the pupil, their bag, their desk, their locker, etc. before commencing a search. A personal search that is by agreement is considered preferable to one which relies solely on staff at the school using their legal powers.
3. The guidelines in this policy are intended to set out the parameters of any legal search which does not have the consent of the pupil being searched.
4. A pupil may give consent to a more thorough search of their person or belongings but they must not be asked to consent to an intimate search involving the removal of their inner underwear which is covering their genitalia.
5. An intimate search may only be conducted by the police with a same gender, member of school staff present and acting as a witness and child advocate.
6. If the pupil declines a legitimate search for prohibited or banned items, then the member of staff intending to conduct the search should explain to the pupil that the school has the legal authority to search without their permission (where this is the case) citing the justification in this policy (refer to the lists of 'prohibited' and /or 'banned' items) and so the search will continue. In cases where a pupil has declined permission initially or has not explicitly

consented to the search, but the search is for prohibited or banned items and so does not need consent, the search must be carried out, using reasonable force if necessary, but with strict adherence to this guidance taking precautions to be able to demonstrate adherence.

7. Where the school needs consent prior to searching, the searcher should explain the potential disciplinary consequences of non-cooperation but cannot proceed with the search in this scenario nor use reasonable force.
8. The member of staff conducting the search should be professional and courteous throughout, maintain a respectful tone and manner and avoid unnecessary confrontation. Staff must not adopt an aggressive attitude or heavy handed approach and must maintain high standards of ethical and professional practice.
9. The searcher should explain the reasons/justification for the search and what it will involve/not involve as appropriate (for example, it will not normally involve a requirement to remove any inner garments, the pupil will be asked to shield their genitalia when being search in that area and that a personal search will never involve being asked to remove underwear covering genitalia).
10. The searcher also needs to ensure they themselves are safe throughout, particularly if the pupil is suspected of carrying a weapon or the search is an 'immediate search' with or without a witness.
11. The search should be conducted in such a way that the pupil could freely leave the room if they felt uncomfortable or intimidated so neither the searcher nor the witness should position themselves anywhere which would impede the pupil's exit from the search room in these circumstances. However, consideration should be given to how this is managed if, for example, the pupil is believed to have a weapon and is of a state of mind to use it.

It is good practice to advise the pupil that they should say if they feel uncomfortable or intimidated at any point and the search would be stopped to discuss their concerns before resuming or consulting with the Headteacher.

Older pupils may require a higher level of privacy. It is good practice for the searcher to check that the pupil being searched is happy with the level of privacy and to make reasonable adjustments to ensure adequate privacy for that individual if not / upon requested. This may include displaying signage stating that a personal search is being undertaken and entry is restricted.

12. The searcher should ask whether the pupil thinks that the search will uncover the item(s) being sought or any other banned or prohibited items. The pupil should be given the opportunity to hand over any such items. If they do so, the search will still need to be completed.
13. The searcher should then invite pupil to think carefully and confirm that there is nothing sharp or harmful in their possession, on their person or in their belongings, locker, etc. that might cause the searcher injury or harm during the search. If there is then the pupil should be asked to retrieve and hand over that item/those items first.

14. School staff cannot conduct an 'intimate' search (explained previously), however a personal search must always be sufficiently thorough and unrushed to find items being searched for even if they have been concealed or are small.
15. The wearing of latex gloves or specialist clothing is not necessary for this type of personal searching and is not normally advised.
16. The person conducting the search should first ask (i.e. require nicely) the pupil to assist by offering all items which can be screened away from their person, for example, turning out their pockets fully (including concealed pockets as often found in blazers, etc.), emptying the contents of their bag and all its pockets/compartments/linings onto the table, etc.

These remote items should normally then be searched thoroughly before commencing the body search.

17. Before commencing the personal (body) search, the member of staff should ask (i.e. require nicely) that the pupil to remove all additional/surplus layers of clothing and all outer clothing (e.g. belts, hats, gloves, scarves, jackets, outdoor coats, shoes, multiple layers) and screen these separately and thoroughly first.

Multiple layers must be removed before the personal search commences as any concealment is largely undetectable otherwise.

18. The pupil should have removed shoes at the outset of the search for the interior of shoes, tongue and the heels to be examined.
19. Whilst the pupil should remove their outer garments, normally without the searcher's assistance, the searcher may still need to physically search in pockets of clothing still being worn and extra care should be taken when doing so in case they contain sharps or other hazards.
20. School staff may not require a pupil to remove any clothing other than outer clothing i.e. clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear (e.g. pants, bra, tights, PE shorts, trousers, skirt, blouse, vest, etc.). For example, staff would not require a pupil to remove his/her shirt/blouse even if he/she wears a vest underneath. The pupil may volunteer to remove such clothing if they are comfortable doing so although this should not be expected and willingness to do so varies between cultures.

Otherwise, if it is deemed necessary then the Headteacher must be consulted first and, if necessary, he will give permission to involve the police who will use their own powers of search if appropriate.

26. The personal search should not be overly rushed nor prolonged, but is most effectively carried out systematically, section by section ensuring no areas are missed. Shoes, heels, bags, blazers (including their concealed zip pocket in the bottom lining) etc. will have already been carefully screened.

27. The presence of a witness safeguards the pupil and the searcher.

28. When prohibited items are not found / found, consideration should be paid to whether the items might have been/may also have been supplied to friends, imposed upon weaker pupils, or given by someone else. This may constitute grounds for searching other connected pupils.

Confiscation: School staff can seize any prohibited item or banned item found as a result of a search. They can also seize any item, however found, which they consider harmful or detrimental to school/school discipline.

Annex 9: Best Practice Guidance for the investigation of a serious incident (Aide Memoire)

When investigating serious individual breaches of the school rules or expectations, an objective and thorough investigation should be carried out but there is no rule as to the procedures which should be followed. Normally one member of staff will lead or be assigned to the investigation, directing other colleagues as necessary.

The member of staff leading the inquiry does not need, on every occasion, to carry out unnecessarily searching inquiries involving calling bodies of evidence and the investigation should be proportionate to all the circumstances of the case. For example, where a pupil has admitting their wrong-doing, there is no suspicion of coercion, the motives are clear and the facts are not in dispute then the investigation will reasonably be completed more efficiently.

However, in all cases, the member of staff leading the inquiry must decide what critical issues need to be resolved and what enquiries could reasonably be made to resolve those issues.

The member of staff leading the investigation must ensure that evidence is gathered fairly, ensuring that evidence (e.g. witness evidence that might shed a different light on the situation) is not overlooked. The member of staff leading the investigation must give careful and even handed consideration to all the evidence available in relation to those issues.

Where possible and appropriate, the parent of the accused or suspected pupil should be informed by phone within a reasonable time period of a more serious incident and that it is being investigated. Staff are advised to keep records of all behaviour incidents, especially for accusations of bullying or harassment.

Staff should make notes, however brief, of the details of any telephone calls with parents and others or any formal interviews with pupils, parents or others. Hand written notes are acceptable for files as long as they are legible. They should include the date and time, the approximate duration, and a record of any important points of conversation.

There is no requirement for more than one member of staff to be present for interviews with students, but it is sometimes prudent to have another adult present.

There is no 'burden of proof' requirement or 'sure beyond doubt' in making decisions about behaviour which is dealt with by the school and judgments should always be based on the **balance of probabilities** (i.e. is it more probable than not that what is alleged did happen)

The Emmbrook School will give the accused pupil **an opportunity to give their version of events** in making judgments about behaviour, particularly in the case of serious incidents. Where a pupil does not make use of the opportunity, they should be reminded that decisions will be made which affect them based on what information is available.

Statements taken by any pupil witnesses to a serious incident will normally remain internal documents and pupil names will not normally be released. Redacted pupil statements, with the names blanked out and identities protected, may be provided to others by agreement with the

Headteacher and in accordance with guidance. Pupil witnesses will not be compelled to appear at disciplinary hearings or appeals. They may appear if they do so voluntarily and with the written consent of their parents.

In accordance with the principles of natural justice, adult statements may be copied to other parties (also with pupil names redacted) and adults may be called as witnesses at disciplinary committees or their appeals or though they may not be compelled to attend.

Education will be considered as a continuum so behaviour records and support strategies employed by previous schools will be considered as relevant where appropriate, for example, for the purposes of the 'range of prior alternative strategies' implicit in the Secretary of State's guidance on exclusions.

Annex 11: School Policy on Uniform (Years 7-11), Dress Code (Sixth Form and Staff) and Appearance & Hygiene Expectations (All).

The Emmbrook School's policies on uniform, dress code and the appearance and hygiene expectations are reviewed periodically and updated as necessary.

Section A: Appearance, Hygiene and other related expectations that apply to everyone

Everyone in the school must dress in a way which:

- is not likely to render them vulnerable to criticism or allegation,
- is not likely to be viewed as offensive, revealing or sexually provocative,
- does not distract, cause embarrassment or give rise to misunderstanding
- does not include any political or otherwise contentious symbolism or slogans
- is not considered to be discriminatory
- is respectful of ethnic and cultural differences
- Is smart, clean, kept and 'neat and tidy' (This concept includes the expectation that clothes will be ironed or unwrinkled, shirts will be tucked in, trousers legs will not be tucked into socks, well-ordered, etc.) □ maintains effective personal hygiene

If students wear non-uniform clothing or clothing which is in breach of the sixth form dress code or have other inappropriate items in school, staff are entitled to confiscate them. Confiscated items will be returned at the end of the academic year or the end of the following academic year if confiscated in near the end of the academic year.

The school may impose additional conditions with the return of confiscated items in certain cases. In specific cases, some items may be retained until parents are able to collect them items at the end of the confiscation period. Items which are considered damaging to community cohesion, for example, with some political, religious or gang symbols and logos will not be allowed.

Dangerous or illegal items will be disposed of or given to the police and will not be returned.

The school does not, under any circumstances, accept liability in case of loss of confiscated items and it has invested significantly in additional storage, CCTV and enhanced systems as reasonable steps to securely store confiscated items.

Pupils should not bring valuable items to the school that can be lost or make pupils vulnerable to crime, for example on their journey to and from the school and they do so completely at their own risk. The school is effectively cashless and payments are normally made through the online payment system. The school will not normally investigate losses or theft of items that have been brought to the site against the school's advice.

Section B: Uniform Policy (Years 7-11)

Pupils in Years 7-11 must adhere to the school's compulsory uniform policy which pre-determines what they can wear (including prescribing styles and colours) to present a consistent image as a proud and united school pupil body..

Jewellery

Jewellery is not allowed (only one pair of stud type earrings may be worn; no other body piercing is allowed). Confiscated jewellery will be stored in a secure place and will not be returned until the end of the academic year or the end of the following academic year if confiscated in July.

Hair

Distinctive / extreme hairstyles and hair colour are not permitted; hair should be smart and formal.

Nail Varnish and Make-up

No nail varnish or make-up must be worn at the school. This applies to all pupils in Year 7–11. Pupils who come to school wearing nail varnish or make-up will be required to remove it or face disciplinary measures.

Rationale

The school 'Dress Code' is intended to ensure staff and sixth form students:

- Show appropriate professionalism and pride by the way they dress and are able to retain reasonable choice in what they wear as individuals
- Present a positive professional image to outsiders and those comparing schools/academies
- Dress as appropriate role models to each other and other pupils
- Always meet (and regularly exceed) the minimum standards of expectation for modern professional/business dress.

At The Emmbrook School, staff and pupils are expected to dress smartly **and any outfit worn must, in its entirety, be deemed to be smart.**

When the weather merits it, a hat/hood (the face should never be obscured for learning, communication, identification and CCTV) and/or gloves or outdoor coat may be worn **OUTSIDE** (and when entering/leaving buildings) but not in classrooms. Hats/hoods must not be worn anywhere inside the buildings.

Hair / Jewellery

Extremes hair styles and hair colour are not allowed. Jewellery and make up should be minimal.

Annex 12: Dealing with Angry Adults

Parents who feel, rightly or wrongly, that they have a legitimate complaint may initially be angry. This is normal (although there are clear limits on what is to be accepted) and needs to be managed skilfully and calmly.

If the parent(s) are off-loading, just listen and make notes. The listening is important may as they make some legitimate points.

However, if a parent (in person or on the phone) is abusive, aggressive, obstructive, swearing, intimidating or potentially violent, you do not have to tolerate this.

The school has committed not to tolerate this sort of behaviour towards staff.

You should not put yourself in any danger.

Explain that you want to listen to what they have to say but that you cannot continue with the conversation whilst you feel that they are being aggressive and that if it continues you will have to put the phone down / ask them to leave / leave and seek assistance and arrange for someone else to meet with them at a later time.

There are signs in places like reception and offices where parents are normally invited which can be referred to. Finally, say "I'm sorry but I am going to have to put the phone down/ask you to leave, I will be happy to talk to you when you are ready to talk politely about your concerns".