

KIRKBURTON MIDDLE SCHOOL

Behaviour Policy



Responsibility: Head of Key Stage 3

Last reviewed on: September 2021

Next review due by: September 2022

Approved by: Governing body

Legislative Compliance

This policy is based on advice from the Department for Education (DfE) on:

- [Behaviour and discipline in schools](#)
- [Searching, screening and confiscation at school](#)
- [The Equality Act 2010](#)
- [Use of reasonable force in schools](#)
- [Supporting pupils with medical conditions at school](#)
- Schedule 1 of the [Education \(Independent School Standards\) Regulations 2014](#); paragraph 7 outlines a school's duty to safeguard and promote the welfare of children, paragraph 9 requires the school to have a written behaviour policy and paragraph 10 requires the school to have an anti-bullying strategy
- [DfE guidance](#) explaining that academies should publish their behaviour policy and anti-bullying strategy online

This policy complies with our funding agreement and articles of association. It is also based on the [special educational needs and disability \(SEND\) code of practice](#)

Aim

This policy aims to set out our school expectations of members of our school community in relation to their behaviours in and outside our school. It is the aim of our school that every member of the school community feels valued and respected, and that each person is treated fairly and well, in keeping with our school shared vision and values. We are a caring community. Our school Behaviour Policy is therefore designed to support the way in which all members of the school can live and work together in a supportive way. It aims to promote the overall well-being of pupils and staff and an environment in which everyone feels happy, safe and secure. We believe positive behaviours are vital to effective teaching and learning. A successful behaviour policy requires the commitment and consistency of practice of all staff to ensure that learners know the standards expected of them. All members of the school are expected to help maintain an atmosphere conducive to learning, with courtesy and mutual respect as basic requirements. In order to achieve this, our school will:

- make clear its expectations of good behaviour;
- treat every member of the community as individuals and respect their rights, values and beliefs;
- create a zero tolerance environment against all instances of bullying or discrimination on the basis of race, gender, disability, sexual orientation, ability, religious or cultural differences;
- provide positive examples for modelling behaviour;
- promote good relationships and a sense of belonging to the community;
- intervene early to challenge undesirable behaviour;
- follow and apply consistently clear guidelines when responding to instances of unacceptable behaviour;
- Make reasonable adjustments for pupils with additional needs;
- Ensure pupils complete assigned work to the minimum standard within their capabilities;

School staff

All members of staff are responsible for reinforcing school rules and should deal with incidents of poor behaviour wherever they occur by:

- Acting consistently
- Praising more than reprimanding
- Having high expectations of all children
- Listening
- Reinforcing, promoting and maintaining the highest standards of work and behaviour
- Giving ownership of 'The KMS Way' behaviours for learning to pupils
- Teachers producing regularly adapted behaviour plans

Pupils

We expect that all **pupils** will:

- Abide by Kirkburton Middle School's Home-School Agreement
- Be respectful, kind and polite
- Enact 'The KMS Way' behaviours for learning
- Respect the learning environment and take responsibility for maintaining teaching and social spaces
- Move calmly and quietly around the school building

Parents and Carers of Children at KMS

We expect that **parents and carers** will:

- Abide by Kirkburton Middle School's Home-School Agreement
- Support their child in being ready to learn for the day
- Promote positive, constructive relationships with school staff
- Accept and actively support the school's behaviour policy
- Support school staff in maintaining a safe, positive and respectful learning environment

Members of the School Community

We expect **all members of the school community** to:

- Take responsibility for their own behaviour and actions
- Respect the rights of others and celebrate diversity
- Treat all within the school and those who contribute to the community with respect
- Work together positively to resolve issues without conflict or confrontation
- Show care and consideration for others and their property
- Respect and comply with the laws of the United Kingdom in relation to weapons, alcohol, drugs, dangerous acts, vandalism, violence, verbal abuse, freedom of speech and online safety

Attendance and Punctuality

We aim to promote a culture where excellent attendance and punctuality are valued as essential positive behaviours for life. We adhere to the Shelley Pyramid of Schools Attendance policy (available via our school website).

Any absence affects the pattern of a child's schooling and regular absence will seriously affect their learning. Ensuring every child's regular attendance at school is their parent / carers' responsibility and permitting absence from school without good reason creates an offence in law and may result in prosecution. We encourage all pupils to try and achieve 100% attendance each year.

To support parents and carers we:

- Monitor whole school attendance continuously
- Report to parent/carers at least termly on their child's attendance
- Celebrate good or improving attendance
- Provide support and challenge where attendance is deteriorating or poor
- Support pupils in developing excellent punctuality, including via the use of rewards and sanctions

Behaviour

All children are expected to behave in a way that supports the learning of all pupils in their class and aids the delivery of the teacher. Each classroom should display an outline of behaviour expectations. Where behaviour is unacceptable in this respect, the teacher should respond consistently and fairly in accordance with school behaviour policy.

Celebrating Success

At our school we regularly celebrate the success of all pupils in a variety of ways as we recognise that focusing on success and positive outcomes is essential in developing a positive culture and ethos across the school.

Sanctions and Consequences

Although this school aims to focus on positives at all times, there are unfortunately occasions when a minority of pupils let themselves, the school and others down through their unacceptable or inappropriate behaviour. We want pupils to take responsibility for their behaviour and will encourage pupils to reflect on their behaviour and to make amends. This process does not, however, replace consequences. At our school, we know that consistency is essential for pupils to understand what is expected of them and to avoid mixed messages. It is vital that children learn early on in life that there are always consequences for poor and unacceptable behaviour which undermine the positive atmosphere of our school community both in and out of school. The school does implement sanctions for inappropriate behaviour depending on the severity of the incident.

Behaviour Expectations / Rules

Class code of conduct

- When the teacher is talking: Sit still. Face the front. Stay silent.
- Follow instructions at the first time of asking.
- Respect other people, their equipment and school property.
- If you want to say something raise your hand.
- Always bring the correct equipment to lesson.
- Try your best in every lesson and with homework.

Corridor Code of Conduct

- Pupils should be respectful of others.
- Pupils must walk, not run in and around the building, keeping to the left inside.
- Pupils should move around quietly at all times.
- Pupils should follow the one-way system.
- Pupils should line up quietly outside their classroom in single file.
- Pupils must never enter a classroom without a teacher present or without the express consent of a teacher.

The Basic Rules of the school

Apart from the above codes of conduct the following general rules apply to pupils in the school:

- Pupils must arrive in school with the correct school uniform, worn properly and with the correct equipment to be 'Ready to Learn'. When in uniform pupils should remember that they are representing everybody at Kirkburton Middle School.
- When moving about the school and grounds pupils should be considerate. Pupils should help others by opening doors and standing back to let people pass. Pupils should not shout or disturb others.
- Pupils should walk on the left side of corridors and follow the one-way system.
- Pupils should respect our school and place all litter in the bin and pick up any litter they see.
- Pupils are not allowed to chew gum or eat sweets anywhere in school and food should only be consumed in the dining room or the designated picnic areas.
- If pupils have to leave a lesson it should be for a valid reason and a note must be in their Planner.
- Pupils must not leave the premises during the school day without the permission of their Head of Year / Key Stage Lead or a member of senior staff.
- Pupils must be punctual arriving at school and at lessons.
- The appearance of the school is the responsibility of everyone. Graffiti will not be tolerated on books (including planner), furniture and walls.
- Ball games should only be played in the designated areas – All weather pitch, Year 6 playground basketball court. When appropriate the school fields will open for pupils to play.
- Pupils should keep their hands and feet to themselves at all times. 'PLAYFIGHTING' is not acceptable at any time.
- Pupils are permitted to bring mobile phones into school as long as they follow the rule set out in this policy.

- Pupils are not permitted to bring electronic devices into school without prior authorisation from a senior member of staff. Smart watches and fitness trackers are allowed but must be disconnected from the internet. **Please note that the school cannot be responsible for the loss of these expensive items if brought into school.**
- Special instructions about the use of outside areas and about snowballing may be given, according to the weather conditions.
- Violence, bullying (either physical or mental), damage to property and theft will be treated with a zero tolerance approach.
- Smoking or vaping on the school premises is illegal. It is also forbidden to smoke or vape whilst in school uniform either on or off the school site

Rules for Travelling to and from School

We expect all pupils to act as ambassadors for the school whilst on their way to and from school.

- When travelling to and from school, pupils behave in a manner which reflects credit on themselves, their families and the school.
- Pupils must follow the instructions given by the bus driver and act and speak in a polite manner.
- Pupils must make their way directly to school each day and enter school immediately on arrival.
- Pupils must not congregate outside of school in the morning.
- All pupils catching a bus home must line up on the all-weather pitch at the end of the day and wait to be led to their bus by a member of staff.
- Each bus will have Year 8 and 7 bus monitors who will report any incidents of poor behaviour to the Head of Key Stage 3.
- All cyclists and scooter users must wear a helmet. All cyclists must have lights (in winter) and reflectors attached to their bike. If a pupil arrives without a helmet parents will be contacted to bring one in. Persistent failure to wear a helmet will result in pupils not being able to ride their bike to school.
- Pupils must push, not ride their bikes/scooters whenever on school the school grounds or in the bus turning circle.

Rules for Pupils Arriving to School

- There are three main entrances through which pupils can enter school; the main gate, the Hallas Road entrance and via the Recreation Ground entrance.
- Pupils must enter the school grounds immediately on arrival and not congregate at the skate park. The skate park is out of bounds before school.
- Pupils who arrive before 8.30am, are encouraged to attend the breakfast club.
- Pupils are allowed into school from 8.50am.
- The expectation is that pupils are seated in their form rooms by no later than 8.55am.
- Where pupils arrive after 8.55am they should report to reception to be registered and a late mark will be issued.

Rules for Break and Lunchtime Behaviour

- Teachers will dismiss their class in an orderly manner and pupils should go to their designated social area.
- At lunchtime, pupils must collect coats before going outside as they will not be allowed back into the building except to access the dining hall and the toilet.
- Pupils are expected to play safely and be considerate of others at all times. We have a simple rule that pupils are expected to keep their hands and their feet to themselves at all times. 'PLAYFIGHTING IS NOT ACCEPTABLE AT ANY TIME.'

When the bell rings

- Pupils should line up quickly and quietly as directed.
- Pupils enter the school quietly and calmly when instructed by a member of staff.

Rules for Wet Breaks / Lunchtimes

- Pupils stay in their own classroom (or the one to which they have been directed).
- Pupils follow instructions given by the lunchtime supervisors/duty staff.
- Pupils behave calmly and considerately in the classrooms at all times, respecting how others wish to spend their time.
- Pupils are expected to sit on a chair.
- Pupils should keep away from electrical items, storage areas and teachers' desks.
- Pupils may use games and books, talk, do homework or complete classwork.
- Pupils should tidy the room, putting everything away before leaving.

Rules for eating in school

- The designated areas for eating in school are – small hall, large hall, picnic tables outside the bungalow, picnic benches outside the pavilion, and picnic tables on the large playground. Food must not be consumed anywhere else on the school premises.
- Pupils should line up sensibly for their lunch on the Pavilion playground. They will be directed to lunch hall when space is available.
- All pupils must remove their coats when sitting for lunch in the dining hall.
- Pupils should collect a tray before purchasing their food. When they have finished their lunch they are responsible for clearing all their cutlery, plates and litter from the table or floor around it before they leave using the tray which they return to the drop zone.
- Food must not be removed from the dining hall.
- Pupils can eat a snack such as fruit or cereal bars at break. SWEETS are not allowed.
- Energy drinks are not allowed in school; nor are drinks in cans or glass bottles.

Rules for Lockers

Pupils are asked not to leave expensive items in their lockers, as the school cannot be held responsible for their loss.

- No stickers are allowed to be placed anywhere on the lockers.
- Food should not be left in lockers overnight.
- In line with the school behaviour policy, staff have the right to search lockers for any banned items under the school rules.
- School staff can seize any prohibited item found as a result of a search, which would be carried out in accordance with the DfE's 'Searching, screening and confiscation' advice.

The use of a locker is a privilege and pupils should show a high level of respect, as they would do with any school property. School reserves the right to remove the use of the locker, if the above rules are breached.

Rules for Uniform

We are proud of our school and expect all pupils to wear the KMS uniform with pride. We believe our uniform:

- Creates a sense of school community, cohesion and identity.
- Supports positive behaviour and good discipline.
- Ensures pupils from all cultures and backgrounds feel welcome.
- Protects children from social pressures to dress in a particular way.

Our uniform comprises of:

- Jumpers – Plain black crew neck sweatshirt (with school LOGO).
- Polo shirts – White polo shirt (with school LOGO).
- Trousers – Plain, black tailored trousers. Jeans-styled trousers, skinny trousers, jeans, cords, leggings or tracksuit bottoms are not allowed: nor are combat-style trousers with large outside pockets. Alternatively, pupils may wear black tailored school shorts (not casual shorts or sportswear).
- Skirts – Plain black skirt (with school LOGO).
- Socks/tights – Plain black or grey ankle or knee-length socks. Plain black tights.
- Jewellery and fashion accessories – One small plain stud earring in each ear. Ear tapers, tunnels, plugs and hoops are forbidden. No adornments whatsoever (e.g. rings, necklaces or bracelets). Nose studs or other body piercings will not be allowed. Pupils wearing unacceptable items will be asked to remove them. Nail extensions/nail varnish should not be worn in school. Pupils wearing nail varnish or make-up will be asked to remove it.
- Outer garments – The wearing of outer garments to and from school is encouraged. They should be appropriate to the season. Coats should not be denim or have obtrusive logos on them. Heads should not be covered indoors (except for religious observance).
- Hair and make-up – Extreme or unnaturally coloured hairstyles are not allowed. What constitutes 'extreme' is at the discretion of senior staff. Should hairbands be worn, these must be discreet. Pupils may not wear make-up in school. This includes eyeliner, mascara, foundation, lip glosses or lipsticks.
- Footwear – Shoes must be plain black leather or leather effect and suitable for school. Plain black laces only. Pumps, canvas shoes, trainer style shoes are not allowed even if they are black. Please see website for photographs of suitable shoes. If in doubt, please ask school for advice before purchasing new shoes.

- School Bags – Children do need a school bag to transport books and equipment but it should be of a reasonable size (suggested length 50cm). Small handbags or ‘man bags’ are not appropriate.

If a pupil lacks an element of the correct uniform, they must bring a note from home, explaining the reason why and when they expect the correct uniform to be corrected. Whenever possible pupils will be provided with spare items of uniform, which will be returned at the end of the school day. These must then be worn.

Bullying

Our curriculum promotes mutual understanding and inclusion by:

- Raising awareness about all types of bullying, raising the profile of Anti-Bullying Week every November as a whole-school initiative and implementing our Anti-Bullying Policy.
- Increasing understanding for victims and helping to build an anti-bullying ethos with ‘no bystanders.’
- Teaching pupils how to manage constructively their relationships with others.
- Educating pupils in how to use their online presence safely and constructively, as well as the potential dangers of using social media in a way that is unsafe or intolerant.

Possession of Harmful Materials

Possession or use of any materials that could reasonably cause harm to self or others, including substances such as tobacco, illegal drugs, solvents and alcohol, vapes and e-cigarettes will be treated extremely seriously. School will:

- Remove the item from the pupil’s possession and give it to the Headteacher (or Designated Safeguarding Lead in the Headteacher’s absence).
- Isolate the pupil until their parents / carers can come into school as appropriate.
- Contact the police and / or other external agencies as appropriate.

School staff can seize any prohibited item found as a result of a search, which would be carried out in accordance with the DfE’s ‘Searching, screening and confiscation’ advice. They can also seize any item; they consider harmful or detrimental to school discipline. Possession of harmful materials is seen as a very serious breach of the school behaviour policy. The school will consider all forms of sanctions, up to and including permanent exclusion, when dealing with such incidents.

Rewards

We recognise the power of celebration and rewards in promoting positive behaviour and reducing poor behaviour. We aim to recognise our pupils for a wide range of academic and non-academic achievements. Rewards include (but are not limited to):

- Informal and formal verbal praise at every opportunity.
- Achievement points building towards Bronze, Silver, Gold and Platinum Certificates.
- Positive written comments on pupils’ work.
- Positive feedback via reports to parents / carers.

- SLT praise.
- Postcards.
- Emails or phone calls home to parents / carers.
- Celebration assemblies (including recognition of consistent positivity and improving attitudes).
- Awards ceremonies.
- Individual and group prizes, rewards activities both in and out of school and trips.
- Letters of commendation.

Sanctions

Despite our emphasis on the positive, we acknowledge that a small number of our pupils occasionally make poor behaviour choices. We encourage our staff to work restoratively with the young people in our care. However, we are clear that consequences like rewards promote positive behaviour, whilst also acting as a deterrent to poor behaviour. Our sanctions are graded in severity and are fairly and consistently applied.

Consequences for not meeting classroom expectations

- Stage 1 – Verbal warning.
- Stage 2 – Second verbal warning.
- Stage 3 – Move within the classroom and a 15 minute class teacher detention.
- Stage 4 – 30 minute school detention at lunchtime (phone call home from sanctioning teacher-logged on SIMS Communications Log).
- Stage 5 – Move to H1 and 60 minute after school detention (phone call by Head of Year /Key Stage lead)

Comments will be added to SIMS at the end of the lesson

Pupils reaching stage 2 or above will be given one negative point on SIMS.

It may be appropriate to speak with a pupil outside the classroom.

Please note for serious breaches of the classroom code of conduct, pupils may be escalated immediately to stage 4 or 5.

A direct consequence of poor behaviour or deliberately breaking the school rules may be:

- Removal from class (see specific guidance below).
- Confiscation of items and materials.
- Carrying out a useful task in school (Community Service).
- Withdrawal of break and / or lunchtime privileges.
- Parental contact.
- Placing a pupil on report.
- Lunchtime or after school detention (see specific guidance below).
- Banning a pupil from travelling on the school bus.

- Withdrawing participation from school trips and sports events that are not an essential part of the curriculum.
- Removal from a particular lesson or peer group.
- Removal to H1
- Exclusion - fixed term or permanent.

Specific guidance on use of sanctions:

Removal from Class

This sanction is issued for persistent and / or seriously disruptive behaviour within a lesson. Pupils will usually be given four warnings but if the behaviour escalates rapidly this may not be the case. Extended and/or regular removal from lessons should not be the norm. Where this occurs, or where agreement about behaviour cannot be established, the matter will be referred to the Head of Year/Key Stage Lead for further intervention.

After-school Detention

Detentions may be issued for repeated refusal to work, lack of co-operation in the classroom inappropriate behaviour on the bus, inappropriate and aggressive behaviour within school or other behaviours deemed sufficiently serious by the school. Detentions will be logged on the school system and parents are notified in advance.

Removal to H1

As a school we reserve the right to temporarily withdraw pupils from mainstream provision at our discretion. The school can decide when, and for how long pupils may be withdrawn and supervising staff can determine what pupils may and may not do during the time they are withdrawn.

School will ensure:

- Pupils are withdrawn from lessons for no longer than is deemed necessary.
- Withdrawn pupils' time is used as constructively as possible; they will continue to follow their usual curriculum.
- Withdrawn pupils have time to eat and use the toilet.

Fixed-term and Permanent Exclusions

We follow the Kirklees Local Authority Guidance on Academy Exclusions. Please refer to the following guidance for more details:

<http://www.kirklees.gov.uk/beta/schools/pdf/academy-exclusions.pdf>

Permanent and Fixed Term Exclusions

Kirkburton Middle School, through effective and positive behaviour management, aims to avoid pupils being excluded from school and actively seeks ways of reducing exclusion rates. It should, however, be recognised that serious breaches of school discipline are unacceptable and the school will apply a serious sanction where these do occur. This policy aims to give governors, staff, pupils and parents/carers an understanding of the kinds of behaviours that may well result in exclusion and how these are managed.

Fixed Term Exclusions

Exclusions are used where a serious breach of school discipline occurs or where a pupil is causing persistent disruption to learning and teaching. The school has two levels of fixed term exclusion to reflect not only the seriousness of the breach of school discipline, but also the previous behaviour of the pupil concerned and the context. Each situation is judged on a case by case basis.

External Fixed Term Exclusions are used for more serious breaches of school discipline or where a pupil has a record of previous serious incidents, persistent disruption to learning or persistent defiance to school rules. Exclusions of this type are for a maximum of 15 school days. They are recorded on the exclusion log and on the child's record in school. Pupils returning from fixed term exclusion must have a reintegration meeting in school with their parents/carers before returning to school.

Internal Fixed Term Exclusions are used where a serious breach of school discipline occurs, but the incident is less extreme. Internal fixed term exclusions may also be used where a child would normally be excluded externally, but an external exclusion could put them at potential risk. They may also be used when the incident is the first serious incident involving a particular child. Staff may decide it necessary that pupils returning from an internal exclusion must have a reintegration meeting in school with their parents/carers before returning to their normal classes.

Decisions about fixed term exclusions are taken by the Headteacher, once they have been presented with the evidence gathered by the Head of Year / Key Stage Lead or other members of the Senior Leadership Team or Pastoral Staff about the incident and are satisfied that there is a balance of probability that the pupil has been responsible for a serious breach of school discipline.

The list below outlines the kinds of serious incidents/behaviour that may result in fixed term exclusions. This is not an exhaustive list, but gives an indication of the types of serious breaches of school discipline which may lead to exclusion.

Examples of serious incidents are (not a definitive list):

- Verbal abuse including the use of foul and abusive language either directed at another pupil or an adult.
- Physical assault, where pupils are fighting, kicking or hitting each other.
- Racist language or behaviour.
- Threatening behaviour/physical assault on an adult.
- Sexual misconduct, violence or harassment.
- Theft of others' property, belongings and school equipment.
- Deliberate vandalism.

- Behaviour which puts themselves or others at risk of serious harm.
- Misuse of social media to bully, intimidate or humiliate others.
- Possession of a weapon or dangerous object.
- Possession of drugs or alcohol.
- Unusual behaviour which may be consistent with being under the influence of alcohol or drugs.

Governors do not have the power to overturn the Headteacher's decision to exclude a pupil unless, the exclusion is permanent, the exclusion results in the pupil being excluded for more than 15 days in a school term, or where a pupil has been excluded for more than 5 days in a term and where parents/carers have requested a governing body meeting.

Governors must ensure that the correct procedures are in place and be satisfied that the school has done all it can to try and support the pupil in question.

Reasonable Force

- All members of school staff have a legal power to use reasonable force. School does not require parental consent to use force on a pupil.
- Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder. The use of force is deemed reasonable if it is proportionate to the consequence it is intended to prevent.
- The decision to physically intervene is based on the professional judgement of the staff member concerned and should always depend on individual circumstances.
- Should a pupil refuse to leave a room when instructed to do so they may be physically removed. However, the Kirkburton Middle School policy is to instruct the remaining pupils to leave in order that the individual may be managed.
- The Headteacher and authorised school staff may also use such force as is reasonable when conducting a search without consent, for any items that have been, or could be, used to commit an offence or harm.
- The school will contact the Police if this is deemed necessary.

For further information, please visit the DFE at:

<https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>

Inclusivity

Kirkburton Middle School prides itself on being an inclusive school and supports all our pupils regardless of race, gender, sexuality, disability, medical or other need. We strongly believe there are clear links between inclusivity, positive behaviour and wellbeing. We employ a number of staff with a specific focus on pastoral support and inclusion. We aim to promote inclusion through:

- A carefully constructed curriculum
- Careful consideration of seating plans and groupings in lessons

- Teaching that both scaffolds support and extend pupils
- Target setting
- Monitoring of behaviour, identification and early intervention of pupils with behavioural / emotional problems
- Behaviour management training for all staff as part of their continuing professional development
- The issuing of positive points and other rewards and incentives which are accessible by all pupils who meet or exceed our expectations
- Celebration of effort as well as achievement
- The provision of quiet areas
- Access to ICT facilities at lunchtime
- Extra-curricular activities including homework club
- Pupil Voice and Pupil Leadership opportunities
- Whole school participation in initiatives such as National Anti-bullying Week and Safer Internet Day
- Transition programs for pupils joining and leaving the school
- Collaboration with the Shelley pyramid of schools and the Kirklees Education Safeguarding Service to support and promote full attendance
- Parental engagement including Parents Evenings and Parent Forum
- SEND, wellbeing and behaviour support for pupils with additional needs
- Liaison with external agencies to assess and support those with the highest need, including SKBAC (South Kirklees Behaviour and Attendance Collaborative), Educational Psychology service, Police, Children's Social Care

Special Educational Needs or Disabilities (SEND):

We have the same expectations of behaviour for all pupils but ensure that pupils with SEND are supported to meet these expectations. Any exceptional provision for pupils with a particular need will be recorded in their IEP and the school follows the guidance as laid out in the 2010 Equalities Act. For pupils with SEND, the school will follow correct process, as outlined by Kirklees, should an exclusion be necessary. However, pupils with a SEND will only be issued with an exclusion when we feel there are no further options available.

Malicious allegations

Where a pupil makes an accusation against a member of staff and that accusation is shown to have been malicious, the Headteacher will discipline the pupil on a case-by-case basis depending on the nature of the malicious allegation. However, this may include any consequence up to and including Permanent Exclusion. The Headteacher will also consider the pastoral needs of staff accused of any misconduct.

Racist and homophobic incidents

When a racist or homophobic incident comes to our attention we will support the pupils concerned in the first instance, reminding them that they have done the right thing by disclosing what has happened. We will always take seriously allegations of this nature and do something about it, should it be found that the allegation is founded. As with any pastoral `incident` at Kirkburton, we will investigate

thoroughly, using Heads of Year and the Pastoral Lead/Pastoral Team as appropriate. Depending on the incident, a range of sanctions can be employed, from parental contact, warning letters, inclusion, education of the perpetrator and ultimately, exclusion. We as a school reserve the right to make these judgments based upon a consideration of ALL facts discovered.

Sexual violence and Sexual harassment

When a sexual violence or sexual harassment incident comes to our attention we will support the pupils concerned in the first instance, reminding them that they have done the right thing by disclosing what has happened. Whilst we will not tolerate the behaviour and have zero tolerance, we will not demonise anyone and all pupils involved will be listened to. The school's response will be: proportionate, considered, supportive and decided on a case by case basis. The incident will be fully investigated by the Head of Year / Key Stage Lead or Pastoral lead. The DSL will be involved throughout and police / children's services notified as required in line with the Safeguarding Policy.

Depending on the incident, a range of sanctions can be employed, from parental contact, warning letters, inclusion, education of the perpetrator and ultimately, exclusion. We as a school reserve the right to make these judgments based upon a consideration of ALL facts discovered.

Out of School Behaviour

This school is committed to ensuring our pupils act as positive ambassadors for us. Taking the above into account, we expect the following:

- Good order on all transport (including public transport) to and from school, educational visits
- Good behaviour on the way to and from school.
- Positive behaviour which does not threaten the health, safety or welfare of our pupils, staff, volunteers or members of the public.
- Reassurance to members of the public about school care and control over pupils in order to protect the reputation of the school.
- Protection for individual staff and pupils from harmful conduct by pupils of the school when not on the school site. The same behaviour expectations for pupils on the school premises apply to off-site behaviour.

Sanctions and Disciplinary Action

Off-site Behaviour Sanctions may be given for poor behaviour off the school premises which undermines any of the above expectations and regardless of whether or not it is an activity supervised directly by school staff. Sanctions may be in the form of fixed term exclusion or in very serious cases, permanent exclusion. In issuing sanctions, the following will be taken into account:

- The severity of the misbehaviour.
- The extent to which the reputation of the school has been affected.
- Whether pupils were directly identifiable as being members of the school.

- The extent to which the behaviour in question could have repercussions for the orderly running of the school and/or might pose a threat to another pupil or member of staff (e.g. bullying another pupil or insulting a member of staff).
- Whether the misbehaviour was whilst the pupil was participating in a sports event (and in any situation where the pupil is acting as an ambassador for the school) which might affect the chances or opportunities being offered to other pupils in the future.

Mobile Phones and Electronic Devices

We are committed to providing a caring, friendly and safe environment for all of our pupils and believe that mobile phones, when used appropriately, offer young people and their parents/carers peace of mind, particularly when travelling to and from school. We are also clear that when phones are used inappropriately, they distract from the core school business of learning, and at worst can be used as a tool for bullying.

Rules for the acceptable use of mobile phones

Pupils are allowed to bring a mobile phone into school. If they choose to do so it is on the understanding that they agree with the following:

- Mobile phones must be switched off on entry to the school premises.
- Pupils should not use their phone whilst on school ground at any time, including before and after school. At the end of the school day, pupils can use their phone to contact parents if they have been given permission by the staff on duty.
- All mobile phones must be handed in during registration; they will be stored in a padded box and kept securely in school.
- Mobile phones will be returned to pupils at the end of the day.
- Pupils bringing mobile phones into school do so at their own risk.
- At the end of the school day, pupils may take their phone out to load their bus ticket ready for boarding the bus.

Unacceptable use of mobile phones

The school will consider any of the following to be unacceptable use of the mobile phone and a serious breach of the school's behaviour policy which will result in sanctions being taken:

- Photographing or filming in any area of school or on any activity outside school.
- Photographing or filming staff or other pupils.
- Failure to hand over a phone will be treated as defiance.
- Bullying, harassing or intimidating staff or pupils by the use of text or multimedia messaging, sending inappropriate messages or posts to social networking or blogging sites.
- Refusing to switch a phone off or hand over the phone at the request of a member of staff.
- Using their mobile phone outside school hours to intimidate or upset staff and pupils will be considered a breach of these guidelines in the same way as unacceptable use.
- Using the mobile phone to photograph or record altercations or fights, either within or outside of school.

Consequences for unacceptable use of mobile phones

On the first infringement the mobile phone would be confiscated by the member of staff and taken to the General Office, where it will be enveloped and the infringement logged. It will then be securely locked away. The phone will be kept until the end of the school day when it will be returned to the pupil. The child will be placed in a lunchtime detention and the child's Head of Year/Key Stage Lead will contact home to inform the parent/carer that the phone has been confiscated for the first time. Parents will be informed that a second infringement will result in the phone being confiscated overnight.

On the second infringement the phone will be confiscated, kept in the school safe overnight and returned to the child at the end of the next school day. The child will be placed in an after-school detention and parents/carers will be informed that a third or subsequent infringement will result in the phone being confiscated until parents attend a meeting with the Head of Year/Key Stage Lead.

A third or subsequent infringement will result in the phone being confiscated and kept in the school safe until a meeting can be arranged between the parents and Head of Year/Key Stage lead. Depending on the availability of the Head of Year/Key Stage Lead, this may take up to seven days to arrange. The child will spend a day in inclusion and the school will reserve the right to ban the child from bringing a phone into school in the future.

Furthermore:

- The Headteacher or a designated staff member have the right to view files stored on confiscated equipment and will seek the cooperation of parents in deleting any files which are in clear breach of these guidelines unless these are required for evidence.
- Evidence of the offence will be preserved, preferably by confiscation of the device and keeping it secure or by taking photographs of the screen.
- School will consider whether an incident should be reported to the police. Advice can be sought from the duty and advice team, or the police.
- Pupils should be aware that the police will be informed if there is a serious misuse of the mobile phone where criminal activity is suspected. The police may wish to seize the phone for the purpose of further investigation.
- If a pupil commits an act which causes serious harassment, alarm or distress to another pupil or member of staff the ultimate sanction may be permanent exclusion.
- School will consider the impact on the victim of the act and parents will be involved.