



# TWHF Behaviour Policy

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Changes.....	3
<b>Section 1 – Aims and Expectations.....</b>	<b>3</b>
<b>Section 2 – Our understanding of behaviour .....</b>	<b>3</b>
<b>Section 3 – Definitions.....</b>	<b>4</b>
<b>Section 4 – Bullying.....</b>	<b>4</b>
<b>Section 5 – Antibullying.....</b>	<b>5</b>
<b>Section 6 – Roles and responsibilities .....</b>	<b>5</b>
6.1 The role of Teacher/Tutor .....	5
6.2 The role of the Safeguarding Team.....	6
6.3 The role of the Senior Leadership Team or Schools and TWHF.....	6
6.4 The role of the Headteacher.....	6
6.5 The role of Governors (Local Board of Governors).....	6
6.6 The role of the Board of Trustees.....	6
6.7 The role of parents.....	7
6.8 Responsibilities of students / students code of conduct.....	7
<b>Section 7 – Roles and responsibilities .....</b>	<b>7</b>
7.1 Classroom management .....	7
7.2 Safeguarding .....	8
7.3 Responding to positive behaviour .....	8
7.4 Responding to misbehaviour .....	8
7.5 Reasonable force .....	8
7.6 Searching, screening and confiscation.....	9
7.7 Off-site misbehaviour .....	9
7.8 Online misbehaviour.....	9
7.9 Suspected criminal behaviour.....	9
7.10 Approach to sexual harassment and sexual violence.....	10
7.11 Malicious allegations.....	10
<b>Section 8 – Suspensions and Permanent Exclusions .....</b>	<b>10</b>
<b>Section 9 – Permanent Exclusion .....</b>	<b>11</b>
<b>Section 10 – Off-site directions.....</b>	<b>12</b>
<b>Section 11 – Managed moves.....</b>	<b>12</b>
<b>Section 12 – Responding to misbehaviour from pupils with SEND .....</b>	<b>13</b>
<b>Section 13 – Student Support.....</b>	<b>14</b>
<b>Section 14 – Student transition .....</b>	<b>14</b>
<b>Section 15 – Training .....</b>	<b>14</b>
<b>Section 16 – Monitoring.....</b>	<b>14</b>
<b>Section 17 – Legislation, statutory requirements and statutory guidance .....</b>	<b>15</b>
<b>Appendix I: Searching, Screening and Confiscation .....</b>	<b>15</b>
Confiscation.....	15
Searching a student .....	16

Searching electronic devices .....	17
Searching students possessions .....	17
Recording of searches .....	17
Informing parents.....	17
Support after a search .....	17
Strip searches .....	18
Communication and record-keeping.....	18
Who will be present?.....	18
Care after a strip search .....	18
Screening .....	19

Version	Date	Page document	Change	Origin of change e.g. Change in legislation, Policy review.
7	September 2024		Improved layout to support printing and rebranded.	

## Section 1 – Aims and Expectations

- 1.1 This policy aims to help children to grow in a safe and secure environment, and to become positive, responsible and increasingly independent members of the school community.
- 1.2 This over-arching policy sets out the Trust’s core, values-based beliefs and expectations about student behaviour and the important role staff have to play in responding effectively. The Trust has supplementary guidance to the behaviour policy which applies to all secondary schools. Each primary school has its own statement of behaviour principles in addition to the trust-wide behaviour policy.
- 1.3 It is a primary aim of our trust that every member of the school community feels valued, respected, and safe. We are a caring community, whose values are built on mutual trust and respect for all.
- 1.4 Relationships are key. The trust expects every member of the school community to behave in a considerate, and respectful way towards others.
- 1.5 We treat all students fairly and apply this behaviour policy in a consistent way.
- 1.6 We teach our students to care for one another and respect boundaries around their bodies and belongings.
- 1.7 Staff receive training to ensure they are trauma aware and trauma responsive, so that they have the knowledge and skills to support students effectively.
- 1.8 The effectiveness of this policy can be measured by staff and student well-being.
- 1.9 To define what we consider to be unacceptable behaviour, including bullying and discrimination.
- 1.10 Outlines how students are expected to behave.

## Section 2 – Our understanding of behaviour

- 2.1 For all students to engage with their learning they need to feel safe, secure and listened to.

- 2.2 Adults in schools must have the highest expectations of all students
- 2.3 Students need consistent rules in place which are clear, regularly re-visited and adapted where necessary.
- 2.4 Relationships are at the heart of our approach to behaviour across the Trust.
- 2.5 Staff recognise that behaviour is a form of communication and needs to be actively listened to.
- 2.6 Where students have suffered or are suffering from abuse or neglect, we recognise that they will need additional support when they are distressed and displaying challenging or disruptive behaviour.
- 2.7 Where students have additional needs, we recognise that these may include support with managing behaviour
- 2.8 For staff to respond effectively to challenging or disruptive behaviour, they need to understand what the behaviour is telling them about the child and their needs

### Section 3 – Definitions

Misbehaviour is defined as:

- Disruption in lessons, in corridors between lessons, and at break and lunchtimes non-completion of classwork or homework
- Not having the correct equipment for lessons
- Poor attitude
- Incorrect uniform

Serious misbehaviour is defined as:

- Repeated breaches of the school rules Any form of bullying
- Sexual violence, such as rape, assault by penetration, or sexual assault (intentional sexual touching without consent)
- Sexual harassment, meaning unwanted conduct of a sexual nature, such as:
  - Sexual comments
  - Sexual jokes or taunting
  - Physical behaviour like interfering with clothes
  - Online sexual harassment, such as unwanted sexual comments and messages (including on social media), sharing of nude or semi-nude images and/or videos, or sharing of unwanted explicit content.
- Vandalism Theft
- Fighting Smoking
- Racist, sexist, homophobic or discriminatory behaviour
- Possession of any prohibited items. These are:
  - Knives or weapons
  - Alcohol
  - Illegal drugs
  - Stolen items
  - Tobacco, cigarette papers, vaping devices
  - Fireworks
  - Pornographic images
  - Any article a staff member reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of, any person (including the pupil)

### Section 4 – Bullying

Bullying is defined as the repetitive, intentional harming of one person or group by another person or group, where the relationship involves an imbalance of power. Bullying is, therefore:

- Deliberately hurtful

- Repeated, often over a period of time
- Difficult to defend against

Bullying can include:

TYPE OF BULLYING	DEFINITION
Emotional	Being unfriendly, excluding, tormenting
Physical	Hitting, kicking, pushing, taking another's belongings, any use of violence
Prejudice-based and discriminatory, including: <ul style="list-style-type: none"> <li>• Racial</li> <li>• Faith-based</li> <li>• Gendered (sexist)</li> <li>• Homophobic/biphobic</li> <li>• Transphobic</li> <li>• Disability-based</li> </ul>	Taunts, gestures, graffiti or physical abuse focused on a particular characteristic (e.g., gender, race, sexuality)
Sexual	Explicit sexual remarks, display of sexual material, sexual gestures, unwanted physical attention, comments about sexual reputation or performance, or inappropriate touching
Direct or indirect verbal	Name-calling, sarcasm, spreading rumours, teasing
Cyber-bullying	Bullying that takes place online, such as through social networking sites, messaging apps or gaming sites

Details of each school's approach to preventing and addressing bullying are set out in their anti-bullying policy.

## Section 5 – Antibullying

We recognise that all forms of bullying, especially if left unaddressed, can have a devastating effect on individuals; it can create barriers to learning and can have serious consequences for the mental health and well-being of our students.

- 5.1 We promote positive relationships to help prevent bullying in the first instance and require all members of our community to work with the school to prevent bullying.
- 5.2 The trust and each school within it does not accept bullying of any kind. If we discover that an act of bullying or intimidation has taken place, we act immediately to prevent any further occurrences of such behaviour. While it is very difficult to eradicate bullying, we do everything in our power to ensure that all children attend school free from fear and are well-supported, together with their families.

## Section 6 – Roles and responsibilities

### 6.1 The role of Teacher/Tutor

- a) It is the responsibility of the teacher/tutor to ensure that pupils/students know and understand the school rules and expectations about behaviour.
- b) The teachers/tutors in our schools have high expectations of the children in terms of behaviour, and they strive to promote positive relationships.

- c) The teacher/tutor treats each child fairly and with respect and understanding. Also providing a personalised approach to the specific behavioural needs of particular students.
- d) The teachers/tutors are responsible for implementing the behaviour policy and the school's statement of procedures consistently.
- e) The teacher/tutor will work alongside members of the school safeguarding team to ensure that where safeguarding or child protection concerns have been identified, this informs teaching and learning so that adaptations can be made, where required.
- f) The teacher/tutor reports to parents about the progress of each child in their class, in line with the whole-school policy. The teacher/tutor may also contact a parent if there are concerns about the behaviour or welfare of a child.

## 6.2 The role of the Safeguarding Team

- a) The Designated Safeguarding Lead (DSL) will work in partnership with teachers and tutors to ensure headline information about safeguarding and child protection is shared, on a need to know basis.
- b) The DSL will work collaboratively with teaching staff and tutors to ensure they have the knowledge and understanding to adapt teaching and learning in light of any complex trauma a student may have experienced/be experiencing.

## 6.3 The role of the Senior Leadership Team or Schools and TWHF

- a) It is the responsibility of the Directors of Education supported by the CEO, under the School Standards and Framework Act 1998 and the behaviour and discipline in schools advice for headteachers and school staff (DFE-00023-2014) to ensure that the Headteachers and staff interpret the school behaviour policy consistently throughout the school, and to report to governors and trustees, when requested, on the effectiveness of the policy. It is also the responsibility of the Headteacher to ensure the health, safety and welfare of all children in the school.
- b) The Headteacher of each setting supports the staff and the Directors of Education by implementing the policy, by setting the standards of behaviour, and by supporting staff in the implementation of the policy.

## 6.4 The role of the Headteacher

- a) Reviewing and approving the school statement of procedures
- b) Ensuring that their school environment encourages positive behaviour
- c) Ensuring that staff deal effectively with poor behaviour
- d) Monitoring how staff implement the policy to ensure rewards and sanctions are applied consistently to all groups of students
- e) Ensuring that all staff understand the behavioural expectations and the importance of maintaining them
- f) Providing new staff with a clear induction into the school's behavioural culture to ensure they understand its rules and routines, and how best to support all pupils to participate fully
- g) Offering appropriate training in behaviour management, and the impact of special educational needs and disabilities (SEND) and mental health needs on behaviour, to any staff who require it, so they can fulfil their duties set out in this policy
- h) Ensuring this policy works alongside the safeguarding policy to offer students both sanctions and support when necessary
- i) Ensuring the data from the behaviour log is reviewed regularly, to make sure that no groups of pupils are being disproportionately impacted by this policy (see section 13.1)
- j) The Headteacher of the school has the responsibility for giving fixed-term suspensions to individual children for serious acts of misbehaviour. For repeated or very serious acts of anti-social behaviour, the Headteacher only has the authority to permanently exclude a child.

## 6.5 The role of Governors (Local Board of Governors)

- a) The governors have the responsibility for overseeing the implementation of this policy in its school.
- b) The governors support the CEO, Directors of Education and Headteacher in ensuring this policy and associated policies are adhered to in its school.

## 6.6 The role of the Board of Trustees

- a) The board is responsible for monitoring the effectiveness of this behaviour policy and holding each Director of Education, Headteacher and Local Governing Body to account for its implementation.

## 6.7 The role of parents

- a) Each school works collaboratively with parents, so children receive consistent messages about how to behave at home and at school.
- b) Each school explains the school values and expectations of behaviour in the school prospectus or welcome documentation, and we expect parents to read these and support them.
- c) We expect parents to support their child's learning, and to co-operate with the school, as set out in each schools' home-school agreement. We try to build a supportive dialogue between the home and the school, and staff inform parents immediately if there are concerns about their child's welfare or behaviour.
- d) If the school has to use reasonable sanctions with a child, parents are expected to support the actions of the school. If parents have any concern about the way that their child has been treated, they should initially contact the class teacher and then the Headteacher if it is not resolved. If the concern remains, they should follow the TWHF complaints procedure.

## 6.8 Responsibilities of students / students code of conduct

In all schools students are expected to:

- a) Behave in an orderly and self-controlled way
- b) Show respect to members of staff, each other and their environment
- c) In class, make it possible for all students to learn
- d) Move calmly around the school
- e) Treat the school buildings and school property with respect
- f) Wear the correct uniform at all times
- g) Accept sanctions when given
- h) Refrain from behaving in a way that brings the school into disrepute, including when outside the school.

Ongoing for support for students will be provided:

- a) Students will be supported to meet the behaviour standards and will be provided with repeated induction sessions wherever appropriate.
- b) Students will be supported to develop an understanding of school's behaviour policy and wider culture.
- c) Students will be asked to give feedback on their experience of the behaviour culture to support the evaluation, improvement and implementation of the behaviour policy.
- d) Extra support and induction will be provided for students who are mid-phase arrivals.

## Section 7 – Roles and responsibilities

### 7.1 Classroom management

Teaching and support staff are responsible for setting the tone and context for positive behaviour within the classroom.

They will:

- Create and maintain a stimulating environment that encourages students to be engaged
- Display rules or expectations of behaviour in classrooms
- Develop a positive relationship with pupils, which may include:
  - Greeting pupils in the morning/at the start of lessons
  - Establishing clear routines
  - Communicating expectations of behaviour in ways other than verbally
  - Highlighting and promoting good behaviour
  - Concluding the day positively and starting the next day afresh
  - Having a plan for dealing with low-level disruption
  - Using positive reinforcement

## 7.2 Safeguarding

The school recognises that changes in behaviour may be an indicator that a student is in need of help or protection. We will consider whether a student's misbehaviour may be linked to them suffering, or being likely to suffer significant harm. Where this may be the case, we will follow our child protection and safeguarding policy, and consider whether pastoral support, an early help intervention or a referral to children's social care is appropriate. Please refer to the school's child protection/safeguarding policies for more information.

## 7.3 Responding to positive behaviour

Praise and positive re-enforcement are used by staff to achieve the Trust's aims. Individual schools will outline how they do this within their Statement of Behaviour Principles. These will include:

- teachers congratulate children.
- teachers give children success points.
- sharing good work with other classes/teachers
- acknowledgement of good behaviour during assembly times.
- sharing good news with parents
- Other celebrations in line with each school's statement of behaviour principles.

When a student's behaviour meets or goes above and beyond the expected behaviour standard, staff will recognise it with positive recognition and reward. This provides an opportunity for all staff to reinforce the school's culture and ethos.

Positive reinforcements and rewards will be applied clearly and fairly to reinforce the values, routines and expectations of the school's behaviour culture.

## 7.4 Responding to misbehaviour

When a student's behaviour falls below the standard that can reasonably be expected of them, staff will respond in order to restore a calm and safe learning environment, and to prevent recurrence of misbehaviour.

Staff will endeavour to create a predictable environment by always challenging behaviour that falls short of the standards, and by responding in a consistent, fair and proportionate manner, so pupils know with certainty that misbehaviour will always be addressed. De-escalation techniques can be used to help prevent further behaviour issues arising, such as the use of pre-arranged scripts and phrases.

All students will be treated fairly under the policy, with any factors that contributed to the behavioural incident identified and taken into account.

When giving behaviour sanctions, staff will also consider what support could be offered to a pupil to help them to meet behaviour sanctions in the future.

Sanctions used by each school will be laid out in their Statement of Behaviour Principles. Personal circumstances of the student will be taken into account when choosing sanctions, and decisions will be made on a case-by-case basis, but with regard to the impact on perceived fairness.

## 7.5 Reasonable force

All members of staff are aware of the regulations regarding the use of reasonable force by teachers, as set out in **Use of reasonable force – advice for headteachers, staff and governing bodies. (Reference: DFE-00295-2013) and the Education Act 1996 (section 550A: The Use of Force to Control or Restrain Pupils)**. Reasonable force covers a range of interventions that involve physical contact with pupils.

Staff can use reasonable force to prevent pupils/students from hurting themselves or others, from damaging property or from causing disorder. The actions that we take are in line with government guidelines on the restraint of children.

Incidents of reasonable force must:

- Always be used as a last resort
- Be applied using the minimum amount of force and for the minimum amount of time possible



- Be used in a way that maintains the safety and dignity of all concerned
- Never be used as a form of punishment
- Be recorded and reported to parents

When considering using reasonable force, staff should, in considering the risks, carefully recognise any specific vulnerabilities of the pupil, including SEND, mental health needs or medical conditions.

### 7.6 Searching, screening and confiscation

Searching, screening and confiscation is conducted in line with the DFE's guidance. Searching, screening and confiscation: advice for schools (DFE, July 2022)

Any prohibited items (listed in section 3) found in a student's possession will be confiscated. These items will not be returned to a student.

If there is cause to believe that a student has a prohibited item either on them or in their possessions, the school has the right to search the student. Further information on searching, screening and confiscation can be found in Appendix I.

### 7.7 Off-site misbehaviour

Sanctions may be applied where a student has misbehaved off-site when representing the school. This means behaviour when the pupil is:

- Taking part in any school-organised or school-related activity (e.g., school trips)
- Travelling to or from school
- Wearing school uniform
- In any other way identifiable as a pupil of our school

Sanctions may also be applied where a pupil has misbehaved off-site, at any time, whether or not the conditions above apply, if the misbehaviour:

- Could have repercussions for the orderly running of the school
- Poses a threat to another student
- Could adversely affect the reputation of the school

Sanctions will only be given out on school premises or elsewhere when the pupil is under the lawful control of a staff member (e.g. on a school-organised trip).

### 7.8 Online misbehaviour

The school can issue behaviour sanctions to student for online misbehaviour when:

- It poses a threat or causes harm to another student
- It could have repercussions for the orderly running of the school
- It adversely affects the reputation of the school
- The pupil is identifiable as a member of the school

Sanctions will only be given out on school premises or elsewhere when the student is under the lawful control of a staff member.

### 7.9 Suspected criminal behaviour

If a student is suspected of criminal behaviour, the school will make an initial assessment of whether to report the incident to the police.

When establishing the facts, the school will endeavour to preserve any relevant evidence to hand over to the police.

If a decision is made to report the matter to the police, the Headteacher/Head of School will make the report.

The school will not interfere with any police action taken. However, the school may continue to follow its own investigation procedure and enforce sanctions, as long as it does not conflict with police action.

If a report to the police is made, the designated safeguarding lead (DSL) will make a tandem report to children's social care, if appropriate.

### 7.10 Approach to sexual harassment and sexual violence

Each school will ensure that all incidents of sexual harassment and/or violence are met with a suitable response, and never ignored. Students are encouraged to report anything that makes them uncomfortable, no matter how 'small' they feel it might be.

The school's response will be:

- Proportionate
- Considered
- Supportive
- Decided on a case-by-case basis.

The school has procedures in place to respond to any allegations or concerns regarding a child's safety or wellbeing. These include clear processes for:

- Responding to a report
- Carrying out risk assessments, where appropriate, to help determine whether to:
- Manage the incident internally
- Refer to early help
- Refer to children's social care
- Report to the police

Please refer to the school's child protection/safeguarding and associated policies for more information.

### 7.11 Malicious allegations

Where a student makes an allegation against a member of staff and that allegation is shown to have been deliberately invented or malicious, the school will consider whether to discipline the pupil in accordance with this policy.

Where a student makes an allegation of sexual violence or sexual harassment against another pupil and that allegation is shown to have been deliberately invented or malicious, the school will consider whether to discipline the pupil in accordance with this policy.

In all cases where an allegation is determined to be unsubstantiated, unfounded, false or malicious, the school (in collaboration with the local authority designated officer (LADO), where relevant) will consider whether the pupil who made the allegation is in need of help, or the allegation may have been a cry for help. If so, a referral to children's social care may be appropriate.

The school will also consider the pastoral needs of staff and pupils accused of misconduct.

Please refer to our child protection/safeguarding policy for more information on responding to allegations of abuse against staff, other adults or other students.

## Section 8 – Suspensions and Permanent Exclusions

### Suspension and Permanent Exclusion:

"This government supports headteachers in using suspension and permanent exclusion as a sanction when warranted as part of creating calm, safe, and supportive environments where both pupils and staff can work in safety and are respected. To achieve this, suspension and permanent exclusion are sometimes a necessary part of a functioning system, where it is accepted that not all pupil behaviour can be amended or remedied by pastoral processes, or consequences within the school".

[\(Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement – DFE Guidance for maintained schools, academies, and pupil referral units in England – August 2024\)](#)

### Suspension:

- 8.1 A suspension is where a pupil is temporarily removed from the school for a fixed period of time.
- 8.2 When establishing the facts in relation to a suspension or permanent exclusion decision the Headteacher must apply the civil standard of proof, i.e., 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt.' This means that the Headteacher should accept that something happened if it is more likely that it happened than that it did not happen.
- 8.3 A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year). A suspension does not have to be for a continuous period. Where suspensions reach 15 days in a term, a meeting with parents will be held.

- 8.4 In exceptional circumstances, it may be necessary to suspend a student for a fixed period of time, this would always be considered carefully. Exceptional circumstances include, but are not limited to;
- Serious failure to comply with a reasonable repeated request from a senior member of staff
  - Breaches of health and safety rules
  - Verbal abuse of staff, other adults or students
  - Incidents where the safety of the pupil, other pupils or staff is seriously compromised
  - Possession of drugs, alcohol or items which could be considered a weapon on school site
  - Willful and / or malicious damage to property
  - Homophobic, sexist or racist bullying
  - Bullying of a sustained and serious nature
  - Sexualised behaviour and misconduct
  - Theft
  - Making a false allegation against a member of staff
  - Behaviour which calls into question the good name of the school
  - Incidents of persistent disruptive behaviour impacting on the learning of others
  - Assaults or fighting that are not premeditated or planned in nature
- 8.5 The school recognises the need to keep fixed term suspensions short wherever possible. It is therefore anticipated that in most cases a suspension would not exceed 5 days fixed term. Where it is necessary to suspend a student for a longer period, the school will ensure educational provision is offered to the student from the 6th day onwards.
- 8.6 Reintegration Meeting

Where a student is suspended or is directed to be educated off-site, upon return to the school both the pupil and parents will be invited to a reintegration meeting. The purpose of the meeting is to:

- offer the pupil a fresh start
- help them understand the impact of their behaviour on themselves and others
- teach them to how meet the high expectations of behaviour in line with the school culture
- foster a renewed sense of belonging within the school community; and
- build engagement with learning

School staff will work with the pupil to understand what led to the behaviour and to establish if any changes can be made or further support implemented from a pastoral or practical perspective that might reduce the chance of repeat behaviours. Should a parent/carer not be able to attend then a member of staff will call to rearrange the meeting or conduct the meeting with the student. We encourage parents to engage in reintegration meetings as suspension is a serious sanction.

## Section 9 – Permanent Exclusion

9.1 A permanent exclusion is when a student is no longer allowed to attend a school (unless the student is reinstated). The decision to exclude a pupil permanently should only be taken:

- in response to a serious breach or persistent breaches of the school's behaviour policy; and
- where allowing the student to remain in school would seriously harm the education or welfare of the student or others such as staff or students in the school.

The principles, guidance and procedure set out in the DFE Exclusion Guidance will be followed at all times. This includes the statutory procedure for notifying parents, challenging the decision, and holding meetings/hearings, including the deadlines for these. The Headteacher may cancel (i.e., withdraw) any suspension or permanent exclusion which has not yet been formally reviewed by the Governors' Discipline Committee at a meeting, including where additional information has been received from the parents, Virtual School Head, Social Worker or other health or educational professional after the original decision was made.

[\(Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement: Guidance for maintained schools, academies, and pupil referral units in England, August 2024\)](#)

9.2 The Headteacher will make the judgement, in exceptional circumstances, where it is appropriate to permanently exclude a pupil for a first or 'one-off' offence. Exceptional circumstances include, but are not limited to;

- serious actual or threatened physical assault against another student or a member of staff
- sexual abuse or assault

- sharing, supplying or in possession of an illegal drug
- carrying an offensive weapon
- making a malicious serious false allegation against a member of staff
- placing students, staff and members of the public in significant danger or at risk of significant harm

These instances are not exhaustive, but indicate the severity of such offences and the fact that such behaviour can affect the discipline and well-being of the school community.

A Headteacher may also permanently exclude a student for:

- one of the above offences
- persistent disruption and defiance including bullying (which would include racist, sexist or homophobic bullying).
- repeated possession and/or use of an illegal drug or drug paraphernalia on school premises
- an offence which is not listed but is, in the opinion of the Headteacher, so serious that it will have a detrimental effect on the discipline and well-being of the school community

### **Section 10 – Off-site directions**

The school has the power to direct that a student be educated off-site with the aim of improving their future behaviour. It must not be used as a disciplinary sanction or punishment for misconduct.

The off-site direction may be to a Pupil Referral Unit (PRU), an Alternative Provision Provider, or another school/academy (or unit therein).

Parental consent is not required for an off-site direction, and pupils are expected to attend the other setting as directed. If they do not attend, their absence will be unauthorised and dealt with in the same way as it would if they failed to attend the school.

The arrangements for the off-site placement will be based on an understanding of the support the students needs in order to improve their behaviour, as well as any SEND or health needs the pupil has. It may be full-time, or part-time in combination with attendance at the school or another setting. The expectation is that the pupil will continue to receive full-time broad and balanced education.

A 'personalised plan for intervention' will be put in place, which sets out the objectives for the pupil's improvement and attainment, the timeframe involved, the arrangements for assessment and monitoring progress, and with a baseline of the pupil's current position against which to measure their progress.

The off-site placement will be regularly reviewed each half term by senior staff, and parents will be involved in the review. The purpose of the review is to ensure that the off-site placement is achieving its objectives and that the pupil is benefitting from it.

During the period of an off-site direction by the school to another school/academy, the pupil must be dual registered which means that they will be registered at both the school and the school/academy to which the pupil is directed off-site.

At the end of any placement the school will seek an end of placement report from the alternative provision provider and will seek the student's views (if appropriate) as to the success of the placement.

The school will follow the DFE Alternative Provision Guidance when exercising this power.

### **Section 11 – Managed moves**

A 'managed move' is used to initiate a process which leads to the permanent transfer of a pupil to another mainstream school/academy following a trial period. Managed moves should be voluntary and agreed with all parties involved, including the parents and the admission authority of the new school.

Managed moves should be offered as part of a planned intervention. It is designed to give students who are at risk of permanent exclusion a fresh start in another school/academy without a permanent exclusion on their educational record.

As it is a proposed permanent transfer to another setting, parental consent is required, and parents will be consulted with while this is being explored.

If a temporary move to another setting is needed with the aim of improving the pupil's behaviour, rather than as a trial period before a proposed permanent transfer to that setting, then off-site direction (as described above) must be used. An off-site direction can be made without parental consent.

A planned managed move will only happen when it is in the pupil's best interests.

During the trial period, the student will be dual registered at both the school and the new school/academy. If the managed move breaks down during the trial period, the new school/academy will terminate the trial period and delete the pupil's name from the register.

The student will then return to the school. For this reason, a managed move will not be appropriate following a serious breach and/or persistent breaches of the Behaviour policy for which permanent exclusion is deemed by the Headteacher to be the only appropriate sanction, where the school would not be prepared to accept the pupil back at the school if the managed move broke down during the trial period.

The school will agree a fixed period for the trial period at the outset, after which the new school/academy will be expected to give permission to the school for the pupil's name to be deleted from the school's roll, at which time the transfer becomes permanent.

## **Section 12 – Responding to misbehaviour from pupils with SEND**

### **12.1 Recognising the impact of SEND on behaviour**

The school recognises that students' behaviour may be impacted by a special educational need or disability (SEND).

When incidents of misbehaviour arise, we will consider them in relation to a student's SEND, although we recognise that not every incident of misbehaviour will be connected to their SEND. Decisions on whether a student's SEND had an impact on an incident of misbehaviour will be made on a case-by-case basis.

When dealing with misbehaviour from pupils with SEND, especially where their SEND affects their behaviour, the school will balance their legal duties when making decisions about enforcing the behaviour policy. The legal duties include:

- Taking reasonable steps to avoid causing any substantial disadvantage to a disabled pupil caused by the school's policies or practices (Equality Act 2010)
- Using our best endeavours to meet the needs of pupils with SEND (Children and Families Act 2014)
- If a pupil has an education, health and care (EHC) plan, the provisions set out in that plan must be secured and the school must co-operate with the local authority and other bodies

As part of meeting these duties, the school will anticipate, as far as possible, all likely triggers of misbehaviour, and put in place support to prevent these from occurring.

Any preventative measure will take into account the specific circumstances and requirements of the pupil concerned. Where required these will be outlined in behaviour plans, stress-reduction plans or similar.

All schools will outline further strategies that may be adopted in their Statement of Behaviour Principles.

### **12.2 Adapting sanctions for pupils with SEND**

When considering a behavioural sanction for a student with SEND, the school will take into account:

- Whether the student was unable to understand the rule or instruction?
- Whether the student was unable to act differently at the time as a result of their SEND?
- If the student is likely to behave aggressively due to their particular SEND?

If the answer to any of these questions is yes, it may be unlawful for the school to sanction the student for the behaviour.

The school will then assess if it is appropriate to use a sanction and if so, whether any reasonable adjustments need to be made to the sanction.

### **12.3 Considering whether a pupil displaying challenging behaviour may have unidentified SEND**

The school's special educational needs co-ordinator (SENCO) will evaluate a pupil who exhibits challenging behaviour to determine whether they have any underlying needs that are not currently being met.

Where necessary, support and advice will also be sought from specialist teachers, an educational psychologist, medical practitioners and/or others, to identify or support specific needs.

When acute needs are identified in a pupil, we will liaise with external agencies and plan support programmes for that child. We will work with parents to create the plan and review it on a regular basis.

#### 12.4 Students with an education, health and care (EHC) plan

The provisions set out in the EHC plan must be secured and the school will co-operate with the local authority and other bodies.

If the school has a concern about a pupil with an EHC plan's behaviour, it will make contact with the borough or local authority to discuss their issues. If appropriate, the school may request an emergency review of the EHC plan.

### Section 13 – Student Support

The Trust and each school recognises its legal duty under the Equality Act 2010 to prevent student with a protected characteristic from being at a disadvantage. Consequently, our approach to challenging behaviour may be differentiated to cater to the needs of the pupil.

Each school's special educational needs co-ordinator will evaluate a pupil who exhibits challenging behaviour to determine whether they have any underlying needs that are not currently being met.

Where necessary, support and advice will also be sought from specialist teachers, an educational psychologist, medical practitioners and/or others, to identify or support specific needs.

When acute needs are identified in a student, we will liaise with external agencies and plan support programmes for that child. We will work with parents to create the plan and review it on a regular basis.

### Section 14 – Student transition

#### 14.1 Inducting incoming students

Each school will support incoming students to meet behaviour standards by offering an induction process to familiarise them with the behaviour policy and the wider school culture.

#### 14.2 Preparing outgoing students for transition

To ensure a smooth transition to the next year, students have transition sessions with their new teacher(s). In addition, staff members hold transition meetings.

To ensure behaviour is continually monitored and the right support is in place, information related to pupil behaviour issues may be transferred to relevant school staff at the start of the term or year.

### Section 15 – Training

As part of their induction process and continuing professional development, our staff are provided with regular training on managing behaviour. This will take place within individual schools routinely as well as through TWHF and external providers where required. This will include training on:

- Effective behaviour and classroom management
- Individual needs of the students in each school
- How SEND and mental health needs impact behaviour
- The proper use of restraint (Team Teach training where required)

### Section 16 – Monitoring

#### 16.1 Monitoring and evaluating school behaviour

Each school will collect data on the following:

- 16.1.1 Behavioural incidents, including removal from the classroom
- 16.1.2 Attendance, permanent exclusion and suspension

- 16.1.3 Use of pupil support units, off-site directions and managed moves
- 16.1.4 Incidents of searching, screening and confiscation The data will be analysed regularly by Headteachers, local governors, Directors of Education and Trustees.

The data will be analysed from a variety of perspectives including:

- 16.1.5 At school level
- 16.1.6 By age group
- 16.1.7 At the level of individual members of staff
- 16.1.8 By time of day/week/term
- 16.1.9 By protected characteristic

The school will use the results of this analysis to make sure it is meeting its duties under the Equality Act 2010.

### 16.2 Monitoring this policy

The headteacher and the Directors of Education monitor the effectiveness of this policy on a regular basis. The Headteacher also reports to the governing body on the effectiveness of the policy and, if necessary, makes recommendations for further improvements. The effectiveness of the policy can be measured by staff and pupil/student well-being.

This policy will be reviewed annually, or more frequently if needed, by TWHF leadership team to address findings from the regular monitoring of the behaviour data and to ensure it remains in line with latest government guidance. At each review, the policy will be reviewed by the CEO.

## Section 17 – Legislation, statutory requirements and statutory guidance

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

- [Behaviour in schools: advice for headteachers and school staff 2022](#)
- [Searching, screening and confiscation: advice for schools 2022](#)
- [The Equality Act 2010](#)
- [Keeping Children Safe in Education](#)
- [Suspension and permanent exclusion from maintained schools, academies and pupil referral units August 2024](#)
- [Use of reasonable force in schools](#)
- [Supporting pupils with medical conditions at school](#)

It is also based on the [Special Educational Needs and Disability \(SEND\) Code of Practice](#). In addition, this policy is based on:

- 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](#), which explains that academies should publish their behaviour policy and anti-bullying strategy online

This policy complies with our funding agreement and articles of association.

## Appendix I: Searching, Screening and Confiscation

### Confiscation

Any prohibited items as listed in section 3, found in a student's possession as a result of a search will be confiscated. These items will not be returned to the student.

We will also confiscate any item that is harmful or detrimental to school discipline. These items will be returned to students after discussion with senior leaders and parents if appropriate.

### Searching a student

Searches will only be carried out by a member of staff who has been authorised to do so by the Headteacher.

Subject to the exceptions below, the authorised member of staff carrying out the search will be the same sex as the student, and there will be another member of staff present as a witness to the search.

An authorised member of staff of a different sex to the student can carry out a search without another member of staff as a witness if;

- The authorised member of staff carrying out the search reasonably believes there is risk that serious harm will be caused to a person if the search is not carried out as a matter of urgency; **and**
- In the time available, it is not reasonably practicable for the search to be carried out by a member of staff who is the same sex as the student;

When an authorised member of staff conducts a search without a witness, they should immediately report this to another member of staff and ensure a written record of the search is kept.

If the authorised member of staff considers a search to be necessary, but is not required urgently, they will seek the advice of the Headteacher, Designated Safeguarding Lead (or deputy) or pastoral member of staff who may have more information about the student. During this time the student will be supervised and kept away from other students.

A search can be carried out if the authorised member of staff has reasonable grounds for suspecting that the student is in possession of a prohibited item or any item identified in the school rules for which a search can be made, or if the student has agreed.

An appropriate location for the search will be found. Where possible, this will be away from other students. The search will only take place on the school premises or where the member of staff has lawful control or charge of the pupil, for example on a school trip.

Before carrying out a search the authorised member of staff will:

- Assess whether there is an urgent need for a search
- Assess whether not doing the search would put other students or staff at risk
- Consider whether the search would pose a safeguarding risk to the student
- Explain to the student why they are being searched.
- Explain to the student what a search entails – e.g. I will ask you to turn out your pockets and remove your scarf
- Explain how and where the search will be carried out
- Give the student the opportunity to ask questions
- Seek the student's co-operation

If the student refuses to agree to a search, the member of staff can give an appropriate behaviour sanction.

If they still refuse to co-operate, the member of staff will contact the Headteacher, Deputy Headteachers or Assistant Headteachers, to try to determine why the student is refusing to comply.

The authorised member of staff will then decide whether to use reasonable force to search the student. This decision will be made on a case-by-case basis, taking into consideration whether conducting the search will prevent the student harming themselves or others, damaging property or from causing disorder.

The authorised member of staff can use reasonable force to search for any prohibited items identified in section 3, but not to search for items that are only identified in the school rules.

The authorised member of staff may use a metal detector to assist with the search.

An authorised member of staff may search a pupil's outer clothing, pockets, possessions, desks or lockers. Outer clothing includes:



- Any item of clothing that is not worn immediately over a garment that is being worn wholly next to the skin or being worn as underwear (e.g., a jumper or jacket being worn over a t-shirt)
- Hats, scarves, gloves, shoes, boots

### Searching electronic devices

An electronic device such as a mobile phone or a tablet computer may be confiscated in appropriate circumstances in accordance with this policy. If there is good reason to suspect that the device has been, or could be used to cause harm, to disrupt teaching or breach the school's behaviour policy, any data or files on the device may be searched and, where appropriate, data or files may be erased before the device is returned to its owner.

- Any search of an electronic device should be conducted in the presence of another member of staff.
- Any data or files will only be erased if there is good reason to suspect that the data or files have been, or could be used to cause harm, to disrupt teaching or breach the school's behaviour policy.
- Subject to the requirements set out in KCSIE 2023, if inappropriate material is found on an electronic device, the member of staff may delete the material, retain it as evidence of a breach of the behaviour policy or criminal offence or hand it over to the police if the material is suspected to be evidence relevant to an offence.
- If the member of staff conducting the search suspects, they may find an indecent image of a child (sometimes known as nude or semi-nude images), the member of staff should never intentionally view the image, and must never copy, print, share, store or save such images. When an incident might involve an indecent image of a child and/or video, the member of staff should confiscate the device, avoid looking at the device and refer the incident to the DSL (or deputy) as the most appropriate person to advise on the school's response.
- The DSL will follow the school's safeguarding policy and refer to the additional guidance for responding to consensual and non-consensual sharing of nude and semi-nude images / videos, as set out in the safeguarding policy. The DSL will refer to the advice set out in the searching, screening and confiscation (advice for schools July 2022) and UKCIS guidance.

### Searching students possessions

Possessions means any items that the student has or appears to have control of, including:

- Lockers
- Bags

A student's possessions can be searched for any item if the student agrees to the search. If the student does not agree to the search, staff can still carry out a search for prohibited items as identified above.

An authorised member of staff can search a student's possessions when the student and another member of staff is present.

If there is a serious risk of harm if the search is not conducted immediately, or it is not practically possible to have another member of staff present, the search will be carried out by a single authorised member of staff

### Recording of searches

All searches will be recorded in CPOMS and the DSL will be made aware. If any safeguarding risk is found this will also be reported to the DSL immediately.

### Informing parents

Parents will always be informed of any search for a prohibited item as listed in section 3. A member of staff will inform parents of what has happened, what has been found, what has been confiscated, if anything and any further actions that the school may take.

### Support after a search

Irrespective of whether any items are found as the result of any search, the school will consider whether the student may be suffering or likely to suffer harm and whether any specific support is needed.

If this is the case, staff will follow the schools Safeguarding Policy and speak to the DSL and together they will consider if pastoral support, an early help intervention or a referral to children's social care is appropriate.

### Strip searches

The authorised member of staff's power to search outlined above does not enable them to conduct a strip search (removing more than the outer clothing) and strip searches on school premises shall only be carried out by police officers in accordance with the Police and Criminal Evidence Act 1984 (PACE) Code C.

Before calling the police into school, staff will assess and balance the risk of a potential strip search on the student's mental and physical wellbeing and the risk of not recovering the suspected item.

Staff will consider whether introducing the potential for a strip search through police involvement is absolutely necessary, and will always ensure that other appropriate, less invasive approaches have been exhausted first.

Once the police are on school premises, the decision on whether to conduct a strip search lies solely with them. The school will advocate for the safety and wellbeing of the student(s) involved. Staff retain a duty of care to the student involved and should advocate for student wellbeing at all times.

### Communication and record-keeping

Where reasonably possible and unless there is an immediate risk of harm, staff will contact at least 1 of the student's parents to inform them that the police are going to strip search the student before strip search takes place and ask them if they would like to come into school to act as the student's appropriate adult. If the school can't get in touch with the parents, or they aren't able to come into school to act as the appropriate adult, a member of staff can act as the appropriate adult (see below for the role of the appropriate adult).

The student's parents will always be informed by a staff member once a strip search has taken place. The school will keep records of strip searches that have been conducted on school premises and monitor them for any trends that emerge.

### Who will be present?

For any strip search that involves exposure of intimate body parts, there will be at least 2 people present other than the student, except in urgent cases where there is risk of serious harm to the student or others.

One of these must be the appropriate adult, except if:

- The student explicitly states in the presence of an appropriate adult that they do not want an appropriate adult to be present during the search, **and**
- The appropriate adult agrees

If this is the case, a record will be made of the student's decision and it will be signed by the appropriate adult.

No more than 2 people other than the student and appropriate adult will be present, except in the most exceptional circumstances.

The appropriate adult will:

- Act to safeguard the right, entitlement and welfare of the student
- Not be a police officer or otherwise associated with the police
- Not be the Headteacher
- Be of the same sex as the student, unless the student specifically requests an adult who is not of the same sex

Except for an appropriate adult of a different sex if the pupil specifically requests it, no one of a different sex will be permitted to be present and the search will not be carried out anywhere where the student could be seen by anyone ~~de~~

### Care after a strip search

After any strip search, the student will be given appropriate support, irrespective of whether any suspected item is found. The student will also be given the opportunity to express their views about the strip search and the events surrounding it.

As with other searches, the school will consider whether the student may be suffering or likely to suffer harm and whether any further specific support is needed (due to the reasons for the search, the search itself, or the outcome of the search).

Staff will follow the school's Safeguarding Policy and speak to the DSL. The DSL will consider if, in addition to pastoral support, an early help intervention or a referral to children's social care is appropriate.

Any student(s) who have been strip searched more than once and/or groups of students who may be more likely to be subject to strip searching will be given particular consideration, and staff will consider any preventative approaches that can be taken.

### Screening

Screening can help provide reassurance to students, staff and parents that the school is taking measures to create a calm, safe and supportive environment. The school may impose a requirement that students undergo screening for the detection of weapons at any time throughout the school day.

Screening is the use of a walk-through or hand-held metal detector to scan students for weapons before they enter the school premises.

If a pupil has a disability, the school will make any reasonable adjustments to the screening process as required.

If a student refuses to be screened, the school will consider why the student is not cooperating and will make an assessment as to whether it is necessary to conduct a search.