



St Peter's School YORK

Behaviour and Discipline Policy

St Peter's School, York

March 2024

(Next review: Easter Term 2025)

1 Policy aims

1.1 The aims of this policy are:

- 1.1.1 to create a calm, safe and supportive environment free from disruption in which pupils can thrive and flourish both in and out of the classroom and reach their full potential;
- 1.1.2 to enable the Head Master and the senior leadership team(s) of the schools to carry out their responsibilities of maintaining order and good discipline in the School (as defined in 1.2);
- 1.1.3 to create, promote and maintain high standards of behaviour amongst pupils;
- 1.1.4 to actively promote and safeguard the welfare and mental health of pupils at the School and to protect all who come into contact with the School from harm;
- 1.1.5 to ensure, so far as possible, that every pupil in the School is able to benefit from and make their full contribution to the life of the School, consistent always with the needs of the School community;
- 1.1.6 to set out a clear and fair process for the proper investigation of allegations of poor behaviour and/or breaches of discipline;
- 1.1.7 to encourage pupils to accept responsibility for their behaviour;
- 1.1.8 to consider how negative behaviours can be prevented or prevented from recurring;
- 1.1.9 to enable staff to respond to incidents of misbehaviour promptly, predictably and with confidence;
- 1.1.10 to set out the sanctions available to the School in the event of pupil misbehaviour; and
- 1.1.11 to help to promote a whole School culture of safety, equality and protection.

1.2 St Peter's School, York comprises of St Peter's 2-8 (for pupils aged 2 to 8 years), St Peter's 8-13 (for pupils aged 8 to 13 years) and St Peter's 13-18 (for pupils aged 13 to 18 years), collectively referred to in this policy as the School unless otherwise stated. This policy applies to all pupils in the School, including the EYFS.

1.3 This policy forms part of the School's whole school approach to promoting child safeguarding and well-being, which seeks to involve everyone at the School to ensure that the best interests of pupils underpins and is at the heart of all decisions, systems, processes and policies.

1.4 Although this policy is necessarily detailed, it is important to the School that our policies and procedures are transparent, clear and easy to understand for staff, pupils, parents and carers. The School welcomes feedback on how we can continue to improve our policies.

2 School rules for behaviour and discipline

- 2.1 The School rules and policies for behaviour and discipline are set by the Head Master, and are necessary:
 - 2.1.1 for the health, safety, welfare, mental health and well-being of everyone at the School;
 - 2.1.2 for the reputation of the School community as a whole; and
 - 2.1.3 for the protection of School property and the wider environment.
- 2.2 The School rules apply to all age groups and at all times when the pupil is:
 - 2.2.1 in or at the School (to include any period of remote provision), representing the School or wearing School uniform;
 - 2.2.2 travelling to and from the School;
 - 2.2.3 on School-organised trips; or
 - 2.2.4 associated with the School at any time.
- 2.3 Pupils are expected to know and understand the School rules and policies, as appropriate for their age, for behaviour and discipline which include:
 - 2.3.1 this policy;
 - 2.3.2 the Pupils Safe and Acceptable Use of ICT Policy;
 - 2.3.3 the Anti-bullying Policy;
 - 2.3.4 the Smoking, Alcohol, Drugs and Substances Policy;
 - 2.3.5 Child Protection and Safeguarding Policy and procedures; and
 - 2.3.6 Online Safety Policy.

The School rules and policies for behaviour and discipline will be amended from time to time and reinforced in assemblies and on other appropriate occasions.

3 Scope

- 3.1 This policy (together with the School rules and all School policies on behaviour and discipline) applies to all pupils at the School and at all times when a pupil is:
 - 3.1.1 in or at School (to include any period of remote provision);
 - 3.1.2 representing the School or wearing School uniform;
 - 3.1.3 travelling to or from School;
 - 3.1.4 on School-organised trips; or
 - 3.1.5 associated with the School at any time.
- 3.2 This policy shall also apply to pupils at all times and places including off-school premises and out of school hours, in circumstances where failing to apply this policy may:

- 3.2.1 affect the health, safety or well-being of a member of the School community or a member of the public;
- 3.2.2 have repercussions for the orderly running of the School; or
- 3.2.3 bring the School into disrepute.

4 **Regulatory framework**

- 4.1 This policy has been prepared to meet the School's responsibilities under:
 - 4.1.1 Education (Independent School Standards) Regulations 2014;
 - 4.1.2 National minimum standards for boarding schools (*Department for Education (DfE), September 2022*);
 - 4.1.3 EYFS Statutory framework for group and school based providers (*DfE, November 2024*);
 - 4.1.4 Education and Skills Act 2008;
 - 4.1.5 Children Act 1989;
 - 4.1.6 Childcare Act 2006;
 - 4.1.7 Data Protection Act 2018 and UK General Data Protection Regulation (**UK GDPR**);
 - 4.1.8 Human Rights Act 1998; and
 - 4.1.9 Equality Act 2010.
- 4.2 This policy has regard to the following guidance and advice:
 - 4.2.1 Keeping children safe in education (DfE, September 2024) (**KCSIE**);
 - 4.2.2 Working together to safeguard children 2023 (DfE, updated February 2024);
 - 4.2.3 Information sharing advice for safeguarding practitioners (DfE, May 2024);
 - 4.2.4 Behaviour in schools: advice for headteachers and school staff (DfE, February 2024);
 - 4.2.5 Use of reasonable force (DfE, July 2013);
 - 4.2.6 Searching, screening and confiscation: advice for schools (DfE, July 2022 in force from 1 September 2022);
 - 4.2.7 Mobile phones in schools: guidance (DfE, February 2024);
 - 4.2.8 Sharing nudes and semi-nudes: advice for education settings working with children and young people (UKCIS, December 2020);
 - 4.2.9 Mental health and behaviour in schools (DfE, November 2018);
 - 4.2.10 Creating a school behaviour culture: audit and action planning tools (DfE, April 2024);
 - 4.2.11 Equality Act 2010: advice for schools (DfE, May 2014, updated June 2018);

- 4.2.12 Police and Criminal Evidence Act 1984 and Code of Practice PACE Code C 2019;
 - 4.2.13 Guidance for appropriate adults (Home Office, April 2003); and
 - 4.2.14 Relationships education, relationships and sex education and health education (DfE, September 2021).
- 4.3 The following School policies, procedures and resource materials are relevant to this policy:
- 4.3.1 anti-bullying policy;
 - 4.3.2 expulsion, removal and review policy;
 - 4.3.3 risk assessment policy for pupil welfare;
 - 4.3.4 acceptable use of ICT policy for pupils;
 - 4.3.5 online safety policy;
 - 4.3.6 child protection and safeguarding policy and procedures;
 - 4.3.7 smoking, alcohol, drugs and substances policy;
 - 4.3.8 SEN policy;
 - 4.3.9 staff code conduct;
 - 4.3.10 school rules;
 - 4.3.11 relationships and sex education policy; and
 - 4.3.12 PSHEE policy.

5 Definitions

- 5.1 Where the following words or phrases are used in this policy:
- 5.1.1 References to the **Proprietor** are references to the Board of Governors of St. Peter's School, York (registered charity number 1141329).
 - 5.1.2 References to **working days** mean Monday to Friday, when the School is open during term time. The dates of terms are published on the School's website. In the event that the application of this definition is likely to introduce excessive delays, due to intervening School holidays, the School's approach is to take sensible and reasonable steps so as to minimise any hardship or unfairness arising from such delays.
 - 5.1.3 References to the **Head Master** mean the Head Master of the School and/or the Heads of each school where applicable.
 - 5.1.4 References to **Parent** or **Parents** includes one or both of the parents, or those with parental responsibility, or care of a child e.g. legal guardian or education guardian. Communications or instructions from one of the Parents, or any person with parental responsibility, shall be deemed by the School to be received from both Parents unless there is clear evidence of a contrary view. This requirement does not apply to the giving of notice for cancellation of a place or the withdrawal of a pupil from the School. The

persons required to consent or give notice of cancellation or withdrawal are set out in the parent contract.

6 Responsibility statement and allocation of tasks

- 6.1 The Proprietor has overall responsibility for all matters which are the subject of this policy.
- 6.2 In discharging of its responsibilities under this policy, the Proprietor expects school leaders and staff to undertake the following roles:
- 6.3 School leaders will:
 - 6.3.1 be highly visible, routinely engage with pupils, parents and staff on setting and maintaining the behaviour, culture and an environment where everyone feels safe and supported;
 - 6.3.2 play a crucial role in making sure all staff understand behavioural expectations and the importance of maintaining them;
 - 6.3.3 make sure all new staff are inducted clearly into the School's behaviour culture to ensure they understand its rules and routines and how best to support all pupils to participate in creating the culture of the school;
 - 6.3.4 consider any appropriate training which is required for staff to meet their duties and functions within the behaviour policy;
 - 6.3.5 ensure staff have adequate training on matters such as: how certain special educational needs, disabilities or mental health needs may at time affect a pupils behaviour; and
 - 6.3.6 encourage engagement with experts e.g. education psychologists, counsellors and mental health support teams to inform effective implementation and design of behaviour policies and this links to the whole school approach to mental health and wellbeing.
- 6.4 School staff will:
 - 6.4.1 play an important role in developing a calm and safe environment for pupils and establish clear boundaries of acceptable pupil behaviour;
 - 6.4.2 uphold the whole school approach to behaviour by teaching and modelling expected behaviour and positive relationships, as defined in this policy, so pupils can see examples of good habits and confident to ask for help when needed;
 - 6.4.3 challenge pupils to meet the school expectations and maintain boundaries of acceptable conduct;
 - 6.4.4 communicate school expectations, routines, values and standards (set out in Appendix 1) both explicitly through teaching behaviour and in every interaction with pupils; and
 - 6.4.5 consider the impact of their own behaviour on school culture and how they can uphold the school rules and expectations in addition to those set out in the staff code of conducts.

6.5 In order to achieve this, the Proprietor has allocated the following tasks:

Task	Allocated to	When / frequency of review
Keeping the policy up to date and compliant with the law and best practice	Designated Safeguarding Lead	As required, and at least termly
Reviewing induction and ongoing training for staff	Designated Safeguarding Lead	As required, and at least termly
Monitoring the implementation of the policy, relevant risk assessments and any action taken in response and evaluating effectiveness	Designated Safeguarding Lead	As required, and at least termly
Formal annual review including effectiveness of policy and procedures in promoting good behaviour and review of patterns and trends relating to disciplinary measures taken	Proprietor	Annually

7 Promoting high standards of behaviour

- 7.1 Pupils are educated about good behaviour through the operation of the School's curriculum, PSHE, relationships education / relationships and sex education programmes and the School's pastoral support systems. Pupils are encouraged to act responsibly and, through the operation of this policy, to accept responsibility for their behaviour. This includes teaching pupils explicitly what good behaviour looks like (for example, through the teaching of the School rules, good habits and routines).
- 7.2 The School understands that rewards can be more effective than punishment in motivating pupils. The ways in which the School may reward good behaviour are set out in Appendix 2.
- 7.3 The School recognises that where challenging behaviour is related to a pupil's disability, use of positive discipline and reward methods may enable the School to manage the pupil's behaviour more effectively and improve their educational outcomes.
- 7.4 Where appropriate, staff should also take account of any contributing factors that are identified after a behaviour incident has occurred e.g. if the pupil has suffered a bereavement, experienced abuse or neglect, has mental health needs, has been subject to bullying, has needs including SEND (including any not previously identified), has been subject to criminal exploitation, or is experiencing significant challenges at home.

7.5 Responding to unacceptable behaviour:

- 7.5.1 When a member of school staff becomes aware of unacceptable behaviour, they should respond in a consistent, fair, proportionate and timely manner in accordance with this policy.
- 7.5.2 The first priority will be to ensure the safety of pupils and de-escalation techniques can be used to prevent further behaviour issues arising.
- 7.5.3 The School recognises that taking disciplinary action and providing appropriate support are not mutually exclusive actions. They can and should be used at the same time if necessary.
- 7.5.4 The School adopts a culture of openness and transparency and, where there are any concerns regarding breaches of discipline, contact should be made with the School at the earliest opportunity. All concerns are taken seriously including scenarios where suspicions or breaches of discipline appear minor.
- 7.5.5 The School has pastoral support systems in place to assist pupils in managing their behaviour. A range of sanctions are available for those who breach the School rules and policies for behaviour and discipline.

8 Minor breaches of discipline

- 8.1 Allegations, complaints or rumours of minor breaches of discipline are dealt with by staff as they occur. Staff may carry out informal investigations and / or interviews with the pupils involved and impose low level sanctions. Examples of low level sanctions used at the School for those who breach School rules and policies for behaviour and discipline are set out in Appendix 2.
- 8.2 A minor breach of discipline may be referred to a senior member of staff and external agencies (where appropriate) prior to, during or following an informal investigation.
- 8.3 When considering the appropriate sanction, the risks posed to pupil welfare by an individual's behaviour will be assessed. This may include consideration of how any action taken, sanctions applied or inaction may affect that individual's welfare and, where appropriate, how it may affect other pupils' welfare and/or the School community as a whole.

9 Serious breaches of discipline

- 9.1 Serious breaches of discipline should be referred to the Head of the relevant part of the School and/or the Head Master who will arrange appropriate investigation in accordance with Appendix 3. The relevant Deputy Head must also be consulted in all cases of breach of discipline where there may be special circumstances which should be taken into consideration (see also paragraph 10.3 below).
- 9.2 The main categories of misconduct which are likely to be considered to be serious breaches of discipline and which may therefore result in expulsion or a requirement to leave the School include but are not limited to:
 - 9.2.1 supply which means providing or sharing (whether or not for money or other consideration) or facilitation of supply e.g. sale, exchange or sharing (which includes promotion / advertisement or facilitating supply) / possession / use of drugs and solvents or their paraphernalia or substances intended to

- resemble them, or alcohol, tobacco or e-cigarettes/vapes as prohibited by the School policy on smoking, alcohol, drugs and substances;
- 9.2.2 actual or attempted theft, blackmail, intimidation, cyber-based bullying, prejudice-based bullying, discriminatory-based bullying or other potentially criminal offences including being an accessory or conspirator;
- 9.2.3 physical violence and / or abuse (which may include but is not limited to hitting, kicking, shaking, biting and hair pulling);
- 9.2.4 physical or emotional abuse or harassment (to include behaviour that may be categorised as "banter", "just having a laugh", "part of growing up" or "boys being boys");
- 9.2.5 initiation / hazing type violence and rituals (which may include but is not limited to activities involving harassment, abuse or humiliation used as a way of initiating a person into a group);
- 9.2.6 abuse in intimate personal relationships between peers (teenage relationship abuse);
- 9.2.7 sexual violence, sexual harassment and upskirting and other harmful / inappropriate sexual behaviour;
- 9.2.8 consensual and non-consensual sharing of nudes and semi-nude images and / or videos (including digitally manipulated or AI-generated nude and semi-nude images);
- 9.2.9 behaviour in contravention of the School's policies on the acceptable use of technologies or online safety;
- 9.2.10 supply or possession of pornography;
- 9.2.11 behaviour which may constitute a criminal offence, such as:
- (a) possession or use of firearms, knives or other weapons;
 - (b) vandalism, defacement and / or destruction of school property;
- 9.2.12 persistent minor breaches of discipline or attitudes or behaviour which are inconsistent with the School's ethos;
- 9.2.13 other misconduct which affects the welfare of a member or members of the School community or which brings the School into disrepute (single or repeated episodes); and
- 9.2.14 other misconduct specifically provided for in the School's parent contract and School rules.
- 9.3 An allegation, complaint or rumour of a serious breach of discipline will be investigated in accordance with the procedures set out in Appendix 3.
- 9.4 Complainants will be taken seriously and the School will carefully discharge its duty of care to both complainants and those pupil(s) accused. Reporting concerns is encouraged by the School. A complainant is not creating a problem by reporting an allegation, complaint or rumour and should not feel ashamed or embarrassed for making a report.

- 9.5 If the findings of the investigation, on the balance of probabilities, support the allegation, complaint or rumour of a serious breach of discipline, a disciplinary meeting will be held in accordance with the procedures set out in Appendix 4.
- 9.6 The School will act fairly and in accordance with the principles of natural justice and will ensure that where a pupil's place at the School is at risk, the Parents and the pupil are provided with sufficient information about the allegations to understand them and the factual findings made in the investigation; and will have an opportunity to make representations about:
- 9.6.1 the factual findings made;
 - 9.6.2 whether or not they constitute serious misconduct; and
 - 9.6.3 the possible sanctions under consideration.
- 9.7 Sanctions imposed will be fair and proportionate to the breach.
- 9.8 If a pupil is withdrawn from the School before the conclusion of disciplinary procedures, the School reserves the right to complete the procedures, in the absence of the pupil and the parents if necessary, and to make appropriate findings. The School reserves the right to report these findings to regulators and / or local authorities / police and / or refer to disciplinary procedures and findings in references provided for the pupil.
- 9.9 **Intervention, support and reintegration**
- 9.10 The School will, as far as practicable, adopt a range of initial intervention strategies to help pupils manage their behaviour and reduce the likelihood of suspension and permanent exclusion. The School has structures in place to ensure leaders are aware of pupils whose behaviour is a cause for concern.
- 9.11 The range of intervention strategies that the School may put in place include as appropriate, but are not limited to:
- 9.11.1 frequent and open engagement with parents;
 - 9.11.2 providing mentoring and coaching;
 - 9.11.3 short-term behaviour report cards or longer-term behaviour plans; and
 - 9.11.4 engaging with local partners and agencies to address specific challenges such as poor anger management, a lack of resilience and difficulties with peer relationships and social skills.
- 9.12 Where the School has serious concerns about a pupil's behaviour it will consider appropriate interventions, including but not limited to, whether an assessment of a pupil's SEND is appropriate; where a pupil has an Education, Care and Health Plan, whether an emergency review is appropriate and/or whether a multi-agency assessment is appropriate.
- 9.13 Following a sanction, the School will consider appropriate strategies to help the pupil(s) involved understand how to improve their behaviour and meet the behaviour expectations of the School. As far as reasonably practicable, this support will be delivered by appropriately trained designated staff.

9.13.1 The School will consider and apply appropriate strategies for the reintegration of a pupil, for example, following removal from the classroom, or suspension.

9.14 **The role of parents**

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

9.14.2 Parents will normally be informed as soon as reasonably practicable of any suspicion that their child has been involved in serious misconduct but may be prevented from doing so immediately e.g. by the police if they are involved.

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

9.16 Parents will also be notified of disciplinary sanctions:

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

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

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

10 **The role of pupils**

10.1 Every pupil will be made aware of the School's behaviour standards, expectations, pastoral support and the School's approach to a failure to meet required standards. Pupils will be taught they have a duty to follow the School behaviour policy and uphold the School rules and should contribute to the school culture.

10.2 Pupils should be asked about their experience of behaviour and asked to provide feedback on the School's behaviour culture. Every pupil will be supported to achieve the behaviour standards, including an induction process that familiarises them with the school behaviour culture.

10.3 **Additional needs**

10.4 In respect of a pupil with a disability as defined by the Equality Act 2010, the School will make such adjustments to this policy and its implementation as it is reasonable to have to make to avoid substantial disadvantage to pupil. In making such adjustments and considering the action to be taken under this policy (as adjusted), the School will have regard to the following:

10.4.1 whether reasonable steps have been taken to understand and address the pupil's educational and or other needs or vulnerabilities;

10.4.2 whether all reasonable adjustments have been made to try to manage the behaviour(s) which are under consideration;

10.4.3 whether in the light of conclusions reached in respect of 10.4.1 and 10.4.2, the action to be taken under this policy is a proportionate means of achieving one or more of the School's legitimate aims, which include:

- (a) ensuring that education, benefits, facilities and services are targeted at those who most need them;
- (b) the fair exercise of powers;
- (c) ensuring the health and safety of pupils and staff, in light of clearly identified risks (with due attention to the potential need to refer concerns arising externally as required under the School's child protection and safeguarding policy and procedures;
- (d) maintaining academic and behaviour standards; and
- (e) ensuring the well-being and dignity of pupils.

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

10.5 **Safeguarding and child-on-child abuse**

10.5.1 Some behaviour by a pupil towards another may be of such a nature that safeguarding concerns are raised. The School will adopt a zero tolerance approach to abuse in order to prevent harm to children. Safeguarding issues can manifest themselves via child-on-child abuse. This includes, but is not limited to:

- (a) bullying (including cyber-bullying, prejudice-based and discriminatory-based bullying);
- (b) physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (which may include an online element which facilitates, threatens and / or encourages physical abuse);
- (c) sexual violence and sexual harassment (which may include an online element which encourages sexual violence);
- (d) causing somebody to engage in sexual activity without consent;
- (e) upskirting and / or attempts to commit upskirting;
- (f) consensual and non-consensual sharing nudes and semi-nudes images and or videos including digitally manipulated or AI-generated images and or videos. This is also known as sexting or youth produced sexual imagery; and
- (g) initiation / hazing type violence and rituals (which may include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element).

10.5.2 Child-on-child abuse can occur both inside and outside of School and may be taking place whilst not being reported. A one size fits all approach is not

appropriate for all pupils, and a contextualised approach for more vulnerable pupils, victims of abuse and pupils with special educational needs and disabilities may be required. Certain behaviours, for example dismissing sexual harassment as "just banter", "just having a laugh", "part of growing up" or "boys being boys" can lead to a culture of unacceptable behaviours and create an unsafe environment for pupils. In worst case scenarios, dismissing sexual harassment can lead to a culture that normalises abuse and pupils accepting it as normal and not coming forward to report it.

10.5.3 Technology is a significant component in many safeguarding and well-being issues. Pupils are at risk of abuse online as well as face to face. This can take the form of abusive, harassing, and misogynistic messages, the non-consensual sharing of indecent images, especially around chat groups, and the sharing of abusive images and pornography.

10.5.4 In line with the School's aims and culture of openness and encouragement to report, the School's policy and procedures with regard to child-on-child abuse are set out in the School's Child Protection and Safeguarding Policy. If behaviour and discipline matters give rise to a safeguarding and child protection concern, either in relation to the alleged victim(s) or perpetrator(s) or, more widely, in relation to ensuring the safety and welfare of pupils and / or staff, the DSL (or a deputy) should take a leading role in decision making and the procedures in the Child Protection and Safeguarding Policy will take priority).

11 Malicious allegations

- 11.1 Where a pupil makes an allegation which is determined to be unsubstantiated, unfounded, false or malicious, the Designated Safeguarding Lead will consider whether the pupil is in need of help or may have been abused by someone else and this is a cry for help. A referral to external agencies may be appropriate in these circumstances. The Head Master will also consider whether to take disciplinary action against the pupil in accordance with this policy.
- 11.2 Where a parent has made a deliberately invented or malicious allegation the Head Master will consider whether to require that parent to remove their child or children from the School on the basis that they have treated the School or a member of staff unreasonably and compromised the requirement for mutual trust and confidence.
- 11.3 The School will consider a malicious allegation to be one where there is sufficient evidence on the balance of probabilities to disprove the allegation and that, by the same test there is sufficient evidence that there has been a deliberate act to deceive.

12 Use of reasonable force

- 12.1 Any use of force by staff will be reasonable, proportionate and lawful. Reasonable force will be used as set out in Appendix 5. More detailed guidance about the use of reasonable force is provided to staff in the Code of Conduct.
- 12.2 Corporal punishment is not used at the School and force is never used as a form of punishment.

13 Searching pupils

- 13.1 School staff may search a pupil or their possessions and boarding accommodation for any item if the pupil agrees. If a member of staff suspects that a pupil has a banned item in their possession, they can instruct the pupil to turn out their pockets or bag. If the pupil refuses, sanctions will be applied in accordance with this policy.
- 13.2 If a pupil refuses to co-operate with a search, the Head Master and staff authorised by the Head Master, may use reasonable force to search a pupil or a pupil's possessions, where they have reasonable grounds for suspecting that a pupil has a certain type of prohibited item in their possession. Please see Appendix 6 for the School's policy on searching and confiscation and the definition of "prohibited items" for which force may be used.

14 Staff training

- 14.1 The School ensures that regular guidance and training is arranged on induction and at regular intervals thereafter so that staff and volunteers understand what is expected of them by this policy and have the necessary knowledge and skills to carry out their roles. This includes:
- 14.1.1 how staff can support pupils in meeting high standards of behaviour;
 - 14.1.2 how staff can ensure that this policy and sanctions is applied in a way that is consistent, fair, proportionate and predictable way; and
 - 14.1.3 where applicable to reflect the need of particular pupils.
- 14.2 The level and frequency of training depends on the role of the individual member of staff.
- 14.3 The School maintains written records of all staff training.

15 Risk assessment

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

16 Record keeping

- 16.1 All records created in accordance with this policy are managed in accordance with the School's policies that apply to the retention and destruction of records.
- 16.2 The School will keep a separate record for:
- 16.2.1 allegations and concerns reported in respect of:
- (a) sexual harassment or sexual violence;
 - (b) bullying, discriminatory and prejudiced behaviour, either directly or indirectly, including racist, sexist, disability and homophobic / biphobic / transphobic bullying, use of derogatory language and racist incidents; and
 - (c) exclusions and suspensions, pupils taken off roll, incidents of poor behaviour, use of internal isolation and sanctions imposed for serious misbehaviour.
- 16.3 The record will include the name and year group of the pupil concerned, the nature and date of the offence, the sanction imposed and reason for it including relevant dates, the name of the person responsible for overseeing the punishment and identifying whether these are relating to boarding.
- 16.4 The School will keep a record of any search by a member of staff for a 'prohibited item' and all searches conducted by police officers. This will be recorded in the School's safeguarding reporting system, CPOMS.
- 16.5 This record is reviewed regularly by the DSL, Deputy Head, the Pastoral Deputy and a briefing given to the Head Master to ensure that patterns of behaviour are being monitored and that there is an appropriate balance between the disciplinary and safeguarding processes. This will also help if / when responding to any complaints about the way a case has been handled by the School.
- 16.6 The records created in accordance with this policy may contain personal data. The School's use of this personal data will be in accordance with data protection law. The School has published on its website a number of privacy notices which explain how the School will use personal data.

Authorised by	The Board of Governors March 2024
Policy owner (SPLT)	The Head Master
Next Review	Easter Term 2025

Appendix 1 School rules

St Peter's 2-8

At 2-8 we have three behaviour expectations.

Be Safe
Be Respectful
Be Ready

Children are taught what constitutes appropriate behaviour for these in line with their age and stage of development so the expectation increases with age.

Common for all children

Be Safe - walk inside school, hold the rail on the stairs and stay on the left, use kind hands and feet, follow all instructions from staff, line up quietly and sensibly.

Be Respectful - kind words, inside voices, greet each other, say please and thank you, look after school property and own belongings, come into assembly without talking, taking turns, share resources.

Be Ready - Always be ready for learning, listen and respond to instructions, have the learning resources and correct kit.

Consequences (appropriate to age and stage and type of incident/behaviour)

- Restorative talk with teacher/TA warning of consequence if repeat of behaviour
- Excluded from activity for a fixed period e.g. not allowed to play football at playtime
- Miss part of a playtime or golden time
- Write letter of apology if appropriate
- Talk with Deputy Head/Head
- Parents contacted to support
- Behaviour plan may
- Work with TA on emotional regulation

St Peter's 8-13

SCHOOL BEHAVIOUR CODE

Our School Behaviour Code is based around our five Core Expectations:

Be Honest

Act responsibly

Listen to each other

Do your best to be your best

Treat others as you want to be treated

Always tell the truth, especially when you tell your parents your version of what went on at school. Don't miss out bits that you don't want them to know. When you do something wrong, take immediate responsibility for it, own up and apologise. We all make mistakes and have to learn from them.

Think before you speak or act - be honest, but only speak the kind truth. Remember others may not appreciate your attempts at humour. Include others in your games. Never hurt others through overly rough play.

Respect other people and their belongings - stay out of other people's lockers, bags and blazers; always ask before borrowing something; hiding things in an attempt to be funny is never funny for the other person.

School toilets are not social areas so do not treat them as such. They are also not places to go and use your mobile phone, eat food or gossip.

Your online behaviour should be exemplary - think before you press 'send' or post something. Would you be happy for your grandparents to see what you are typing or posting? Remember that words can be much more hurtful when sent online because so many people can see them and you have no idea who they will be passed on to. If someone is saying unkind things about you online, take a screen shot or print off the page and show it to your parents or an adult.

Mobile phones must be handed in to reception at the start of the day and can be collected from there at the end of the day. If you need to use your phone during the day then you must have permission from a member of staff.

Always be an excellent ambassador of the school - this includes travelling to and from school, on trips and visits, on sports fixtures and the way you talk to other people about our school.

The Essentials

We show respect by...

- walking on the left in corridors and on stairs
- standing aside or holding doors open for others
- speaking respectfully to all staff and pupils
- being careful around display boards, exhibits and other work
- keeping the school tidy & putting litter in the bin
- being punctual and waiting quietly before lessons
- listening politely to others, before speaking

We demonstrate responsibility by...

- getting ourselves ready for lessons quickly and without fussing
- looking smart and wearing the correct school uniform
- helping others where we see a need
- keeping our lockers tidy
- changing into trainers for outside play
- only eating in the Dining Room or outside

St Peter's 13-18

Expectations for behaviour in specific settings

Our community works best when staff, pupils and parents work together to support expectations. The list below is not exhaustive, but it is a guide to what is expected of a Peterite in various circumstances. At all times, we expect to be behaviour to be considerate of others and respectful of the privilege of attending St Peter's.

- **In classrooms.** Classrooms, and all other educational spaces, are places to nurture and develop a love of learning. All pupils have a right to learn without fear of disruptive, exclusionary or unkind behaviour, and therefore we have high expectations for behaviour in class. Any criticism of the efforts, attainment or interests of others will not be tolerated. The School will support teachers when applying on-the-spot informal sanctions, which may include asking a pupil to leave the room. In cases where there has been either a serious incident, or repeated lower-level disruption, the Houseparent and the Head of Department will be made aware.
- **In Houses and social spaces.** House spaces, including common rooms, should be welcoming spaces for all pupils. Hierarchy has no place in these locations, and while some privileges do come with age, all pupils are equal in their right to enjoy their pastoral spaces. House spaces should be relaxed, and informal, and high standards of friendliness and inclusion are expected from all pupils, whether in person or while using mobile devices. All pupils have a right to equal access to their own pastoral space, and to be confident that they and their possessions will be treated respectfully.
- **When representing St Peter's in sports and activities.** Representing St Peter's in any sport or activity, at any level, is an important and valued part of our educational model. Many sports and activities will have their own rules and codes of conduct, but high expectations of courtesy and inclusion always apply. Duties of sporting behaviour and courtesy apply at all times, whether we are hosting, or the guests of another school. This respect and courtesy extends to pupils, staff, parents, and match officials of other schools.
- **Around campus.** Wherever we are on campus, we have a duty to make everyone else to feel welcome and included, whether in the gym, changing rooms, in the lunch queue, on staircases or in corridors. Our School's culture is the sum of everyone's behaviour to everyone else, day in and day out. Respect for our campus also includes basic common sense in the disposal of our own litter, and respect for furniture and fittings.
- **On social media and messaging apps.** Modern platforms for communication can have many positive uses, including helping to keep us in connected as a community. Use of language, video and image can be very different online compared to formal written communication, but that can never excuse bullying, harassment, hate-speech of any form, or the sharing sexual or other inappropriate images. The school is allowed to check mobile devices if it has reason to believe that they have been used to share text, video or images that are either illegal or in breach of the rules, whether this was done in or out of school, term-time or during the holidays.
- **On school trips.** School trips are one of most valued features of a St Peter's education, as they extend and enrich our understanding of the world around us. Pupils participating in school trips are ambassadors for St Peter's, wherever they are in the world. All school rules apply when on school trips, as do any further rules imposed by the trip leader in order to ensure the safety of all pupils (e.g. relating to bounds, swimming or access to balconies).

Banned Items

- Knives / weapons and other items which could cause injury
- Mobile phones including devices that take photographs and/or connect to the internet (Year 8 and below)
- Drugs / alcohol (including vapes)
- Pornography
- Racist or offensive material

Appendix 2 Rewards and sanctions

Rewards

St Peter's 2-8:

Informal positive comments

Informal Stickers

Behaviour Stars / House Points

Personal cards / postcards written to the children

Golden Time

Superstar's awards

Good Conduct awards

St Peter's 8-13:

Verbal praise

Expectation Points (EPs)

Merits

Distinctions

Postcards home

Assemblies

Citizenship Awards (J5)

Music and Sports colours (J5)

St Peter's 13-18:

Verbal praise

Cards and letters home

Assemblies

Prize giving

Merits

House colours

School colours

Caps

St Peter's Award

Appointments to positions of responsibility such as House monitors and Heads of Houses

Sanctions

The School will ensure that sanctions imposed for breach of expected standards of conduct are reasonable in all of the circumstances, and proportionate in the circumstances of the case.

The person imposing the sanction will have reference to this policy and to the example sanctions set out. They will also consider any special circumstances relevant to its imposition including;

- the pupil's age;
- any special educational needs or disability they may have; and
- any religious requirements affecting them.

Taking disciplinary action and providing appropriate support are not mutually exclusive actions. They can and should occur at the same time if appropriate.

In addition to the particular sanctions set out in this Appendix, the Head Master may prescribe and authorise the use of such other sanctions as comply with good education practice and promote good behaviour and compliance with the School rules. Alternative arrangements for sanctions can be considered on a case-by-case basis for any pupil where the school believes an alternative arrangement would be more effective for that particular pupil, based on their knowledge of that pupil's personal circumstances. The School will have regard to the impact on consistency and perceived fairness overall when considering alternative arrangements.

Sanctions - by school - for lower level breaches

St Peter's 2-8:

Matter discussed with child

Golden Time Minutes Removed

Minutes of playtime may be lost (in classroom)

Minutes of playtime may be lost (in playground)

Letters of apology

St Peter's 8-13:

Verbal reprimands

Mentor Meetings

House Tutor Meetings

Meetings with teachers / parents

SLT Lunchtime Detention

Head's Detention (after school on Saturday)

St Peter's 13-18:

Withdrawal of 'free time' (e.g. 'gating')

Letter to parents & after-school house tasks allocated

Sanction - school tasks

Tidy-up during arranged 'free time'

24 hour House visitor ban

Confiscation of equipment as appropriate

Detentions, including Head Master's detentions which may take place on Saturdays or Sundays

Sanctions for serious breaches of discipline (applicable to all of the schools)

Suspension: For serious breaches of discipline, a pupil may be released home for a limited period either as a disciplinary sanction or as a neutral act pending the outcome of an investigation or a Governors' Review Meeting.

Removal: The parents may be required to remove a pupil from the School or from boarding if, after consultation with one or more of the parents and if appropriate the pupil, the Head Master is of the opinion that:

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

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

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

Appendix 3 Investigation procedure for serious breaches

1. The Head Master will generally appoint a senior member of staff, usually the relevant Deputy Head, to carry out an investigation of an allegation, complaint or rumour of serious breaches of discipline, but if appropriate, the Head Master may investigate matters themselves or instruct a third party to undertake the investigation. The purpose of such an investigation is to make findings on the balance of probabilities, where possible, as to what has happened. The investigator should not have had any prior involvement in the management of any of the matters under investigation.
2. If the pupil is to be interviewed as part of the investigation, consideration will be given as to whether the pupil should be accompanied by a Parent or member of staff and in any event a note of the interview will be made by the interviewing member of staff or a colleague.
3. Arrangements may be made for a pupil to be taught outside of their normal cohort or may be suspended from the School as a neutral act) pending the outcome of a disciplinary process. Should a suspension continue for a period of more than five School days, the School will take reasonable steps to put in place arrangements to ensure the continuing education of the pupil and will keep the terms of the suspension under regular review. Parents should note that there may be a delay in providing work whilst teaching staff are given the opportunity to determine what work should be set. Alternatively, and at the discretion of the Head Master, the pupil may be offered a segregated regime on School premises.
4. **Search:** A pupil's space or following appropriate risk assessment belongings may be searched during the course of an investigation. See Appendix 6 of this policy for the School's policy on searching and confiscation.
5. It may be necessary to delay the School's investigation or put it on hold, for example where external agencies such as the police or social services are involved and have recommended this. A decision to suspend an investigation will take into account advice from appropriate external agencies and will be subject to periodic review. In relation to alleged sexual violence or sexual harassment, the School will have regard to KCSIE and the School's Designated Safeguarding Lead (or a deputy) will take a leading role on decisions.
6. If considered necessary, the School may make arrangements for legal representation for the pupil to be funded entirely at the parents' expense. Regardless of delays caused by a police or other external agency investigation, the School will provide appropriate pastoral and other support for all pupils (including the victim and / or the perpetrator(s)) affected by the allegations under investigation while they remain on the School roll.
7. Where the pupil is the subject of a police investigation the DSL will liaise with the Head Master to inform them of issues relating to the police investigations and the statutory requirements for children to have an appropriate adult. The role of the appropriate adult is to safeguard the rights, entitlements and welfare of juveniles to whom the provisions of PACE code C and any other code of practice apply.
8. The outcome of the investigation, where delegated to a member of staff or other third party, will be reported to the Head Master. If the findings of the investigation appear to support the allegation, complaint or rumour, a disciplinary

meeting will then be convened in accordance with the procedures in Appendix 4 of this policy.

- 9 Considerations when there is suspected criminal behaviour:
 - 9.1 Before investigating a behaviour incident, the School will consider whether a criminal offence may have been committed and should be reported to the Police.
 - 9.2 The School will carry out the minimum investigation required to be able to establish this, and before making a decision, will consider its duty to safeguard the pupils of the School (including any victims or alleged perpetrators) by assessing and balancing the risk of reporting the matter to the Police on the mental health and wellbeing of the pupil and others, as well as the risk of not making a report to the Police.
 - 9.3 Where a report is made to the Police, the School will not act in a way which could prejudice a criminal investigation.
 - 9.4 Depending on the individual circumstances of the case, and usually having liaised with the Police, the School may decide to continue its investigation and impose sanctions.
 - 9.5 The School will follow its child protection and safeguarding policy and procedures at all times, and when making a report to the Police it may also be appropriate to make a report to Children's Social Care Services, usually led by the DSL.

Appendix 4 Disciplinary meeting with the Head Master

1. Where the findings of the investigation into an allegation, complaint or rumour of a serious breach of discipline appear to support the allegation, complaint or rumour, a disciplinary meeting with the Head Master will take place.

Preparation:

2. **Attendance:** The pupil and their parents (if available) will be invited to attend the disciplinary meeting with the Head Master. Where the complaint concerns the behaviour of the Parents, the pupil will not generally be entitled to attend the meeting and this procedure applies to the Parents only.

The pupil may also be accompanied by a member of staff of their choice, with the agreement of that member of staff. The role of the member of staff is to speak on behalf of the pupil's character at the meeting. Parents may not contact the member of staff formally or informally before or after the meeting.

The person who undertook the investigation will be in attendance to explain the circumstances of the complaint and their investigation and findings and an additional member of staff will be present to minute the meeting.

If the parents or the pupil have any special needs or disability which call for additional facilities or adjustments (e.g. parking or the provision of documents in large print or other accessible format) those requirements should be made known to the Head Master or Deputy Head as soon as reasonably practicable so that appropriate arrangements can be made.

If a Parent is unable to attend because of, for example, travel and working commitments, the School will make reasonable alternative arrangements to ensure the Parent can be involved, remotely if necessary with the disciplinary process and their child's education.

3. **Meeting:**

The Chair of Governors will be informed of the meeting.

Documents available at the disciplinary meeting with the Head Master may include:

- a statement setting out the allegations regarding the pupil, or where applicable, the parents and the findings made;
- relevant documents including:
 - (i) the Investigation Report;
 - (ii) the pupil's conduct record;
 - (iii) the relevant School policies and procedures.

The pupil and their parents will have an opportunity to make representations on:

- 1.1.1 the investigator's findings;
- 1.1.2 whether they constitute serious misconduct;
- 1.1.3 the appropriate sanction to be imposed.

The Head Master will inform the pupil and their parents of the range of disciplinary sanctions which the Head Master considers are open to them.

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

The decision: The Head Master will consider:

- whether the allegation, complaint or rumour has been sufficiently proved. The standard of proof shall be the civil standard, i.e. the balance of probabilities;
- Whether the findings constitute serious misconduct; and
- The appropriate sanction to be imposed (and the pupil's disciplinary record and any mitigating factors will be taken into account where the complaint concerns the conduct of the pupil).

The Head Master may expel or remove a pupil or impose any other sanction they consider to be appropriate in accordance with this policy.

The Head Master will notify the parents of their decision in writing, with reasons, within three working days of the disciplinary meeting.

4. **Delayed effect:** A decision to expel or remove a pupil shall take effect within five working days of the date of the Head Master's letter confirming their decision. Until then, the pupil may remain suspended and away from School premises.

5. **Review**

The parents or the pupil may request a Governors' Review Meeting of the Head Master's decision to expel or remove the pupil from the School or where the pupil is suspended from the School for 11 working days or more where a suspension would result in the pupil missing a public examination. The request for a review must be made in writing within five working days of the date of the Head Master's letter confirming their decision.

If such a request is made the pupil shall remain suspended until the Governors' Review Meeting has taken place and either the sanction is upheld or a reconsidered decision made.

See the Expulsion, Removal and Review Policy for further information about requesting a Governors' Review Meeting and the detail of the procedure.

6. **Leaving status**

If a pupil is expelled or removed, their leaving status will be one of the following: expelled, removed or, if the offer is made by the Head Master and accepted by the parents, withdrawn by parents.

Additional points of leaving status to be considered may include:

- the form of letter which will be written to the parents and the form of announcement in the School;
- the form of reference which will be supplied for the pupil;

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

Appendix 5 Use of reasonable force

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

Appendix 6 Searching and confiscation

All schools have a general power to impose reasonable and proportionate disciplinary measures (Education and Inspections Act 2006). This enables a member of staff to confiscate, retain or dispose of a pupil's property as a disciplinary penalty where it is reasonable to do so.

The School's policy on searching and confiscation has regard to the DfE guidance *Searching, screening and confiscation: advice for schools* (DfE, July 2022, in force from September 2022).

1 Prohibited items

1.1 The following are "prohibited items" under Section 550ZA(3) of the Education Act 1996 and Regulation 3 of the Schools (Specification and Disposal of Articles) Regulations (SI 2012 / 951) and are referred to as such in the Searching, Screening and Confiscation guidance:

- 1.1.1 knives or weapons, alcohol, illegal drugs and stolen items;
- 1.1.2 tobacco and cigarette papers, fireworks and pornographic images;
- 1.1.3 any article that a member of staff reasonably suspects has been, or is likely to be used:
 - (a) to commit an offence; or
 - (b) to cause personal injury to, or damage to the property of, any person (including the pupil); and
- 1.1.4 any item banned by the School rules that are identified as being items which may be searched for (note that the School will never use force to search for these items: see paragraph 2.3 below).

These are referred to as "prohibited items".

1.2 The School has banned these items as it reasonably believe them to be likely to cause harm or disruption. Pupils must not have these items in their possession on School premises or at any time when they are in the lawful charge and control of the School.

2 Searching pupils

- 2.1 Under common law, school staff have the power to search for any item if a pupil agrees. The member of staff undertaking the search should ensure the pupil understands the reason for the search and how it will be conducted so their agreement is informed.
- 2.2 When exercising these powers the school must consider the age and needs to pupils being searched or screened. This includes the individual needs to learning difficulties of pupils with Special Educational Needs (SEN) and making reasonable adjustments that may be required where a pupil has a disability.
- 2.3 If a pupil refuses to co-operate with a search for items that are not "Prohibited Items" as listed in 1.1 above, disciplinary action may be taken in accordance with the School's behaviour and discipline policy.

- 2.4 The decision to use reasonable force should be made on a case-by-case basis in accordance with Appendix 5. Consideration will be given as to whether conducting the search will prevent the pupil harming themselves or others, damaging property or causing disorder.
- 2.5 Where a pupil is not willing to co-operate with a search and is not deemed to have sufficient maturity or understanding of the situation, then a parent's co-operation will be sought.
- 2.6 If a pupil refuses to co-operate with a search for items which have been prohibited by the School, disciplinary action may be taken in accordance with the School's behaviour and discipline policy.
- 2.7 If a search is considered necessary, but not required urgently, the advice of the head / DSL and /or pastoral member staff should be sought. During this time the pupil should be supervised and kept away from other pupils.
- 2.8 Searches will be carried out on School premises or, if elsewhere, where the member of staff has lawful control or charge of the pupil, for example on an educational visit or in training settings.
- 2.9 If it is believed that a pupil has a prohibited item, it may be appropriate for a member of staff to carry out:
- 2.9.1 a search of outer clothing and / or
 - 2.9.2 a search of School property (e.g. pupils' lockers or desks, bed studies or dormitories) and / or
 - 2.9.3 a search of personal property (e.g. bag or pencil case).
- 2.10 Staff will be the same sex as the pupil being searched and there will be a witness (also a staff member) who, if possible, will be the same sex as the pupil being searched. As a limited exception to this rule, staff can carry out a search of a pupil of the opposite sex and / or without a witness present, but only where staff reasonably believe that there is a risk that serious harm will be caused to a person if a search is not carried out as a matter of urgency and in the time available it is not reasonably practicable to summon another member of staff.
- 2.11 A pupil's possessions can only be searched in the presence of the pupil and another member of staff, except where there is a risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.
- 2.12 Where the Head Master, or staff authorised by the Head Master, find anything which they have reasonable grounds for suspecting is a prohibited item, they may seize, retain and dispose of that item in accordance with this policy. The staff member should also alert the DSL or deputy and the pupil will be sanctioned in line with the School's behaviour policy to ensure consistency of approach.

3 Strip searching

- 3.1 A strip search involving the removal of more than outer clothing and can only be carried out on School premises by police officers under the Police and Criminal Evidence Act 1984 (PACE) Code A and in accordance with PACE Code C. More information is contained within the DfE advice to schools on *Searching, Screening and Confiscation* (July 2022).

- 3.2 While the decision to undertake a strip search itself and its conduct are police matters, School staff retain a duty of care to the pupil(s) involved and should advocate for pupil wellbeing at all times.
- 3.3 School staff will always consider whether introducing the potential for a strip search through police involvement is absolutely necessary and should always ensure that other appropriate, less invasive approaches have been exhausted.
- 3.4 In order to ensure pupil's wellbeing, the School may wish to involve an appropriate adult as a matter of course during all searches and conducted by police in school.

4 After a search

- 4.1 Whether or not any items have been found as a result of any search the School will consider whether the reasons for the search or outcome give cause to suspect whether a pupil is suffering or likely to suffer harm and whether any specific support is needed.
- 4.2 Where appropriate School staff will follow the School's child protection policy and procedures and speak to the DSL about possible pastoral support, early help intervention or a referral to children's social care.

5 Recording searches

- 5.1 Any search by a member of staff for a prohibited item listed above, items banned by the School rules and all searches conducted by police officers will be recorded in the School's safeguarding reporting system, and note whether or not an item is found. This will allow the DSL or deputy to identify possible risks and initiate a safeguarding response if required.
- 5.2 Records of the search will include
 - 5.2.1 the date, time and location of the search;
 - 5.2.2 which pupil was searched;
 - 5.2.3 who conducted the search and any other adults or pupils present;
 - 5.2.4 what was being searched for;
 - 5.2.5 the reason for searching;
 - 5.2.6 what items, if any were found; and
 - 5.2.7 what follow up action was taken as a consequence of the search.
- 5.3 The School will analyse any data gathered to consider whether searching falls disproportionately on any group / or groups and whether any actions should be taken to prevent this.

6 Confiscation

- 6.1 Under the School's general power to discipline, a member of staff may confiscate, retain or dispose of a pupil's property as a disciplinary penalty where it is reasonable to do so.

- 6.2 Confiscation of an item may take place following a lawful search, as set out above, or however the item is found if the member of staff considers it to be harmful or detrimental to School discipline.

7 Searching electronic devices

- 7.1 An electronic device such as a mobile phone or a tablet computer may be confiscated in appropriate circumstances in accordance with this policy. If there is good reason to suspect that the device has been, or could be used to cause harm, to disrupt teaching or break School Rules, any data or files on the device may be searched and, where appropriate, data or files may be erased before the device is returned to its owner. Any search of an electronic device should be conducted in the presence of a member of the IT staff.
- 7.2 Any data or files will only be erased, if there is good reason to suspect that the data or files have been, or could be used to cause harm, to disrupt teaching or break School Rules.
- 7.3 Subject to 7.5 below and the requirements set out in KCSIE 2024, if inappropriate material is found on an electronic device, the member of staff may delete the material, retain it as evidence of a breach of School discipline or criminal offence or hand it over to the police if the material is suspected to be evidence relevant to an offence.
- 7.4 Staff should consider the appropriate safeguarding response if they find images, data or files on an electronic device that they reasonably suspect will put a person at risk.
- 7.5 Staff should not view or forward illegal images of a child. When viewing an image is unavoidable staff should follow the School's policy on sharing nudes and semi-nudes images or videos as set out in Appendix 1 of the Child Protection and Safeguarding Policy / consult the advice set out in the Searching screening and confiscation advice (for schools) and UKCIS guidance *Sharing nudes and semi-nudes: advice for education settings working with children and young people*.
- 7.6 The School will comply with data protection law in relation to any search of any electronic device.

8 Disposal of confiscated items

- 8.1 **Alcohol:** alcohol which has been confiscated will be destroyed.
- 8.2 **Controlled drugs:** controlled drugs will usually be delivered to the police as soon as possible. In exceptional circumstances and at the discretion of the Head Master or authorised member of staff, the drugs may be destroyed without the involvement of the police if there is good reason to do so. All relevant circumstances will be taken into account and staff will use professional judgement to determine whether the items can be safely disposed of. They will not be returned to the pupil.
- 8.3 **Other substances:** substances which are not believed to be controlled drugs but which are harmful or detrimental to good order and discipline may be confiscated and destroyed. Where it is not clear whether or not the substance seized is a controlled drug, it will be treated as such and disposed of as above.
- 8.4 **Stolen items:** stolen items will usually be delivered to the police as soon as possible. However, if, in the opinion of the Head Master or authorised member of

staff, there is good reason to do so, stolen items may be returned to the owner without the involvement of the police. In taking into account the relevant circumstances, the member of staff should consider: the value of the item; whether the item is banned by the School; whether retaining or returning the item may place any person at risk of harm; and whether the item can be disposed of safely.

- 8.5 **Tobacco or cigarette papers:** tobacco or cigarette papers will be destroyed.
- 8.6 **Fireworks:** fireworks will not be returned to the pupil. They will be disposed of safely at the discretion of the Head Master or other authorised member of staff
- 8.7 **Pornographic images:** pornographic images involving children or images that constitute "extreme pornography" under section 63 of the Criminal Justice and Immigration Act 2008 will be handed to the police as soon as practicable. As possession of such images may indicate that the pupil is at risk of harm, the Designated Safeguarding Lead will also be notified and will decide whether to make a referral to City of York children's social care.
- 8.8 Other pornographic images will also be discussed with the Designated Safeguarding Lead. The images may then be passed to children's social care for consideration of any further action. If no action is to be taken by the local authority the images will be erased after a note has been made for disciplinary purposes, confirming the nature of the material.
- 8.9 **Article used to commit an offence or to cause personal injury or damage to property:** such articles may, at the discretion of the Head Master or authorised member of staff taking all the circumstances into account, be delivered to the police, returned to the owner, retained or disposed of. In taking into account all relevant circumstances the member of staff should consider: whether it is safe to dispose of the item; and whether and when it is safe to return the item.
- 8.10 **Weapons or items which are evidence of an offence:** such items will be passed to the police as soon as possible.
- 8.11 **An item banned under School Rules:** such items may, at the discretion of the School or authorised member of staff taking all the circumstances into account, be returned to its owner, retained or disposed of. In taking into account all relevant circumstances, the member of staff should consider: the value of the item; whether it is appropriate to return the item to the pupil or parent; whether the item is likely to disrupt learning or the calm, safe and supportive environment of the School.
- 8.12 Where staff confiscate a mobile electronic device that has been used in breach of School rules to disrupt teaching, the device will be kept safely until the end of the school day, or later, when it can be claimed by its owner, unless the Deputy Head considers it necessary to retain the device for evidence in disciplinary proceedings in accordance with paragraph 8.13 below. If a pupil persists in using a mobile electronic device in breach of School Rules, the device will be confiscated and must be collected by a parent.
- 8.13 **Electronic devices:** if it is found that a mobile phone, laptop or tablet computer or any other electronic device has been used to cause harm, disrupt teaching or break School Rules, including carrying out cyber-bullying, the device will be confiscated and may be used as evidence in disciplinary proceedings. Once the proceedings have been concluded the device must be collected by a parent or

carer and the pupil may be prohibited from bringing such a device onto School premises or on educational visits. In serious cases, the device may be handed to the police for investigation.

9 Communication with parents

- 9.1 There is no legal requirement for the School to inform parents before a search for banned or prohibited items takes place or to seek their consent to search their child and it will not generally be practicable to do so.
- 9.2 Parents should always be informed of any search for a prohibited item listed in paragraph 1.1 that has taken place and the outcome of the search as soon as practicable. A member of staff should inform parents of what, if anything, has been confiscated and the resulting action the School has taken, including any sanction applied.
- 9.3 In some circumstances it might also be necessary to inform parents of a search for an item banned by the School policy.
- 9.4 We will keep a record of all searches carried out in accordance with paragraph 5 above.
- 9.5 Complaints about searching or confiscation will be dealt with through the School's Complaints Procedure.
- 9.6 The School will take reasonable care of any items confiscated from pupils. However, unless negligent or guilty of some other wrongdoing causing injury, loss or damage, the School does not accept responsibility for loss or damage to property.