

# Boroughbridge High School

## Behaviour for Learning Policy

<b>Policy last reviewed</b>	March 2022
<b>Policy ratified by the Full Governing Board</b>	March 2022
<b>Next Policy review due</b>	March 2023
<b>Due for review by Governors</b>	March 2023
<b>Staff Lead</b>	Associate Assistant Headteacher (student experience & welfare)

### **Significant Revisions Since Last Review**

The following sections have been updated:

- Aims of the policy
- Policy Links
- Teaching & Learning
- Roles & Responsibilities
- Rewards
- Involvement of Outside Agencies
- Policy/Statement
- School Rules
- Recognition, Rewards & Sanctions
- Suspension & Permanent Exclusion
- Investigating Cases
- Confiscation of inappropriate items and searches
- Items found as a result of a 'without consent' search

Boroughbridge High School is a place where all students and staff are expected to behave to the highest standards in and out of school, so that they can progress in their learning to the highest level.

All students and staff have the right to work in a pleasant, positive and supportive environment where they feel safe. It is everyone's responsibility to create this by showing consideration and respect for others. We have the highest expectations of Boroughbridge High school students; we expect them to behave sensibly and responsibly in school, on the way to and from it and whenever they represent the school.

## **Aims of this Policy**

This policy aims to:

- Provide a consistent approach to behaviour management.
- Promote good behaviour, self-discipline and respect
- Define what we consider to be unacceptable or unsuccessful behaviour, including bullying.
- Prevent Bullying
- Outline how students are expected to behave including regulation of conduct and completion of assigned work
- Summarise the roles and responsibilities of different people in the school community with regards to behaviour management.
- Outline our system of rewards and sanctions

This policy links and is used in conjunction with the following policies and documents:

- CCTV Policy
- Pupil remote learning policy
- Antibullying Policy
- Safeguarding and Child Protection Manual
- Social Media Policy
- DfE 'Behaviour and Discipline in Schools' January 2016
- DfE 'Exclusions from maintained schools, academies and pupil referral units in England' (2012) Updated July 2017
- DfE 'Searching, screening and confiscation' (2014) Updated January 2018
- DfE 'Use of reasonable force' (2013)
- DfE 'DfE and ACPO Drug Advice for Schools' (Sept 2012)
- DfE 'Dealing with allegations of abuse against teachers and other staff' (Oct 2012)

The Governing Board believes that in order to enable effective teaching and learning to take place, good behaviour in all aspects of School life is necessary. It seeks to create a caring, learning environment in the School by:

- promoting the pursuit of excellence in achievement and provision
- promoting good behaviour and discipline, requiring commitment from all members of the school, parents and the community
- promoting self-esteem, self-discipline, proper regard for authority and positive relationships based on mutual respect
- developing students' social, emotional and behavioural skills
- ensuring fairness of treatment for all, including those with special educational needs, those with physical or mental health needs and looked-after students
- encouraging consistency of response to both positive and negative behaviour
- promoting early intervention
- promoting equality
- providing a safe environment free from disruption, violence, bullying, racism, homophobia, name-calling, peer on peer abuse and any form of harassment

- encouraging a positive relationship with parents and carers to develop a shared approach to involve them in the implementation of the School's policy and associated procedures.

### **Teaching and Learning**

- Opportunities will be provided within the curriculum for development of pupils' social, emotional and behavioural skills. This will include structured approaches in PHSE/Citizenship and the tutorial programme, assemblies, 'personalised' programmes of support for students where additional support is needed, opportunities to benefit from enhanced work-related learning, and a range of informal learning.
- As students develop during their time at the School, there will be increasing opportunities for them to act as positive role models for younger learners, and the school and staff will encourage and support them to take these opportunities.
- Staff will be given support in developing effective approaches to teaching and learning which will promote positive behaviour and attendance. Support may take the form of individual coaching, tailored or whole School CPD or, where appropriate, structured support with for e.g. challenging groups.
- Boroughbridge High School endeavour to create a positive learning environment for all and complete restorative work where required

### **Roles and Responsibilities**

- The Governing Board will establish, together with the Headteacher, staff and parents/carers, the policy for the promotion of good behaviour and keep it under review. It will ensure that it is communicated regularly to pupils and parents/carers, is non-discriminatory and the expectations are clear. Governors will support the School in maintaining high standards of behaviour.
- The Headteacher, together with other senior staff, will be responsible for the implementation and day-to-day management of the policy and procedures. Arranging support for staff faced with challenging behaviour is also an important responsibility of the Headteacher and the leadership team.
- Staff, including teachers, support staff and volunteers, will be responsible for ensuring that the policy and procedures are followed, and consistently and fairly applied. They will meet their statutory professional obligations under Teacher Standards to take responsibility for student conduct around the school site as well in lessons, as mutual support amongst all staff in the implementation of the policy is essential. Staff have a key role in advising the Headteacher on the effectiveness of the policy and procedures. They also have responsibility, with the support of the Headteacher, for creating a high-quality learning environment, teaching good behaviour and implementing the agreed policy and procedures consistently.
- The Governing Board, Headteacher and staff will ensure there is no differential application of the policy and procedures on any grounds, particularly ethnic or national origin, culture, religion, gender, disability or sexuality. They will also ensure that the concerns of students are listened to and appropriately addressed.
- Parents and carers will be expected to take responsibility for the behaviour of their child both inside and outside the School, and for their attendance. They will be encouraged to work in partnership with the School to assist the School in maintaining high standards of behaviour and attendance, and will have the

opportunity to raise with the School any issues arising from the operation of the policy.

- Students will be expected to take responsibility for their own behaviour and will be made fully aware of the School policy, procedure and expectations. Students also have a responsibility to ensure that incidents of disruption, violence, bullying, racism, sexism, homophobia, name-calling, peer on peer abuse any form of harassment are reported. Students will be given opportunities to seek and provide peer support as well as support from staff, who will be aware that students may become vulnerable through events such as bereavement, divorce or separation of their parents. The school Council will be responsible for reviewing annually the progress that has been made in tackling bullying.

### **Procedures**

- The procedures arising from this policy will be developed by the Headteacher in consultation with staff. The procedures will make clear to the students how acceptable standards of behaviour can be achieved and will have a clear rationale which is made explicit to staff, students and parents. The procedures will be consistently and fairly applied, and promote the idea of personal responsibility and that every member of the School has a responsibility towards the whole community.

### **Rewards**

- Boroughbridge High School's ethos of encouragement of a positive environment is central to the promotion of good behaviour. Rewards are one means of achieving this. They have a motivational role in helping pupils to realise that good behaviour is valued, and are clearly defined in the procedures. Integral to the system of rewards is an emphasis on praise, both informal and formal, to individuals and groups.

### **Sanctions/Consequences**

- Sanctions are needed to respond to inappropriate behaviour
- A range of sanctions/consequences is clearly defined in the procedures and their use will be characterised by clarity of why the consequence is being applied and what changes in behaviour are required to avoid future sanctions.

### **Training**

- The Governing Board will ensure that appropriate high-quality training and all aspects of behaviour management is provided to support the implementation of the policy.

### **Interrelationship with other School Policies**

- In order for the behaviour policy to be effective, a clear relationship with other School policies, particularly Single Equality Scheme, Special Educational Needs, Anti-Bullying and Exclusions is required.

### **Involvement of Outside Agencies**

- The School works positively with external agencies. It seeks appropriate support from them and works collaboratively to ensure that the needs of all pupils are met.

### **Review**

- The Headteacher, in consultation with staff, will undertake systematic monitoring and conduct regular reviews of the Behaviour for Learning Policy

and procedures in order to evaluate them to ensure that the operation is effective, fair and consistent. The Headteacher will keep the Governing Board informed.

- The Governing Board will regularly review this policy and associated procedures, to ensure its continuing appropriateness and effectiveness. The review will take place in consultation with the Headteacher, staff and parents/carers.
- The outcome of the review will be communicated to all those involved, as appropriate.

## **Behaviour Management Procedures**

### **Policy Statement**

- The School's Behaviour for Learning Policy has been adopted by the Governing Board.
- The School has ensured that parents/carers are fully informed of the behaviour policy, presented as Climate for Learning, by communicating it through the School's website, School registration documents, Standards Assemblies, Student Planner, Prospectus, Displays within school, letters and newsletters.
- The School has communicated the Behaviour for Learning Policy, through our Climate for Learning strategy, to all new and existing students through the student planner, prospectus, student noticeboards, assemblies, and within the curriculum wherever relevant.
- The School will seek to ensure that all staff are consulted regularly about the policy and its implementation.
- The Behaviour Policy, termed Climate for Learning has originally been created by all staff during the Summer and Autumn Terms of 2019 and has subsequently each year continued to be developed through consultation. The policy will be communicated to all new staff by providing copies of the policy and through staff training sessions.
- In determining how to proceed in dealing with a behavioural incident, school will always gather as much information as possible or necessary in the first instance. How to proceed subsequently will be determined on a case by case basis and in line with any relevant DfE guidelines. The Headteacher always retains the right to act appropriately and not necessarily following every step of the procedures.

### **Acceptable and Unacceptable Behaviour: School Rules**

- The School defines acceptable behaviour as that which promotes courtesy, co-operation and consideration from all students in terms of their relationships with other students within/outside the School, with teachers and other School staff and with visitors or other people within/outside the School premises. These acceptable behaviours are behaviour for learning in lessons and behaviour around/in school and are defined as:

#### **School Rules**

- Attend all lessons, be punctual, be properly equipped
- Wear the correct uniform
- Behave and communicate respectfully to each other and all members of the school and its community
- Take an active part in learning in and out of lessons

- Act in accordance with the expectations of the school regarding good general behaviour
- Show consideration to others, through listening to their views and opinions, demonstrating an understanding and respect of the opinions and values of others.
- Record all homework and tracking in school planner.
- Complete and submit all homework on or before the due date.
- Follow all staff instructions without complaint or refusal.
- Show good behaviour around school and to and from school and act in accordance with the expectations of the school regarding good general behaviour outside of school.
- Attend lunchtime detentions, complete any community service, isolations or after school detentions without complaint or refusal.
- Travel to and from school observing general rules and regulations on crossing roads safely and travelling on public or school transport. Be respectful towards others within the community and those using public service transport.
- Do not Smoke or Vape on site, boundary or to and from school, or associate with smokers or vapers.
- Do not bring any prohibited item into school

School has the authority to discipline pupils for misbehaviour outside of school, in line with paragraphs 23 – 26 of the 'Behaviour and Discipline in Schools' (DfE 2016):

- Teachers have the power to discipline pupils for misbehaving outside of the school premises "to such an extent as is reasonable" – see paragraph 21.
- Maintained schools and Academies' behaviour policies should set out what the school will do in response to non-criminal bad behaviour and bullying which occurs off the school premises and which is witnessed by a staff member or reported to the school, including the punishments that will be imposed on pupils.

Subject to the behaviour policy, teachers may discipline students for misbehaviour when the student is:

- taking part in any school-organised or school-related activity or
  - travelling to or from school or
  - wearing school uniform or
  - in some other way identifiable as a pupil at the school.
- or misbehaviour at any time, whether or not the conditions above apply, that:
  - could have repercussions for the orderly running of the school or
  - poses a threat to another pupil or member of the public or
  - could adversely affect the reputation of the school.

In all cases of misbehaviour, the teacher can only discipline the student on school premises or elsewhere when the student is under the lawful control of the staff member.

The staff will facilitate exemplary behaviour by:

- Being genuine and fair; acknowledge pupil engagement/effort and progress, even when limited.

- Recognising early signs of anxiety, stress and potential challenging behaviour.
- Trying to remain calm, to de-escalate by listening, through non-confrontational discussion, allowing time away from the immediate 'trigger'.
- Engaging parents/carers positively by informing them regularly about their child's successes.
- Engaging parents/carers in discussions about their child's learning and individual needs.

The School has identified examples of, but not limited to, unacceptable behaviour as that which includes

- Breaking school rules, as above, and including any of the following:
- Failing to follow reasonable instructions
- Name calling
- Verbal abuse
- Threatening language or behaviour
- Intimidation
- Physical abuse
- Bullying and harassment including racist, sexist and homophobic abuse
- Online/Cyber bullying, abuse, harassment or sharing of information or images (including text messages)
- Carrying of offensive weapons
- Bringing drugs into school
- Being under the influence of drugs whilst on the school site
- Drugs paraphernalia
- Sexual assault or threatened sexual assault
- Malicious accusations against staff
- Truancy
- Smoking/Vaping or associating with smokers, and the possession of smoking/vaping paraphernalia
- Accessing or sharing pornographic, racist or other inappropriate material
- Vandalism
- Theft
- Breaches of Health & Safety rules
- Leaving class without permission
- Walking away from staff when being spoken to

The School communicates regularly the standards of acceptable and unacceptable student behaviour to students and parents/carers through the student planner, prospectus, assemblies, student noticeboards, parent newsletters and letters to parents/carers.

The School communicates the standards of acceptable and unacceptable student behaviour to staff through the staff handbook, the staff training programme, staff meetings and briefings.

### **Recognition, Rewards and Sanctions**

The School ethos of encouragement is central to the promotion of good and improved behaviour. A system of recognition and reward is one way that this can be achieved.

Rewards can be earned for the following:

- Good attitude to learning – Data collection points and at other appropriate times during the year
- Excellent attendance
- Good/outstanding attainment or progress
- Good/Outstanding contributions
- Good/outstanding homework
- Participation in extra-curricular activities
- Staff discretion
- Zero poor behaviours (staff discretion)
- Or anything which promotes a positive Climate for Learning

Rewards offered can include:

- Verbal praise and feedback
- Written feedback
- Commendations and awards
- Half termly reward prizes/draws
- Letters and postcards to parents/carers
- Rewards trips/events throughout the school year
- Stamps/stickers from any member of staff
- Reward points from any member of staff
- Other at school's discretion

The School will use a range of strategies to promote good behaviour, including following Agreed Practice and implement a range of sanctions and strategies to deal with inappropriate behaviour by students, beginning with our Climate for Learning strategy. Senior staff and Pastoral staff have the authority to decide which sanctions are most appropriate on a case by case basis and to use their discretion. When determining what action to take, the threshold of 'on balance, what probably happened?' will be used. As much evidence as is possible and/or reasonable will be gathered in order to make this judgement.

Actions taken by staff in lessons to promote a positive climate for learning, maximise learning time and minimise disruption may include:

- Greeting students at the door/door management
- Developing routines
- Create a positive learning environment
- Making expectations clear
- Using positive language
- Asking students to move seats
- Developing strategies to 'check' students
- Give students take up time
- Model positive behaviour
- Praise those who are doing what they should be
- Stand and wait for students to be ready
- Move around the room and interact with students
- Emotional deposits – getting to know students
- Interesting and engaging lessons
- Effective and engaging Pace of lesson
- Consistency
- Building relationships



- Explaining what students have done which is a problem
- Ask if those talking need help
- Restorative conversations

Sanctions applied can include:

- Talking quietly with the student (staff request for good behaviour)
- Warning then application of Climate for Learning strategy
- Moving the student within the lesson
- Confiscation of property
- Reflection time
- Recording behaviour on school management information system (Bromcom)
- Verbal reprimand
- Internal Faculty/Subject removal from lessons for a set period of time
- Senior staff/Pastoral staff removal from lessons
- Setting of written tasks
- Break time detention
- Lunchtime detention – 25 minutes
- Removal from the lesson
- Internal Isolation (length of time at discretion of Pastoral Manager/Senior leadership team)
- Placed on behaviour report (Form tutor or Pastoral Team)
- Placed on Subject report
- Behaviour contract
- Lunchtime Isolation - 50 minutes
- Phone call to parents
- After school detention up to one hour
- Referring matters to Tutor, Pastoral Manager, Associate Assistant Headteacher, Deputy Headteacher and the Headteacher (as appropriate)
- School based community service e.g. litter picking, tidying, graffiti removal, clearing in dining hall
- Letters to parents/carers
- Meetings with parents/carers
- Referral to external agencies
- Fixed term suspension or permanent exclusion (ref. to DfE 'Exclusions from maintained schools')
- Referral to the Local Authority's collaborative panel for managed move proposal

Detentions can be incurred as set out in the Climate for Learning strategy. If detentions are not sufficient to promote good behaviour then further sanctions will be incurred. Detentions include break, lunch, after school, Professional Development days and weekends. These will be managed in line with paragraphs 27 – 34 of 'Behaviour and Discipline in schools' (DfE 2016):

Teachers have a power to issue detention to pupils (aged under 18).

Schools must make clear to pupils and parents that they use detention (including detention outside of school hours) as a sanction.

The times outside normal school hours when detention can be given (the 'permitted day of detention') include:

- a) any school day where the pupil does not have permission to be absent;
  - b) weekends - except the weekend preceding or following the half term break;
- and

c) non-teaching days – usually referred to as ‘training days’, ‘INSET days’ or ‘non-contact days’.

The headteacher can decide which members of staff can put pupils in detention. For example, they can limit the power to heads of year or heads of department only or they can decide that all members of staff, including support staff, can impose detentions.

### **Matters schools should consider when imposing detentions**

Parental consent is not required for detentions including those after the end of the school day.

As with any disciplinary penalty a member of staff must act reasonably given all the circumstances, as described in paragraph 15 above, when imposing a detention. With lunchtime detentions, staff should allow reasonable time for the pupil to eat, drink and use the toilet.

### **Detentions outside school hours**

School staff should not issue a detention where they know that doing so would compromise a child's safety. When ensuring that a detention outside school hours is reasonable, staff issuing the detention should consider the following points:

- Whether the detention is likely to put the pupil at risk.
- Whether the pupil has known caring responsibilities which mean that the detention is unreasonable.
- Whether the parents ought to be informed of the detention. In many cases it will be necessary to do so, but this will depend on the circumstances. For instance, notice may not be necessary for a short after school detention where the pupil can get home safely; and
- Whether suitable travel arrangements can be made by the parent for the pupil.

In addition to Climate for Learning, senior staff and pastoral staff can use their discretion to give a detention or school community service on a case by case basis.

### **Suspension and Permanent exclusion:**

- The Headteacher always has the right to apply a fixed term suspension of 1+ days, or permanent exclusion when circumstances require it i.e. in response to a serious breach or persistent breaches of the school's behaviour policy (when a wide range of strategies for dealing with disciplinary offences have been employed) and where allowing the student to remain in school would seriously harm the education or welfare of the students or others in the school.
- The school will apply a maximum fixed term suspension for a single incident of 5 days
- Over time, the school's use of fixed term suspension will mean that no-one exceeds 45 days suspension in an academic year without being permanently excluded, and that this will be the result of repeated violation of the school's behaviour policy or a serious single incident.
- The following charts are for guidance, showing how over time a student's failure to adhere to the school's rules will lead to increasing suspension.
- It is expected that once a student reaches 45 days, it is unlikely that the school has the capacity to provide further strategies to support the student in addressing their poor conduct, and that a permanent exclusion will result.

Number of Fixed Term Suspensions	Number of days Suspension
First	1
Second	1
Third	1
Fourth	1
Fifth	1
Sixth	1
Seventh	1
Eight	2
Ninth	2
Tenth	2
Eleventh	2
Twelfth	3
Thirteenth	3
Fourteenth	3
Fifteenth	3
Sixteenth	4
Seventeenth	4
Eighteenth	5
Nineteenth	5
Total in one academic year	45

The Climate for Learning strategy gives students the opportunity to make a choice to get back on track without a situation escalating. Alongside this, we have a range of strategies, Waves of Intervention, which incorporates strategies within the Ladder of Intervention which can be used to provide appropriate support for students at risk of increased suspensions or permanent exclusion.

### **Investigating Cases**

- The School will investigate, as appropriate, reported incidents of student misbehaviour.
- The School will ensure that relevant staff receive adequate and appropriate training for the conduct of any investigations, including in respect of the recording of evidence and the taking of witness statements.
- The School will provide adequate non-contact time for the conduct of investigations.
- The School will notify the police and other relevant bodies of incidents where it is appropriate to do so and will always do so in the case of weapons, knives, extremism, drugs or child pornography.
- Parents will be informed at an appropriate stage that an investigation is underway.
- The School will complete investigations within a reasonable timescale and not normally exceeding four working days.
- The School will ensure that appropriate feedback from any investigation undertaken is provided to relevant persons together with recommendations for action.
- A copy of the results of all investigations undertaken will be held on record until such time as the student leaves the School. Where an investigation finds that there is no case to be heard, the report will be held by the School but will not be kept within the student's file. All incidents are recorded on the school's secure pupil record within Bromcom system.

## **Confiscation of Inappropriate Items and searches**

The school will confiscate items from pupils in accordance with guidance set out in 'Behaviour and Discipline in Schools' (DFE 2016) and 'Searching, Screening and Confiscation' (DFE, 2014) Updated 2018

Staff can search a pupil for any item if a pupil agrees.

The Headteacher or designated staff can search pupils or their possessions (which includes bags and lockers) without consent, for cases where there are reasonable grounds for suspecting that the pupil may have a prohibited item. These are:-

- Knives or weapons, including BB guns, GATT guns, air guns, catapults and slings bats e.t.c.
- Alcohol
- Illegal drugs
- Drugs paraphernalia
- Stolen items
- Cigarettes, tobacco, filters and papers
- Vapes/E Cigarettes
- Smoking/vaping paraphernalia including lighters/matches
- Fireworks
- Pornographic images
- Mobile phones which contain incident/offense content which is reportable to the police
- Any article suspected to have been used, or likely to be used, to commit an offence and/or to cause personal injury to, or damage to the property of, any person (including the pupil)

### **Confiscation**

School staff can seize any prohibited item found as a result of a search. Any items considered detrimental or harmful to school discipline, however found, can be seized. In the case of a report made to the police the seized items are given to the police as evidence or to be destroyed.

### **Searches**

The school will act in accordance with 'Searching, Screening and Confiscation'. Updated January 2018.

- School staff can search possessions over which the student has control or appears to have control, e.g. pockets, bags and lockers. Lockers can be searched without the student's presence or consent.
- Students can be required to remove outer clothing (not that worn next to the skin or covering underwear) including hats, scarves, shoes, gloves, boots.
- Possessions will only be searched in the presence of the pupil (and another member of staff) and with their consent unless there is a risk of serious harm to a person or the school if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.

### **After the Search**

The school will act in accordance with paragraphs 12-16 of 'Searching, Screening and Confiscation' (DFE 2014):

The power to seize and confiscate items – general

What the law allows:

- Schools' general power to discipline, as set out in Section 91 of the Education and

Inspections Act 2006, enables a member of staff to confiscate, retain or dispose of a student's property as a disciplinary penalty, where reasonable to do so.

Also note:

- The member of staff can use their discretion to confiscate, retain and/or destroy any item found as a result of a 'with consent' search so long as it is reasonable in the circumstances. Where any article is thought to be a weapon or is illegal it must be passed to the police.
- Staff have a defence to any complaint or other action brought against them. The law protects members of staff from liability in any proceedings brought against them for any loss of, or damage to, any item they have confiscated, provided they acted lawfully.

### **Items found as a result of a 'without consent' search**

What the law says:

- A person carrying out a search can seize anything they have reasonable grounds for suspecting is a prohibited item or is evidence in relation to an offence.
- Where a person conducting a search finds alcohol, they may retain or dispose of it. This means that schools can dispose of alcohol as they think appropriate but this should not include returning it to the student.
- Where they find controlled drugs, these must be delivered to the police as soon as possible but may be disposed of if the person thinks there is a good reason to do so.
- Where they find other substances, which are not believed to be controlled drugs these can be confiscated where a teacher believes them to be harmful or detrimental to good order and discipline. This would include, for example, so called 'legal highs'. Where staff suspect a substance may be controlled they should treat them as controlled drugs as outlined above.
- Where they find stolen items, these must be delivered to the police as soon as reasonably practicable – but may be returned to the owner (or may be retained or disposed of if returning them to their owner is not practicable) if the person thinks that there is a good reason to do so.
- Where a member of staff finds tobacco or cigarette papers they may retain or dispose of them. As with alcohol, this means that schools can dispose of tobacco or cigarette papers as they think appropriate but this should not include returning them to the student.
- Fireworks/items containing forms of explosives found as a result of a search may be retained or disposed of but should not be returned to the student.
- If a member of staff finds a pornographic image, they may dispose of the image unless its possession constitutes a specified offence (i.e. it is extreme or child pornography) in which case it must be delivered to the police as soon as reasonably practicable. Images found on a mobile phone or other electronic device can be deleted unless it is necessary to pass them to the police.
- Where an article that has been (or could be) used to commit an offence or to cause personal injury or damage to property is found it may be delivered to the police or returned to the owner. It may also be retained or disposed of.
- Where a member of staff finds an item which is banned under the school rules they should take into account all relevant circumstances and use their professional judgement to decide whether to return it to its owner, retain it or dispose of it.
- Any weapons or items which are evidence of an offence must be passed to the police as soon as possible.

### **Statutory guidance on the disposal of controlled drugs and stolen items**

- It is up to teachers to decide whether there is a good reason not to deliver stolen items or controlled drugs to the police. In determining what is a "good reason" for not delivering controlled drugs or stolen items to the police the member of staff must have regard to the following guidance issued by the Secretary of State:

• **In determining what is a 'good reason' for not delivering controlled drugs or stolen items to the police, the member of staff should consider all relevant circumstances and use their professional judgement to determine whether they can safely dispose of a seized article.**

- Where staff are unsure as to the legal status of a substance and have reason to believe it may be a controlled drug they should treat it as such.
- With regard to stolen items, it would not be reasonable or desirable to involve the police in dealing with low value items such as pencil cases. However, school staff may judge it appropriate to contact the police if the items are valuable (iPods/laptops) or illegal (alcohol/fireworks).

### **Statutory guidance for dealing with electronic devices**

- Where the person conducting the search finds an electronic device they may examine any data or files on the device if they think there is a good reason to do so. Following an examination, if the person has decided to return the device to the owner, or to retain or dispose of it, they may erase any data or files, if they think there is a good reason to do so.
- The member of staff must have regard to the following guidance issued by the Secretary of state when determining what is a "good reason" for examining or erasing the contents of an electronic device:
  - In determining a 'good reason' to examine or erase the data or files the staff member must reasonably suspect that the data or file on the device in question has been, or could be, used to cause harm, to disrupt teaching or break the school rules.
  - If inappropriate material is found on the device it is up to the teacher to decide whether they should delete that material, retain it as evidence (of a criminal offence or a breach of school discipline) or whether the material is of such seriousness that it requires the involvement of the police.
  - All school staff should be aware that behaviours linked to sexting put a child in danger. Governing bodies should ensure sexting and the school's approach to it is reflected in the child protection policy. The UK Council for Child Internet Safety (UKCCIS) Education Group has recently published the advice - sexting in schools and colleges - responding to incidents and safeguarding young people

Also note:

- Teachers should also take account of any additional guidance and procedures on the retention and disposal of items that have been put in place by the school.

### **Telling parents and dealing with complaints**

- Schools are not required to inform parents before a search takes place or to seek their consent to search their child.
- There is no legal requirement to make or keep a record of a search.
- Schools should inform the individual pupil's parents or guardians where alcohol, illegal drugs or potentially harmful substances are found, though there is no legal requirement to do so.
- Complaints about screening or searching should be dealt with through the normal school complaints procedure.

### **Designated Staff**

The staff authorised to conduct searches for prohibited items without consent are: -

- Headteacher
- Deputy Headteacher
- Associate Assistant Headteachers
- Pastoral Managers

**Power to use reasonable force**

- School will act in accordance with 'Behaviour and Discipline in Schools' (DFE 2016) paragraphs 38-41 and 'Use of reasonable force' (DFE 2013):
- Members of staff have the power to use reasonable force to prevent pupils committing an offence, injuring themselves or others, or damaging property, and to maintain good order and discipline in the classroom.
- Head teachers and authorised school staff may also use such force as is reasonable given the circumstances when conducting a search without consent for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm.
- Schools can also identify additional items in their school rules which may be searched for without consent. Force cannot be used to search for these items.
- Separate advice is available in 'Use of Reasonable Force – advice for school leaders, staff and governing bodies'.