




# Policy / Procedure / Guideline Review

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| **Policy/Procedure/Guideline:** | Behaviour policy |
| **Senior Leader Responsible:** | Senior Deputy Principal-C Swain |
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## 1. Aims

This policy aims to:

- Provide a **consistent approach** to behaviour management
- Outline how students are expected to behave
- Summarise the **roles and responsibilities** of different people in the school community with regards to behaviour management
- Outline our system of **rewards and sanctions**
- Define what we consider to be unacceptable behaviour, including bullying and discrimination
- Outline our suspensions processes.
- Outline our searching, screening and confiscation processes

## 2. Legislation and statutory requirements

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

- Behaviour and discipline in schools
- School suspensions and permanent exclusions - GOV.UK (www.gov.uk)
- Searching, screening and confiscation at school
- Keeping Children Safe in Education
- The Equality Act 2010
- Use of reasonable force in schools (until March 2026)
- Use of reasonable force and other restrictive interventions guidance (from March 2026)
- Supporting students with medical conditions at school
- Mobile phones in schools

It is also based on the special educational needs and disability (SEND) code of practice. In addition, this policy is based on:

- Schedule 1 of the Education (Independent School Standards) Regulations 2014; paragraph 7 outlines a school's duty to safeguard and promote the welfare of children, paragraph 9 requires the school to have a written behaviour policy and paragraph 10 requires the school to have an anti-bullying strategy
- DfE guidance explaining that academies should publish their behaviour policy and anti-bullying strategy online

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

## 3. Definitions

**Misbehaviour** is defined as **any minor breach of rules**, for example:

- Disruption in lessons, in corridors between lessons, and at break and lunchtimes
- Non-completion of classwork or homework

- Poor attitude and failing to follow staff instructions
- Incorrect uniform or appearance

**Serious misbehaviour** is defined as **any serious breach of school rules**, for example:

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

1. Bringing the academy into disrepute, including through the publication and/or sharing of any of these behaviours online

## 4. Child-on-Child abuse including sexualised abuse

**Child-on-Child abuse** is defined as abuse between children under 18 years of age.

Colne Primet Academy has a **zero-tolerance approach to abuse**, including child-on-child abuse.

Colne Primet Academy will refer to the specific guidance in Keeping Children Safe in Education 2026 Part five: Child on Child Sexual Violence and Sexual Harassment and Lancashire Procedures.

All staff will be aware that child-on-child abuse can occur between students of any age and gender, both inside and outside of school, as well as online. All staff will be aware of the indicators of child-on-child abuse, how to identify it, and how to respond to reports. All staff

will also recognise that even if no cases have been reported, this is not an indicator that child-on-child abuse is not occurring. All staff will inform the relevant year group Pastoral Team, including reporting the details on CPOMs/ClassCharts, if they have any concerns about child-on-child abuse.

All staff will understand the importance of challenge inappropriate behaviour between peers and will not tolerate abuse as "banter" or "part of growing up".

Child-on-child abuse can be manifested in many different ways, including:

- Bullying, including cyberbullying and prejudice-based or discriminatory bullying.
- Abuse in intimate personal relationships between peers.
- Physical abuse – this may include an online element which facilitates, threatens and/or encourages physical abuse.
- Sexual violence – this may include an online element which facilitates, threatens and/or encourages sexual violence.
- Sexual harassment, including online sexual harassment, which may be standalone or part of a broader pattern of abuse.
- Causing someone to engage in sexual activity without consent.
- The consensual and non-consensual sharing of nude and semi-nude images and/or videos.
- Upskirting.
- Initiation and hazing-type violence and rituals, which can 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.

All staff will be clear as to the school's policy and procedures regarding child-on-child abuse and the role they have to play in preventing it and responding where they believe a child may be at risk from it.

All staff will be made aware of the heightened vulnerability of students with SEND, who evidence suggests, are more likely to be abused than their peers. Staff will not assume that possible indicators of abuse relate to the student's SEND and will always explore indicators further.

All staff will be made aware of the heightened vulnerability of LGBTQ+ students, who evidence suggests, are also more likely to be targeted by their peers. In some cases, students who are perceived to be LGBTQ+, regardless of whether they are LGBTQ+, can be just as vulnerable to abuse as LGBTQ+ students. The school's response to sexual violence and sexual harassment between students of the same sex will be equally as robust as it is for incidents between children of the opposite sex.

Students will be made aware of how to raise concerns or make a report and how any reports will be handled. This includes the process for reporting concerns about friends or peers. Students will also be reassured that they will be taken seriously, be supported, and kept safe. This process will be continually reviewed by the DSL / SLT and implemented by all staff within our academy, including the pastoral team.

The school's procedures for managing allegations of child-on-child abuse are outlined in the School Behaviour Policy and Prevention of Bullying Policy. These policies are published on our website.

Colne Primet Academy Pastoral Team, supported by SLT/DSL, will consider:

- the wishes of the victim in terms of how they want to proceed
- the nature of the alleged incident
- the ages of the children involved
- the development stages of the children involved
- any power imbalance between the children
- is the incident a one-off or a sustained pattern of abuse
- are there ongoing risks to the victim, other children, school or college staff
- contextual safeguarding issues.

**Following a report of sexual violence, the designated safeguarding lead (or deputy DSLs) will make an immediate risk and needs assessment, considering**:

- the victim
- the alleged perpetrator
- all other children (and if appropriate adult students and staff)
- Risk assessments (if required) will be recorded and kept under review as a minimum termly
- Refer to Guidance in Keeping Children Safe in Education Sept 2026, Part 5.

Where relevant, risk assessments will be written, informed by the voice of the children involved, consulted on with parents and shared on a need-to-know basis with relevant staff. and kept under review as a minimum, termly.

## 5. Bullying

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

Bulling is not when a student says mean things in isolation or without intention. It is also not when two individuals say mean things when they have fallen out with each other.

Bullying is, therefore:

2. Deliberately hurtful
3. Repeated, often over a period of time
4. Difficult to defend against

Bullying can include:

| TYPE OF BULLYING | DEFINITION |
|---|---|
| Emotional | Being unfriendly, excluding, tormenting |

| | |
|---|---|
| Physical | Hitting, kicking, pushing, taking another's belongings, any useof violence |
| Prejudice-based and discriminatory, including:<br>Racial<br>Faith-based Gendered (sexist)<br>Homophobic/biphobic<br>Transphobic Disability-based | Taunts, gestures, graffiti or physical abuse focused on a particular characteristic (e.g. gender, race, sexuality) |
| Sexual | Explicit sexual remarks, display of sexual material, sexual gestures, unwanted physical attention, comments about sexual reputation or performance, or inappropriate touching |
| Direct or indirect verbal | Name-calling, sarcasm, spreading rumours, teasing |
| Cyber-bullying | Bullying that takes place online, such as through social networking sites, messaging apps or gaming sites |

Details of our school's approach to preventing and addressing bullying are set out in our 'Prevention of Bullying Policy'.

## 6. Roles and responsibilities

### 5.1 The local governing committee

The local governing committee is responsible for monitoring this behaviour policy's effectiveness and holding the Principal to account for its implementation.

### 5.2 The Principal and Senior Staff

- Reviewing and approving this behaviour policy
- Ensuring that the school environment encourages positive behaviour
- Ensuring that staff deal effectively with poor behaviour
- Monitoring how staff implement this policy to ensure rewards and sanctions are applied consistently to all groups of pupils
- Ensuring that all staff understand the behavioural expectations and the importance of maintaining them
- Providing new staff with a clear induction into the school's behavioural culture to ensure they understand its rules and routines, and how best to support all pupils to participate fully
- Offering appropriate training in behaviour management, and the impact of special educational needs and disabilities (SEND) and mental health needs on behaviour, to any staff who require it, so they can fulfil their duties set out in this policy
- Ensuring this policy works alongside the safeguarding policy to offer pupils both sanctions and support when necessary
- Ensuring that the data from the behaviour log is reviewed regularly, to make sure that no groups of pupils are being disproportionately impacted by this policy

### 5.3 Staff

Staff are responsible for:

- Implementing the behaviour policy consistently
- Modelling positive behaviour and promoting our school values
- Providing a personalised approach to specific behavioural needs of particular students
- Recording behaviour incidents on class charts
- Communicating with parents and pastoral staff any behvaiour issues that need to be resolved.

### 5.4 Parents

Parents are expected to:

- Sign the Home-Academy agreement and support the academy in their decisions
- Support their child in adhering to the student Home-Academy agreement
- Inform the school of any changes in circumstances that may affect their child's behaviour
- Discuss any behavioural concerns with their child's Form Tutor, Head of Year or Pastoral Support Assistant, or the SENDCo, promptly.
- Take part in any pastoral work following misbehaviour (for example, attending reviews of specific behaviour interventions)
- Raise any concerns about the management of behaviour with the school directly, while continuing to work in partnership with the school
- Take part in the life of the school and its culture
- The school will endeavour to build a positive relationship with parents and carers by keeping them informed about developments in their child's behaviour and the school's policy, and working in collaboration with them to tackle behavioural issues.

## 7. Student Home-Academy agreement

The academy expects that students:

- Follow the Academy rules and routines as an active member of the Academy
- community
- Are punctual and attend regularly
- Prioritise your learning and progress, including completing homework on time and being fully equipped
- Wear your uniform with pride, showing you belong and represent our Academy
- Are respectful and inclusive to others, being kind with your actions and words
- Take responsibility for our environment and look after Academy resources and facilities
- Work hard at all times, being motivated to do your best and making the most of all opportunities
- Comply with the ICT acceptable use and use of mobile devices
- Work together with others, including in student leadership, extracurricular clubs, teams, trips and visits
- Communicate clearly, expressing any concerns or problems that you might have, with us and your parents quickly
- Refrain from behaving in a way that brings the school into disrepute, including when outside school

Students will be informed and reminded of the expectations for behaviour regularly through assemblies and form time, as well as through other communications and displays.

## 8. Rewards and sanctions

### 7.1 List of rewards and sanctions

Positive behaviour will be rewarded with:

- Praise and encouragement by staff
- Issuing of Primet Positives
- Star of the week awards
- Positive postcards or phone calls home to parents
- Displays around school celebrating student work and achievements
- Half termly award assemblies including values certificates and badges
- Regular reward events and trips
- Annual Shine Awards evening

The school may use one or more of the following sanctions in response to unacceptable behaviour:

- A verbal or written warning
- Expecting work to be completed at home, or at break or lunchtime
- Detentions are held centrally at break or lunchtime, or after school on-call/late detention.
- Letters or phone calls home to parents
- Behaviour report with Form tutor, Pastoral support assistant, Head of year or Senior leader
- Agreeing a behaviour contract
- Non-attendance at the reward events or trips.
- Internal exclusion
- External exclusion in another school
- Suspension
- Offsite direction or managed move to another school
- Permanent Exclusion

The 'Consequences' room may be used to remove a student from a classroom or communal area in response to serious or persistent breaches of this policy. Students may be sent to a 'remove' room during lessons if they are disruptive, and they will be expected to complete the same work as they would in class. If they disturb this class they will be removed and placed in 'consequences' for 5 lessons.

Details of the rewards and sanctions criteria can be found in the 'Academy Culture procedures' document.

### 7.2 Off-site behaviour

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

- Taking part in any school-organised or school-related activity (e.g. school trips)
- Travelling to or from school

- Wearing school uniform
- In any other way identifiable as a student of our school
- When attending online, alternative or off-site provision

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

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

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

### 7.3 Zero-tolerance approach to sexual harassment and sexual violence

The school will ensure that all incidents of sexual harassment and/or violence are met with asuitable response, and never ignored.

Students are encouraged to report anything that makes them uncomfortable, no matter how'small' they feel it might be.

The school's response will be:

- Proportionate
- Considered
- Supportive

An appropriate sanction listed in Section 7.1 will be decided on a case-by-case basis.

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

- Responding to a report
- Carrying out a risk assessment, where appropriate
- Managing a report
- Referring to Early Help
- Referring to Children's Social Care
- Referring to the Police

Please refer to our child protection and safeguarding policy for more information.

### 7.4 Malicious allegations

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

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

In all cases where an allegation is determined to be unsubstantiated, unfounded, false or malicious, the school (in collaboration with the local authority designated officer, where relevant) will consider whether the student who made the allegation is in need of help, or

theallegation may have been a cry for help. If so, a referral to children's social care may be appropriate.

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

Please refer to our child protection and safeguarding policy for more information on responding to allegations ofabuse against staff or other students.

## 9. Behaviour management

### 8.1 Classroom management

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

Staff will:

- Create and maintain a stimulating environment that encourages students to be engaged
- Develop a positive relationship with students, which include:
- Greeting students at line up/at the start of lessons
- Ensuring the academy routines are used in all areas of the school.
- Ensuring there is a strategic seating plan for all classes
- Communicating high expectations to students through positively framed reminders
- Highlighting and promoting good behaviour by issuing Primet positives
- Having restorative conversations with students who have fallen short of expectations
- Ensuring behaviour issues are resolved by communication with parents and pastoral staff where needed.

### 8.2 Restrictive interventions

The use of restrictive interventions, including reasonable force, restraint and seclusion, can have a significant impact on the pupils, staff members and parents involved, as well as the wider classroom. However, there are times when the use of restrictive interventions will be lawful and necessary; for example, to keep individuals and the wider school community safe. Some examples are:

- causing injury to themselves or others
- committing a criminal offence
- damaging property
- causing disorder among pupils at the school, whether during a teaching session or otherwise

**Definitions:**

**Reasonable force**: a term used in legislation which includes physical restrictive interventions. All members of school staff have the legal power to use reasonable force in limited circumstances. Reasonable means using no more force than is necessary for the least amount of time, the application of which will depend on the circumstances.

**Physical Interception**: a term used within the academy which refers to an intervention to guide or direct a student away from harm. There may be physical contact but not restraint. For example, directing with the arms to encourage movement of students to the safest place, this would usually come after narration of the expectations has failed.

**Physical Restraint**: a term used in legislation referring to a non-disciplinary intervention which immobilises a pupil or limits their movement. This may or may not include direct physical contact. For example, holding a pupil's arms to their sides or removing a pupil's crutches would both be considered forms of restraint

**Seclusion:** a non-disciplinary intervention involving keeping a pupil confined to a place away from others and prevented from leaving.

Incidents of physical restraint and seclusion must:

- Always be used as a last resort
- Be applied using the minimum amount of force and for the minimum amount of time possible
- Be used in a way that maintains the safety and dignity of all concerned
- Never be used as a form of punishment
- Be recorded on CPOMs by the staff member within 24 hours:
    - names of pupil and staff directly involved
    - any relevant needs or circumstances of the pupil, including whether the pupil involved has an identified special educational need or disability and their SEN status code
    - time, date, location and approximate duration of the intervention
    - brief account of the incident, including what led up to the incident, identified or potential triggers if known, any preventative or de-escalation strategies used, and (where relevant) what type of reasonable force was applied, the degree of force, and details of any physical injuries sustained
    - brief account of why the use of force was assessed as necessary in that instance
    - any post-incident support, such as details of any medical treatment for injuries or other adverse impacts
- Parents/carers need to be informed of the incident within 24 hours, this should include the following details
    - time, date, location and approximate duration of the intervention
    - brief account of why the intervention was assessed as necessary in that instance
    - brief account of what type of force was applied, and the degree of force
    - details of any physical injuries sustained, if applicable

Restrictive interventions are always used in line with the DfE's guidance document Use of reasonable force and other restrictive interventions guidance

**Unacceptable uses of force**

Pupils should not be restrained in a way that affects their airway, breathing or circulation, for example, by covering the mouth and/or nose, or applying pressure to the neck region or abdomen. The use of force can be dangerous, particularly where it occurs on the ground. If a pupil is unintentionally held on the ground, staff should release their holds or re-position into a safer alternative or standing position as quickly as possible. Where appropriate, the pupil should receive a medical assessment and treatment for any injuries as soon as possible. For any form of restraint, including seated and standing, there is a risk of physical and psychological harm, and it should be avoided where possible.

**Other physical contact with students**

Staff cannot grant permission or observe requests by parents **not** to use reasonable force and or other restrictive interventions. The adoption of no contact policies leave staff and students vulnerable should interventions be needed. Staff need to make professional judgements on the amount of appropriate physical contact needed.

There are other circumstances where it is appropriate for staff to have contact with students, which would not give rise to the question of use of reasonable force or restrictive intervention. Some examples of where physical contact is generally appropriate are:

- to give first aid
- helping a pupil to a space they have chosen to access to self-regulate
- to get their attention or as part of giving indication and/or instruction, for example a pat on the shoulder or arm
- to comfort a distressed pupil
- to congratulate or praise a pupil, for example a pat on the back or a handshake
- to demonstrate how to use a musical instrument
- to demonstrate exercises or techniques during PE lessons or sports coaching

Restrictive interventions are reported to governors on a regular basis.

### 8.4 Searching, Screening and Confiscation

Searching and screening students is conducted in line with the DfE's latest guidance on searching, screening and confiscation.

#### 8.4.1. Aim of the SSC

The aim of any search, screening or confiscation is to secure the safety of students and staff, ensure that effective safeguarding is in place and to maintain the good and orderly running of school.

A student in possession of prohibited items such as drugs, alcohol, weapons, or imagery stored on electronic devices will be considered by the school as vulnerable and at risk of exploitation. The Keeping Children Safe in Education document highlights the need for the school to be alert to the potential risks of children who are:

- Showing signs of being drawn in to anti-social or criminal behaviour
- In challenging family circumstances, such as drug and alcohol misuse
- Misusing drugs or alcohol themselves

A search can play a vital role in identifying students who may benefit from early help or a referral to the local authority children's social care services. The school's DSL will make an immediate referral if they find evidence that students are at risk of harm.

#### 8.4.2. What reasonable grounds for a search of a student to take place and gaining consent for a search

**Reasonable grounds**

- Hear the student or other students talking about an item.

- Be told directly of an item by a student, member of staff, or a member of the public.
- Information provided by external services engaged in the safeguarding of children.
- A member of staff has seen an item.
- Notice a student behaving in a way that causes you to suspect that they're concealing an item.
- Observations made via CCTV.

**Gaining consent for a search of a student**.

Staff at Colne Primet Academy will openly and honestly communicate with the student and, if appropriate, their parent / guardian to gain consent for a search for prohibited or banned items. In line with the school's behaviour policy, the school will consider an appropriate sanction for students if they refuse to cooperate with a search for a prohibited or banned item.

**Searches without the consent of a student**

In this case, the authorised member of staff should first consider why the student may be refusing, and act proportionally. It may be that the student:

- Is in possession of a prohibited or banned item.
- Doesn't understand your instructions or what a search will involve.
- Has had a previous distressing experience of being searched.

If the student still refuses to cooperate:

- The school will sanction the student in line with your behaviour policy.
- If you don't think that a search is needed urgently, seek advice from the Principal, DSL or pastoral member of staff. During this time, the student should be supervised somewhere away from other students.
- Assess whether it's necessary to use reasonable force to conduct the search. Consider whether this would prevent the student from harming themselves or others, damaging property or causing disorder.
- **Note**: reasonable force will only be used to search for **prohibited** items, but not other items banned in the school.

### 8.4.3. How searches will be conducted

The school will always act in accordance with government guidance and in doing so the school will conduct searches of students using the following principles:

- Any search will be conducted with as much privacy for the child as can be afforded in the given circumstances
- Searches will consider the current wellbeing of the child and take account of any historical concerns known about the child.
- Staff members have the power to search students for any item if the student agrees, under the common law (paragraph 4 of the DfE guidance).
- Only the Principal and Deputy Principals and other members of staff authorised by them have the power to search a student for a prohibited or banned item, regardless of whether the student agrees.
- The list of prohibited and banned items can be found in Section 10 of this policy.
- Staff members may be authorised to conduct a search are: **Senior Leadership Team, Head of Year, Pastoral Support Assistants, and SENDCo.**
- 2 members of staff should carry out the search, the staff who conduct the search will be pastoral or SLT staff and will always be the same sex as the student, there will always be another member of staff present when the search is taking place. The only

exception to this is if the Principal has reasonable grounds to believe that there is a risk of serious harm being caused to a person if a search isn't carried out urgently.

**Procedure for before a search takes place:**

The Principal or authorised staff member should:

- Assess how urgent the search is and consider the risk to other students and staff.
- Explain to the student why they are being searched, how and where the search will happen, and give them the opportunity to ask questions about it.
- Always seek the student's cooperation.

**Searching a student's clothes:**

The search of the student will be carried out in an appropriate location that offers privacy from other students.

Authorised staff can search a student's pockets and require students to remove outer clothing, meaning clothes that are not worn directly next to the skin or over underwear.

Outer clothing also includes:

- Hats
- Scarves
- Shoes or boots
- Coats
- Blazer

**The school will not ask students to take off any further items of clothing.**

The authorised member of staff will be sensitive to whether a student is wearing outer clothing for religious reasons when staff conduct a search. For example, you shouldn't require a female student to remove a headscarf she's wearing for religious reasons if your witness is male.

**Searching a student's possessions:**

Authorised staff will search lockers, desks, and bags in the presence of the student and another member of staff.

### 8.4.4. Conducting a strip search of a student on school premises

**School staff will not conduct a strip search of a student.**

Only police who have been asked to come to the school by Principal or a member of the SLT may decide whether a search is necessary and carry it out.

The police can only carry out a search if they:

- Think this is necessary to remove an item related to a criminal offence, **and**
- Reasonably consider the student might have concealed such an item.

**Calling the police into school is a last resort.**

The school will always put the best interest of the student first. This means that before the Principal or member of the SLT to call the police into, they will first:

- Make sure that all other approaches have been exhausted.
- Carefully weigh up the risks to the student's mental and physical wellbeing with the

need to conduct a search.

**Prior to a strip search**

- Where reasonably possible, the Principal or member of the Senior Team inform a parent / guardian that a strip search will happen (and will **always** inform the parent / guardian after it's been carried out).
- Make sure an 'appropriate adult' is present during the search. The definition of an appropriate adult is a person whose role is to safeguard the rights and welfare of children who are suspected of a criminal offence, by ensuring they're treated fairly and can participate effectively. At Colne Primet Academy the appropriate adult will always be a DSL the same sex as the child.

**During a strip search.**

- The police officers conducting a strip search **must** be the same sex as the student.
- There **must** be at least 2 people present other than the student, including the 'appropriate adult'.

**The search may only take place without an appropriate adult if:**

- It's an urgent case where there is risk of serious harm to the student or others, or
- The student explicitly states that they don't want an appropriate adult present for the search, and the appropriate adult agrees and signs a record of the student's decision.
- The appropriate adult should be the same sex as the student, unless they specifically request someone else.

**Colne Primet Academy's role in the case of a strip search taking place.**

The Principal and their staffs' role is to advocate for students' wellbeing at all times. A strip search can be highly distressing for the student, and for staff and other students affected.

The police **cannot** overrule the Principal's (or delegated staff's) safeguarding duty, for example by requesting that the appropriate adult leave the room when they talk to the student.

More information is available on the process the police must follow on page 13 of the DfE's searching, screening and confiscation guidance.

### 8.4.5. Supporting the students after a strip search takes place.

The school will always put safeguarding at the centre when supporting the student, regardless of whether a prohibited item is found. The student should have an opportunity to express their views regarding the search.

If a prohibited item is found:

- The school will consider it a safeguarding matter as well as a police matter. •
- The school will involve relevant staff such as the DSL and treat the student as potentially vulnerable.

If a prohibited item is not found:

- The school will take a safeguarding approach to supporting the student to cope with the experience of being searched.

- The school will consider the wider issues that may have informed the decision to request a search in the first place.

### 8.5.6. Recording searches.

The school will make a record in CPOMs of;

- Any searches for prohibited or banned items, including who was involved, why the search took place, where the search was conducted and when the search took place
- Any search conducted by police officers (including the recording collar numbers).
- The school will record a search whether any items were found or not.
- The school will record any conversations with parents/guardians in relation to a search and any necessary follow up conversations.

The school will use the CPOMs record to look for any trends in the searches carried out at the school, and to identify any possible risks that may require a safeguarding response.

### 8.5.7. Confiscation and disposal of student's property.

Staff authorised in this policy can confiscate any item they find that they have reasonable grounds for suspecting:

- Poses a risk to staff or students.
- Is a prohibited or banned item.
- Is evidence in relation to an offence.

**Disposal of Property**

Details as to the correct disposal of confiscated items follow the current DfE Advice for schools Searching, Screening and Confiscation.

### 8.5.8. Searching for and confiscating electronic devices.

Authorised staff members may examine any data or files on an electronic device that they have confiscated, if they have good reason to do so.

The school will reasonably suspect that the device has (or could be used to):

- Cause harm to themselves or others.
- Undermine the safe environment of the school and/or cause disorder to the running of school..
- Commit an offence.

If pornographic material is discovered on a student's electronic device.

If the school discovers inappropriate images, video, or other material, it may dispose of them (see p19 and 20 Searching, Screening and Confiscation ).

If the school has reasonable grounds to suspect that their possession is related to a specific illegal offense, it will not destroy the material. Instead, it will hand the material, or device containing the material, over to the police as soon as possible.

If the school suspects suspect it may find an indecent image or video of a child on a device, staff will avoid viewing it and will never copy, share, or save it. Instead, it will refer the incident to the Principal or Lead DSL. It will also follow the DfE's guidance on responding to pornographic image sharing in education settings.

### 8.5.9. Screening students.

Screening is the use of a walk-through or hand-held metal detector to scan all students before they enter the school site. The school can require students to undergo screening but will not do so until we have;

- Consulted with your local police, as they may be able to provide advice about whether installing / using these devices is appropriate.
- Informed students and parents in advance to explain what it will involve.
- Make sure to make reasonable adjustments to the screening process to meet specific student needs.

### 8.5.10 Prohibited items

- Knives, weapons or anything which could be used as a weapon
- Alcohol
- Illegal drugs
- Stolen items
- Vapes, e-cigarettes and related paraphernalia.
- Tobacco and cigarette papers
- Fireworks
- Pornographic images
- Any article that the Principal or staff reasonably suspects has been, or is likely to be, used to commit an offence, cause personal injury (including to the student) or damage to property

This list is set out in Section 3 of the DfE's guidance on searching, screening and confiscation.

**Other items banned by the school**

In addition to the list above, the Principal and authorised staff members can also search for other specific items banned in the school.

- Items that carry an age rating above the age of the child.
- Aerosols of any kind
- Energy drinks or carbonated/fizzy drinks
- Chewing gum
- Glass bottles or containers
- Make up
- Mobile phones which have not been stored correctly (Switched off and in bags).
- Items that could be used to disrupt the orderly running of school.

## 10. Mobile phones

Mobile phones are prohibited in school following the DFE guidance Mobile phones in schools.

Mobile phones must not be seen in school. During the school day they should be switched off and in bags. This includes after 3.20pm within the school site.

If a mobile is seen by a member of staff it will be confiscated. The sanction for this depends on the number of occasions students have been seen with a mobile phone:

**1st incident in a year**-The mobile phone is confiscated and returned at the end of the school day

**2nd incident in a year** -The mobile phone is confiscated and parents/carers are notified and asked to pick up the school from the office. The phone remains in the office until this can happen.

**3rd incident in a year**-The mobile phone is confiscated and parents/carers are notified and asked to come in for a meeting regarding their child's mobile use in school. The mobile is returned, however, If the student wishes to bring a phone into school in future, alternative storage will be organised, for example leaving the mobile with the Head of Year throughout the day.

Data and files from these items may be examined if there are reasonable grounds to suspect misuse. Malicious or inappropriate material may be erased or downloaded and saved as evidence.

If a mobile is seen and a student refuses to hand it over, they may be searched for the item.

See section 8.1 Searching, Screening and Confiscation

There may be situations where reasonable adjustments are needed, but these are only for those with a medical condition/disability where the mobile phone is needed, for example a student who had diabetes may use the mobile phone to monitor blood glucose levels.

In line with the DfE guidance, Colne Primet Academy are not liable should a phone be lost or damaged after confiscation.

## 11. Support for students with additional needs

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

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

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

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

## 11. Safeguarding

The school recognises that changes in behaviour may be an indicator that a student is in need of help or protection. We will consider whether a student's misbehaviour may be linked to them suffering, or being likely to suffer, significant harm. Where this may be the case, we will follow our child protection and safeguarding policy. Where there are repeat issues with a student, which indicates that they are not in a fit mental state to be in school, arrangements will be put in place for parents to collect their child.

## 12. Suspensions

### 12.1 Aims

Our school aims to ensure that:

- The suspension process is applied fairly and consistently
- The suspension process is understood by governors, staff, parents and students
- Students do not become NEET (not in education, employment or training)

### 12.2 The decision to suspend

Only the Principal can suspend a student from school. A permanent exclusion will be taken as a last resort.

Our school is aware that off-rolling is unlawful. Ofsted defines off-rolling as:

"…the practice of removing a student from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the student."

We are committed to following all statutory exclusions procedures to ensure that every childreceives an education in a safe and caring environment.

A decision to suspend a student will be taken only:

- In response to serious or persistent breaches of the school's behaviour policy,and
- If allowing the student to remain in school would seriously harm the educationor welfare of others.

Before deciding whether to suspend a student, either permanently or for a fixed period, the Principal will:

- Consider all the relevant facts and evidence, including whether the incident(s)leading to the suspension were provoked
- Allow the student to give their version of events
- Consider if the student has special educational needs (SEND)

### 12.3 Definition

For the purposes of suspensions, the school day is defined as any day on which there is a school session. Therefore, INSET or staff training days do not count as a school day.

### 12.4 Roles and responsibilities

**Informing parents**

At the point of suspension, the Principal will provide the following information, in writing, to the parents/Carer of a suspended student:

12.4.1 The reason(s) for the suspension.

12.4.2 The length of a suspension or, for a permanent exclusion.

12.4.3 Information about parents' right to make representations about the suspension to the Local Governing Committee and how the student may be involved in this.

12.4.4. Where there is a legal requirement for the Local Governing Committee to meet to consider the reinstatement of a student, and that parents have a right to attend a meeting, be represented at a meeting (at their own expense) and to bring a friend.

The Principal, or approved member of staff, will also notify parents by the end of the afternoon session on the day their child is suspended that for the first 5 school days of a suspension, or until the start date of any alternative provision where this is earlier, parents/carer are legally required to ensure that their child is not present in a public place during school hours without a good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this. If alternative provision is being arranged, the following information will be included when notifying parents of a suspension:

12.4.5 The start date for any provision of full-time education that has been arranged.
12.4.6 The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant.
12.4.7 The address at which the provision will take place.
12.4.8 Any information required by the student to identify the person they should report to on the first day.

Where this information on alternative provision is not reasonably ascertainable by the end ofthe afternoon session, it may be provided in a subsequent notice, but it will be provided no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of a suspension, in which case information can be provided with less than 48 hours' notice with parents' consent.

**Informing the Local Governing Committee and Local Authority**

The Principal will immediately notify the Local Governing Committee and the local authority(LA) of:

12.4.9 A permanent exclusion, including when a suspension is made permanent
12.4.10 Suspensions which would result in the student being excluded for more than 5 school days (or more than 10 lunchtimes) in a term
12.4.11 A suspension which would result in the student missing a public examination.

For a permanent exclusion, if the student lives outside the LA in which the school is located,the Principal will also immediately inform the student's 'home authority' of the exclusion andthe reason(s) for it without delay.

For all other suspensions, the Principal will notify the Local Governing Committee and LA once a term.

**12.5 Governors**

The Local Governing Committee has a duty to consider the reinstatement of suspended student. For a suspension of more than 5 school days, the school will arrange suitable full-time education for the student. This provision will begin no later than the sixth day of the suspension. Provision does not have to be arranged for students in the final year of compulsory education who do not have any further public examinations to sit.

The Local Governing Committee will consider the reinstatement of a suspended student within 15 school days of receiving the notice of the exclusion if:

- The exclusion is permanent
- It is a suspension which would bring the student's total number of schooldays of exclusion to more than 15 in a term
- It would result in a student missing a public examination

If requested to do so by parents, the Local Governing Committee will consider the reinstatement of a suspended student within 50 school days of receiving notice of the suspension if the student would be suspended from school for more than 5 school days, but lessthan 15, in a single term.

Where a suspension would result in a student missing a public examination, the Local Governing Committee will consider the reinstatement of the student before the date of the examination. If this is not practicable, the Local Governing Committee will consider the suspension and decide whether or not to reinstate the student.

The Local Governing Committee can either:

- Decline to reinstate the student, or
- Direct the reinstatement of the student immediately, or on a particular date.

In reaching a decision, the Local Governing Committee will consider whether the suspension was lawful, reasonable and procedurally fair and whether the Principal followed their legal duties.They will decide whether or not a fact is true 'on the balance of probabilities', which differs from the criminal standard of 'beyond reasonable doubt', as well as any evidence that was presented in relation to the decision to suspend.

Minutes will be taken of the meeting, and a record of evidence considered kept. The outcome will also be recorded on the student's educational record.

The Local Governing Committee will notify, in writing, the Principal, parents and the LA of its decision, along with reasons for its decision, without delay.

Where an suspension is permanent, the Local Governing Committee 's decision will also include the following:

- The fact that it is permanent
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel, and:
    - The date by which an application for an independent review must be made
    - The name and address to whom an application for a review should besubmitted
    - That any application should set out the grounds on which it is being made and that, where appropriate, reference to how the student's SEN are considered to be relevant to the exclusion.
    - That, regardless of whether the excluded student has recognised SEN, parents have a right to require the Pendle Education Trust to appoint a SENexpert to attend the review
    - Details of the role of the SEN expert and that there would be no cost toparents for this appointment
    - That parents must make clear if they wish for a SEN expert to be appointedin any application for a review
    - That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friendto the review.

That if parents believe that the exclusion has occurred as a result of discrimination, they maymake a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of otherforms of discrimination. A claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place.

### 12.6 An independent review

If parents apply for an independent review, the Pendle Education Trust will arrange for an independent panel to review the decision of the local governing committee not to reinstate apermanently excluded student.

Applications for an independent review must be made within 15 school days of notice beinggiven to the parents by the Local Governing Committee of its decision to not reinstate a student.

A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school governors category and 2 members will come from the Principal category.

- A lay member to chair the panel who has not worked in any school in a paidcapacity, disregarding any experience as a school governor or volunteer
- School governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or headteacher/principals during this time
- Headteachers/principals or individuals who have been aheadteacher/principals within the last 5 years

A person may not serve as a member of a review panel if they:

- Are a member of the Pendle Education Trust, or governing committee of the excluding school
- Are the Principal of the excluding school, or have held this position in the last5 years
- Are an employee of the Pendle Education Trust, or the governing committee, of the excluding school (unless they are employed as a principal at another school)
- Have, or at any time have had, any connection with the Pendle Education Trust, school, governing committee, parents or student, or the incident leading to the exclusion, which might reasonably be taken to raise doubtsabout their impartially
- Have not had the required training within the last 2 years (see Appendix 1).

A clerk will be appointed to the panel.

The independent panel will decide one of the following:

- Uphold the Local Governing Committee's decision
- Recommend that the Local Governing Committee reconsiders reinstatement
- Quash the local governing committee 's decision and direct that they reconsider reinstatement (only when the decision is judged to be flawed)
- The panel's decision can be decided by a majority vote. In the case of a tieddecision, the chair has the casting vote.

### 12.7 School registers

A student's name will be removed from the school admissions register if:

12.7.1 15 school days have passed since the parents were notified of the exclusion panel's decision to not reinstate the student and no application has been made for an independent review panel, or
12.7.2 The parents have stated in writing that they will not be applying for an independent review panel





Where an application for an independent review has been made, the Local Governing Committee will wait until that review has concluded before removing a student's name fromthe register.

Where alternative provision has been made for an excluded student and they attend it, codeB (education off-site) or code D (dual registration) will be used on the attendance register.

Where suspended students are not attending alternative provision, code E (absent) will beused.

### 12.8 Returning from a suspension and monitoring arrangements

Following a suspension, a re-integration meeting will be held involving the student, parents, a member of senior staff and other staff, where appropriate.

The following measures may be implemented when a student returns from a suspension:

- Agreeing a behaviour contract
- A period of behaviour monitoring
- Phased return back into lessons and potential use of internal isolation
- Behaviour mentoring sessions
- School counselling sessions.

The Principal monitors the number of exclusions every term and reports back to the governors. They also liaise with the local authority to ensure suitable full-time education forsuspended students.

This policy will be reviewed by the Local Governing Committee annually. At every review the policy will be shared with the Local Governing Committee.

## 13.Training

Behaviour management and trauma awareness training will also form part of continuing professional development.

## 14.Monitoring arrangements

This behaviour policy will be reviewed by the Principal and Governors every year. At each review, the policy will be approved by the Principal and Governors and published on the school website.

## 15.Links with other policies

This behaviour policy is linked to the following policies:

a. Child protection and safeguarding policy
b. Prevention of bullying policy

## Appendix 1: Independent review panel training

The Pendle Education Trust must ensure that all members of an independent review panelland clerks have received training within the 2 years prior to the date of the review.

Training must have covered:

- The requirements of the primary legislation, regulations and statutory guidance governing exclusions, which would include an understanding of how the principles applicable in an application for judicial review relate to the panel's decision making
- The need for the panel to observe procedural fairness and the rules of naturaljustice
- The role of the chair and the clerk of a review panel
- The duties of the headteacher/principal, local governing committee s and the panel under theEquality Act 2010
- The effect of section 6 of the Human Rights Act 1998 (acts of public authorities unlawful if not compatible with certain human rights) and the need to act in a manner compatible with human rights protected by that Act