



# Relationship and Positive Behaviour Policy

**Responsible for policy:**  
**Review:**  
**Chair of Directors**

**CC3: Quality Provision and Performance**  
**Annual**



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## Definitions

In this **Behaviour Policy**, unless the context otherwise requires, the following expressions shall have the following meanings:

- i. **'The Romero Catholic Academy'** means the Company named at the beginning of this **Behaviour Policy** and includes all sites upon which the Company is undertaking, from time to time, being carried out. The Romero Catholic Academy includes; **Corpus Christi, Good Shepherd, Sacred Heart, Blue Sky, SS Peter and Paul, Saint Gregory, Saint John Fisher, Saint Patrick, Cardinal Wiseman, Shared Services Team.**
- ii. **'Romero Catholic Academy'** means the Company responsible for the management of the Academy and, for all purposes, means the employer of staff at the Company.
- iii. **'Board'** means the board of Directors of the Romero Catholic Academy.
- iv. **'Chair'** means the Chair of the Board or the Chair of the Local Governing Body of the Academy appointed from time to time, as appropriate.
- v. **'Governing Body'** means the Governing Body to the Board or the Governing Body to the Local Governing Body of the Academy appointed from time to time, as appropriate.
- vi. **'Chief Executive Officer (CEO)'** means the person responsible for performance of all Academies and Staff within the Multi Academy Company and is accountable to the Board of Directors.
- vii. **'Diocesan Schools Commission'** means the education service provided by the diocese, which may also be known, or referred to, as the Birmingham Diocesan Education Service.
- viii. **'Local Governing Body'** means the governing body of the school.
- ix. **'Local Governing Body Representatives'** means the governors appointed and elected to the Local Governing Body of the School, from time to time.
- x. **'Principal'** means the substantive Principal, who is the person with overall responsibility for the day-to-day management of the school.
- xi. **'School'** means the school or college within The Romero Catholic Academy and includes all sites upon which the school undertaking is, from time to time, being carried out.
- xii. **'Shared Services Team'** means the staff who work in the central team across the Company (e.g. HR/ Finance).
- xiii. **'Vice-Chair'** means the Vice-Chair of the Governing Body elected from time to time.

## 1. Aims

The Romero Catholic Academy recognises that the common good requires that social conditions allow all people to reach their full human potential and realise their human dignity. At the heart of this, is the need for strong relationships. Concretely, this will mean that Catholic schools should:

Provide a broad and balanced education which will help pupils and young people grow to their full human potential, and pay regard to the formation of the whole person, so that:

*"...all may attain their eternal destiny and at the same time promote the common good of society. Pupils and young persons are therefore to be cared for in such a way that their physical, moral and intellectual talents may develop in a harmonious manner, so that they may attain a greater sense of responsibility and a right use of freedom and be formed to take an active part in social life".*

**Code of Canon Law**

## 2. Values

*"Because all people are equal in God's sight, every person possesses the same dignity and has a claim to the same human rights. Hence every kind of social, racist, sexist, cultural or religious discrimination against a person is an unacceptable injustice."*

**YOUCAT 330 (see definitions)**

We believe that across the Romero Catholic Academy, we should create a safe and stimulating environment where everyone knows that they are valued as God's pupils. Every person has the right to be treated with respect, and each person has the responsibility to treat others in the same way. We believe that all pupils and students, regardless of their starting points, can achieve if they are taught well and are supported effectively. Our belief is underpinned by clear values that drive our moral compass across schools, and this permeates our collective pursuit of excellence:

- **Respect** We respect and value those we work with and the contribution that they make.
- **Integrity** We act fairly, ethically and openly in all we do.
- **Service** We put our pupils at the centre of all that we do
- **Excellence** We use our energy, skills and resources to deliver the best, sustainable results.

The Romero Catholic Academy recognises the need to always promote positive behaviour. By being proactive, effectively promoting a choice that makes the right moral decision, our schools can help to create a safe and disciplined environment, where pupils are able to learn, flourish and fulfil their God-given potential.

## 3. Rationale

Our approach to behaviour is a relational one, where we see all behaviour as a communication of need. We are committed to being an Attachment and Trauma Informed School and ALL staff are trained in awareness. We make effective use of current research in neuroscience and trauma informed approaches. The Romero approach follows three main relational concepts: 1) We value every pupil, 2) We see behaviour as a communication and 3) We respond with visible consistency and visible kindness.

## 4. Responding to behaviour

### Developing Relationships

Our school ethos of collaborating as the 'Romero Family' underpins all that we do to ensure that school is a place of safety and a positive learning environment for all pupils. All staff in school invest in building relationships with the pupils they work with, so that pupils enjoy their learning and attend school regularly and on time. All pupils are treated with kindness and valued as individuals. All members of staff in school are expected to model and promote behaviours and further embed positive relationships. Every interaction between all staff and pupils will explicitly teach our school expectations, routines and values.

Relationships are built through:

- Consistent caring adult behaviour.
- Clear high expectations for behaviour and learning.
- Consistent routines and practice in all areas in school.
- The systems that are fair and equitable to all, regardless of age, gender, sexual orientation or ethnicity.
- A 'fresh start' approach and all pupils have a 'clean slate' at the start of each day/lesson.

### **Setting boundaries and celebrating positive behaviour**

Good and expected behaviour must be role always modelled and promoted by all staff. Around school pupils should be given regular, specific praise for excellent behaviour.

### **School rules**

The whole school reward system is designed around the pupil's ability to positively contribute to school life. The reward system is designed to celebrate and encourage the individual skills and traits that are needed for pupils to develop a positive attitude towards their learning and development but also to support them to become responsible members of the school community.

### **Rewards**

Each school rewards pupils and this can range from house points, tokens, raffle tickets, certificates, prize boxes, stickers to name a few. Celebration assemblies also recognise positive contributions to school life made by pupils.

### **Consistent routines**

Through teaching and promoting the core values and rights, pupils learn that to achieve well and succeed in school they must work hard, concentrate and be resilient when faced with difficult challenges. To do this the climate and ethos in the classroom needs to promote positive behaviour for learning. To ensure this is able to happen every day, in every lesson teacher always ensure that the classroom is calm, well organised, resources for lessons are prepared and all classes have established routines that maximise learning time. To develop the effective relationships across the whole school we have adopted key routines:

- Meet and greet all pupils positively when they arrive in the morning
- Every class will have a visual timetable
- Stop signal and transition cues are used consistently across the whole school

### **Setting high expectations**

In all areas in school, pupils are reminded to demonstrate high expectations by being who God wants us to be:

- Being ready
- Being respectful
- Being safe

### **Mental Health and Well-Being**

We care about and promotes positive mental health and well-being for pupils, staff and families. We have a trained '**Mental Health First Aider**' in each school and other senior staff and governors are trained in promoting mental health in the workplace.

## Responding and Calming

All classes have their own dedicated **Safe Space/Calm Area** for pupils to use to aid self-regulation. Pupils are taught to use these resources and to understand how this is helping them be ready to learn again. Through PSHE and 10:10 sessions, pupils are taught breathing techniques, mindfulness and calming strategies.

All staff in school will respond to in a calm and consistent way, using the “30 second script” to support pupils in making positive behaviour choices (Appendix 3). This sets a high expectation for behaviour along with a positive affirmation that the pupil can achieve this. Pupils will always be given time to correct the behaviour after the script is delivered. There are regular opportunities for all pupils to share their views through regular dialogue and surveys with senior leaders.

## Supporting pupils to regulate emotions

Pupils need to feel confident that an adult will support them to regulate their emotions. An adult will use the Emotion Coaching Script (Appendix 4) to co-regulate. Only when the pupil has been supported to calm themselves must the consequences of the behaviour be discussed. Staff should make a clear distinction between validating the emotion whilst still highlighting the unacceptable behaviour and alternative positive choices for actions. Staff will respond in a predictable, prompt, kind and assertive manner, we will provide additional support where needed so that all pupils can meet our expectations.

## Supporting Inclusion

We recognise that behaviour is a form of communication and that some pupils may require additional support to regulate. With the guidance of the SENCo and Pastoral Teams pupils will receive personalised provision through a positive intervention plan (Appendix 5).

## Positive Handling

The Romero Academy recognises that there is a need to intervene when there is an obvious risk to safety to pupils, staff and property. Staff may use positive handling as a last resort in line with Team Teach training and advice. If used at all, it will be in the context of respectful, supportive relationship with the pupil and will always aim to ensure minimal risk of injury to pupils and staff. Please see Positive Handling Policy.

## Repairing and Restoring

### Reflection

All unacceptable behaviours must be dealt with and addressed with the pupil. Staff will ensure that pupils understand that an incident will be resolved during reflection time. Staff will use these restorative interactions to help the pupil resolve the incident or conflict and understand how to repair relationships.

### Reflection time aims to:

- Teach pupils the impact of the behaviours they have shown,
- Support pupils to take responsibility for their own behaviour,
- Know how to repair the impact of their behaviour,
- Have positive strategies to improve their future behaviour.

### Staff reflecting on behaviour

It is essential that all staff in school reflect on the behaviour of the pupils they are working with and try to identify any underlying causes of behaviour that challenges. We believe that ALL behaviour is a communication of need or circumstances, so staff need to understand how a change to provision or practice for the group or individual could help improve behaviour.

Reflection Sheet 1)

# Behaviour REFLECTION

What happened?

How were you feeling at the time?

|                                                                                                        |                                                                                                    |                                                                                              |                                                                                                 |                                                                                              |                                                                                                |                                                                                                                    |                                                                                                    |
|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| <br>bored / impatient | <br>silly / giddy | <br>angry   | <br>frustrated | <br>sad     | <br>confused | <br>troubled / a lot on my mind | <br>embarrassed |
| <br>guilty            | <br>tired         | <br>anxious | <br>stressed   | <br>jealous | <br>hungry   | <br>scared                      | <br>other       |

What were you thinking at the time?

Who else has been effected and how do you think you've made them feel.

What could you do differently next time?

How can you repair the damage?

Reflection Sheet 2)

# Behaviour REFLECTION

What happened?

How were you feeling at the time?



What was the impact of your action?



How can you make it right?

Ideas



## Restoration

Behaviour that can be effectively managed within a classroom environment by the class teacher. From following the 30 second script pupils may have lost a few minutes of playtime or lunchtime to complete any learning or to have a short restorative conversation.

All staff must follow the Romero pathway to restoration:



### High Levels of Behaviour

Serious negative and/or unacceptable behaviour where the pupil has deliberately chosen to hurt another person (physically or verbally including racist/bullying/homophobic language) or damage to school or others property may warrant an immediate response at a higher stage of the restoration pathway.

Where pupils' behaviour falls below our expectations, whether on or off site or online that is either witnessed by staff or is reported to the school, we will collaborate with families to resolve them, putting in place consequences as appropriate. Negative interactions online can damage the school's culture and can lead to school feeling like an unsafe place.

### Child on Child Abuse

Following any report of child-on-child sexual violence or sexual harassment offline or online, we will follow our Child Protection Policy and the information within **Keeping Pupils Safe in Education** addressing it through appropriate consequences. All staff will challenge inappropriate language and behaviour between pupils.

### Sexism and Sexual harassment

Romero wants everyone to feel included, respected and safe in our schools. We will not tolerate verbal abuse, which includes name-calling and sexist comments. Romero does not tolerate 'banter.'

- **Sexist comments** are those which discriminate based on sex, particularly against females
- **Sexism** also includes behaviour or attitudes that create stereotypes of social roles based on sex.

All staff and pupils are encouraged to call out and/or report this behaviour. If pupils make these comments, we will:

- Ask them to apologise to anyone the comment was directed at
- Support and educate them to improve their behaviour (this may include referrals to outside agencies/specialist services)
- Monitor their behaviour for any recurrence
- Escalate as appropriate

Our PSHE and RSE curriculum will cover what healthy and respectful behaviour towards one another looks like.

### Suspension

There may be cause to issue a suspension: please see Romero Suspension Policy for further details.

### Permanently Exclusion (PEX)

In extreme cases the pupil may be Permanently Excluded (PEX) - this sanction is used with the greatest reluctance. Suspensions and permanent exclusions will follow guidelines set by DfE.

### Positive Touch

Positive touch may be used to calm, soothe and regulate a pupil's emotions and is a needed developmental experience.

Safe Touch may be used in the following ways:

- To calm and comfort a distressed or upset pupil
- To help regulate emotions when a pupil is feeling angry or frustrated
- To reassure and calm an anxious or worried pupil
- To support a pupil with low self esteem

Some strategies that may be deployed are:

- Holding hand, hug or reassuring touch if instigated by the pupil when upset
- Providing sensory input such as deep pressure hug/massage, support with sensory movements e.g. pushing/pulling activities/mindfulness.

### **Monitoring of Behaviour Incidents**

All behaviour resulting in a reflection must be recorded on Arbor by staff.

Logged behaviour incidents will be viewed daily and monitored on a weekly basis by the member of Senior Leadership Team linked to each year group. Behaviour and culture are a standing item on SLT and Phase Meetings. This allows any persistent issues/ pupils to be identified. If a pupil is persistently making poor behaviour choices this may indicate a safeguarding issue or signal an unmet learning or developmental need, these pupils will be referred to the school inclusion and pastoral team. Termly feedback will be sought from all pupils about the existing climate within school and a termly report on incidents and suspensions will be shared with Governors and the Board of Directors

**All staff are required to adhere to this policy, including temporary, volunteers or supply staff.**

## Appendix 1: Consequences (Secondary)

### Consequences

- Poor behaviour is recorded on the Arbor as Demerits (negative incidents)
- Parents and carers can have access to this log. The number of points is monitored on a half termly basis and strategies will be put in place to support a student to learn effectively and to show respect for others.

### 100% Co-operation

- 100% co-operation has been adopted to support the behaviour of our pupils. If a member of staff feels that a pupil has not met our behaviour standards or has breached uniform guidance, they will call for a Hot-Spotter, and the pupil will be placed in either Faculty Support or Internal Inclusion.
- This placement could be up to 4pm on that day. Parents will be notified by text by 2:20pm of that day if this is the case. For incidents after this, students would be expected to complete Period 1 of the next day there. If a pupil chooses to walk out before the end of their session, they will be required to complete a further sanction the following day. A refusal to follow staff instructions to go into Internal Inclusion may result in a fixed term suspension.

### Detentions

- We have the statutory right (Education and Inspections Act 2006) to use detention as a sanction both within the normal school day and after normal school hours. Under this Act, parental consent is not required for detentions and inconvenient travel arrangements do not affect our right to impose a detention.
- Lunch time detentions can run daily. Pupils may also be issued with an afterschool detention. Parents will be informed in advance, and detentions will be logged on Arbor and can be seen by parents accessing the system via the parent portal.
- If a pupil arrives late for the school day they will be placed in Internal Inclusion until the beginning of the next lesson or after the next break. Parents/carers will be notified of this.
- There may be an instance where a student has repeatedly failed to adhere to 100% compliance and will be asked to attend a detention with a member of the behaviour team. Failure to attend this will result in a Friday detention led by a member of SLT.
- Staff may also issue detentions at break and lunchtime and after school, but every effort will be made to ensure that pupils have reasonable time to eat, drink and use the toilet. Staff can keep pupils back at the end of the day for 10 minutes without prior warning.

### Smoking, Vaping or use off Nicotine products On or Off the School Site

- Any pupil found smoking vaping or use off nicotine products on site will spend a day in internal suspension in the first instance, after that the consequence will be a rolling programme of suspensions.
- If the student continues to act in breach of the policy, they may be subject to a Permanent Exclusion on the grounds of persistent breaches of the Behaviour and Positive Handling Policy. This includes smoking outside the school grounds and applies if a student is smoking any form of replacement cigarettes/e-cigarettes. The same consequences may be issued to any student fraternizing with a group of smokers, even though the student himself or herself may not be smoking.

### Uniform

- All pupils are expected to wear correct uniform. If a student attends school and is not in the correct uniform their parents will be expected to rectify the situation immediately. If they are unable to do so the student will be placed in internal suspension until the pupil reaches the prescribed standards for School Uniform. Please refer to the School Uniform Guidance booklet which is also published on the school web site for the correct uniform.

### **Hairstyles**

- Extreme hairstyles in terms of style, as determined by school, are not acceptable (large hair accessories are also not acceptable).
- Failure to comply will result in a sanction which in the first instance will be internal suspension but persistent breaches may lead to more serious consequences.
- The Principal of each school reserves the right to judge what is extreme and what is not.

### **Mobile phones**

- Pupils are not allowed to use their mobile phones, smart phones or smart watches while on school site.
- Phones must be kept in bags or the school office (Primary schools). Staff will confiscate phones if they are seen.
- Pupils can collect them at the end of the day from student reception or the Behaviour Team.
- Failure to hand over mobile phones may result in more serious sanctions.

### **Internal Inclusion**

- This is used where pupils have committed breaches of discipline and have not adhered to 100% compliance which, in the judgement of the school, need a greater sanction than a detention.
- The school reserves the right to impose a fixed term in Internal Inclusion. The number of days served in Internal Inclusion will depend on the judgement and the evidence available at the time.
- Pupils who fail to reach the classroom standards expected may be removed by a member of staff and placed into Internal Inclusion. They will be asked to reflect on the behaviour that has led to this consequence being imposed and may be allowed to be reintegrated into their next lesson. Any pupil who is removed from more than one lesson in a day will be subject to more serious consequences such as a full day in isolation or possibly a Fixed term suspension.
- For those pupils who have had to spend a full day in Internal Inclusion, their parents will be informed and will be expected to attend a reintegration meeting with a member of the Senior Leadership Team where possible.
- Where a student is placed into Internal Inclusion, the expectation is to work in silence to create a calm environment for all.

### **Inclusion**

- Analysis of behaviour reports will take place on a regular basis. There will be dialogue with pupils and parents in those cases where personalised intervention plans are necessary. External agencies will be involved where appropriate.

### **Teachers' Panel**

- The teachers' panel will meet after school with pupils and their parents/carers who are not responding to the normal school sanctions and whose behaviour is likely to lead to suspension or increased internal isolation. Parents/carers of these pupils will be expected to attend the meetings to discuss intervention strategies.
- In more serious instances pupils and parents will meet with a Governors' Panel.

### **Behaviour Off Site**

We expect pupils who wear our uniform to demonstrate high standards of behaviour at all times both on and off site. This includes but is not limited to:

- Taking part in any school-organised activity.
- Travelling to or from school.
- When wearing school uniform.
- As identified as a pupil at Cardinal Wiseman.

Or misbehaviour at any time, whether the conditions above apply, that include but is not limited to:

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

We will discipline pupils according to our behaviour policy where these incidents of poor behaviour occur to such an extent as is reasonable.

### **Suspensions**

Fixed term suspensions which could include a fixed term in Internal Inclusion may be given for but not limited to:

- All instances described previously which constitute a persistent breach of our Classroom Standards and therefore our Behaviour and Positive Handling Policy.
- Physical contact or threats made to a member of staff.
- Swearing directly at a member of staff.
- Hitting or assaulting another pupil.
- Stealing something significant.
- Bullying, harassment or abuse (including on the grounds of gender, race, religion or sexual orientation).
- Acts of deliberate vandalism.
- Malicious allegations against staff.
- On-going defiance of members of staff.

This list does not indicate every offence for which fixed term suspension may be used. For certain pupils a fixed term in Internal Inclusion will have more impact as a sanction than issuing a fixed term suspension.

Recommendation for permanent exclusion will be given by the Principal following a full investigation for the below, but this list is not limited to:

- Possession of drugs or alcohol on site or on the journey to or from school.
- Dealing in drugs.
- Possession of drugs.
- Possession of an offensive weapon.
- Persistent disruptive or violent conduct.
- Persistent breaches of The Romero Catholic Academy Behaviour and Positive Handling Policy.
- Endangering others' safety.
- Evidence will be taken from the pupil so that their point of view is given.

### **Involvement Of Parents**

Parents will be involved in discipline cases as appropriate. There will be a compulsory reintegration meeting for all pupils following a fixed term suspension.

### **Involvement Of Staff**

The working of the school's policies and procedures will be discussed regularly at staff meetings and on specified training days.

## Appendix 2: Screening, Searching & Confiscation (Primary & Secondary)

### Searching

School staff can search a pupil for any item if the pupil agrees. The ability to give consent may be influenced by the pupil's age or other factors.

Principals and staff authorised by them have a statutory power to search pupils or their possessions, **without consent**, where they have reasonable grounds for suspecting that the pupil may have a prohibited item. Prohibited items are:

- knives or weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers or vapes and associated items
- fireworks
- pornographic images
- any article that the member of staff reasonably suspects has been, or is likely to be, used:
  - to commit an offence, or
  - to cause personal injury to, or damage to the property of, any person (including the pupil)

Principals and authorised staff can also search for any item banned by the school rules which has been identified in the rules as an item which may be searched

### Confiscation

School staff can seize any prohibited item found because of a search. They can also seize any item; they consider harmful or detrimental to school discipline.

### Schools' obligations under the European Convention on Human Rights (ECHR)

- Under article 8 of the European Convention on Human Rights pupils have a right to respect for their private life. In the context of these powers, this means that pupils have the right to expect a reasonable level of personal privacy
- The right under Article 8 is not absolute, it can be interfered with but any interference with this right by a school (or any public body) must be justified and proportionate
- The powers to search in the Education Act 1996 are compatible with Article 8. A school exercising those powers lawfully should have no difficulty in demonstrating that it has also acted in accordance with Article 8. This advice will assist schools in deciding how to exercise the searching powers in a lawful way.

### Screening

What the law allows:

- Schools can require pupils to undergo screening by a walk-through or hand-held metal detector (arch or wand) even if they do not suspect them of having a weapon and without the consent of the pupils
- Schools' statutory power to make rules on pupil behaviour and their duty as an employer to manage the safety of staff, pupils and visitors enables them to impose a requirement that pupils undergo screening
- Any member of school staff can screen pupils

Also note:

- If a pupil refuses to be screened, the school may refuse to have the pupil on the premises. Health and safety legislation require a school to be managed in a way which does not expose pupils or staff to risks to their health and safety and this would include making reasonable rules as a condition of admittance.
- If a pupil fails to comply, and the school does not let the pupil in, the school has not excluded the pupil and the pupil's absence should be treated as unauthorised. The pupil should comply with the rules and attend.
- This type of screening, without physical contact, is not subject to the same conditions as apply to the powers to search without consent.

## **Searching with consent**

School staff can search pupils with their consent for any item.

Also note:

- Schools are not required to have formal written consent from the pupil for this sort of search – it is enough for the teacher to ask the pupil to turn out his or her pockets or if the teacher can look in the pupil's bag or locker and for the pupil to agree.
- If a member of staff suspects a pupil has a banned item in his/her possession, they can instruct the pupil to turn out his or her pockets or bag and if the pupil refuses, the teacher can apply an appropriate punishment as set out in the behaviour policy.
- A pupil refusing to co-operate with such a search raises the same kind of issues as where a pupil refuses to stay in a detention or refuses to stop any other unacceptable behaviour when instructed by a member of staff – in such circumstances, schools can apply an appropriate disciplinary penalty.

## **Searching without consent**

What can be searched for?

- Knives or weapons, alcohol, illegal drugs and stolen items; and
- Vapes, tobacco and cigarette papers, fireworks and pornographic images; and
- Any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury, or damage to property; and
- Any item banned by the school rules which has been identified in the rules as an item which may be searched for.
- The search can be undertaken by any member of school staff if authorised by the headteacher.
- The staff member must be the same sex as the pupil being searched; and there must be a witness (also a staff member) and, if possible, they should be the same sex as the pupil being searched.
- There is a limited exception to this rule. We can carry out a search of a pupil of the opposite sex to you and / or without a witness present, but only where you reasonably believe that there is a risk that serious harm will be caused to a person if you do not conduct the search immediately and where it is not reasonably practicable to summon another member of staff.

## **Authorising members of staff**

- Principals can decide who to authorise to use these powers. There is no requirement to provide authorisation in writing.
- Staff, other than security staff, can refuse to undertake a search.
- Staff can be authorised to search for some items but not others; for example, a member of staff could be authorised to search for stolen property, but not for weapons or knives.

## **Training for school staff**

- When designating a member of staff to undertake searches under these powers, the Principal should consider whether the member of staff requires any additional training to enable them to carry out their responsibilities.

## **Establishing grounds for a search**

- Teachers can only undertake a search without consent if they have reasonable grounds for suspecting that a pupil may have in his or her possession a prohibited item. The teacher must decide in each particular case what constitutes reasonable grounds for suspicion. For example, they may have heard other pupils talking about the item or they might notice a pupil behaving in a way that causes them to suspect that the pupil is concealing a prohibited item.

- In the exceptional circumstances when it is necessary to conduct a search of a pupil of the opposite sex or in the absence of a witness, the member of staff conducting the search should bear in mind that a pupil's expectation of privacy increases, as they get older.
- The powers allow school staff to search regardless of whether the pupil is found after the search to have that item. This includes circumstances where staff suspect a pupil of having items such as illegal drugs or stolen property which are later found not to be illegal or stolen.
- School staff may wish to consider utilising CCTV footage in order to make a decision as to whether to conduct a search for an item.

### **Searches for items banned by the school rules**

- An item banned by the school rules may only be searched for under these powers if it has been identified in the school rules as an item that can be searched for.
- The school rules must be determined and publicised by the Principal in accordance with the School Behaviour (Determination and Publicising of Measures in Academies) Regulations 2012.
- Under section 89 and the School Behaviour (Determination and Publicising of Measures in Academies) Regulations 2012 the Principal must publicise the behaviour policy, in writing, to staff, parents and pupils at least once a year.

### **Location of a search**

- Searches without consent can only be carried out on the school premises or, if elsewhere, where the member of staff has lawful control or charge of the pupil, for example on school trips in England or in training settings.

### **During the search**

Extent of the search – clothes, possessions, desks and lockers What the law says:

- The person conducting the search may not require the pupil to remove any clothing other than outer clothing.
- 'Outer clothing' means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear but 'outer clothing' includes hats; shoes; boots; gloves and scarves.
- 'Possessions' means any goods over which the pupil has or appears to have control – this includes desks, lockers and bags.
- A pupil's possessions can only be searched in the presence of the pupil and another member of staff, except where there is a risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.

Also note:

- The power to search without consent enables a personal search, involving removal of outer clothing and searching of pockets; but not an intimate search going further than that, which only a person with more extensive powers (e.g. a police officer) can do.

Lockers and desks

- Under common law powers, schools are able to search lockers and desks for any item provided the pupil agrees. Schools can also make it a condition of having a locker or desk that the pupil consents to have these searched for any item whether or not the pupil is present.
- If a pupil does not consent to a search (or withdraws consent having signed a consent form) then it is possible to conduct a search without consent but only for the "prohibited items" listed above.

Use of force

- Members of staff can use such force as is reasonable given the circumstances when conducting a search for knives or weapons, alcohol, illegal drugs, stolen items, vapes and associated items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm. Such force cannot be used to search for items banned under the school rules.

## After the search

### The power to seize and confiscate items – general

What the law allows:

- Schools' general power to discipline, as circumscribed by Section 91 of the Education and Inspections Act 2006, enables a member of staff to confiscate, retain or dispose of a pupil'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 reasonably suspected to be an offensive weapon, 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 because 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 pupil.
- 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 vapes, tobacco or cigarette papers as they think appropriate but this should not include returning them to the pupil.
- Fireworks found as a result of a search may be retained or disposed of but should not be returned to the pupil.
- If a member of staff finds a pornographic image, they may dispose of the image unless they have reasonable grounds to suspect that its possession constitutes a specified offence (i.e. it is extreme or pupil pornography) in which case it must be delivered to the police as soon as reasonably practicable.
- Where an article that has been (or is likely to 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 the teachers and staff authorised by them 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.
- Regarding 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 that is prohibited by the school rules or that they reasonably suspects has been, or is likely to be, used to commit an offence or cause personal injury or damage to property, they may examine any data or files on the device where there is a good reason to do so. They may also delete data or files if they think there is a good reason to do so, unless they are going to give the device to the police. This power applies to all schools and there is no need to have parental consent to search through a young person’s mobile phone if it has been seized in a lawful ‘without consent’ search and is prohibited by the school rules or is reasonably suspected of being, or being likely to be, used to commit an offence or cause personal injury or damage to property.
- 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 should 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 an electronic device that is prohibited by the school rules has been seized and the member of staff has reasonable grounds to suspect that it contains evidence in relation to an offence, they must give the device to the police as soon as it is reasonably practicable. Material on the device that is suspected to be evidence relevant to an offence, or that is a pornographic image of a pupil or an extreme pornographic image, should not be deleted prior to giving the device to the police.
- If a staff member does not find any material that they suspect is evidence in relation to an offence and decides not to give the device to the police, they can decide whether it is appropriate to delete any files or data from the device or to retain the device as evidence of a breach of school discipline.
- All school staff should be aware that behaviours linked to sexting put a pupil in danger. Sexting and the school’s approach to it is reflected in the pupil protection policy. The UK Council for Pupil 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 pupil.
- 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.

### Strip search and role of a Responsible Adult

In relation to a **strip search**, in summary, here are the key actions for a policy based on the updated guidance on Searching, Screening, and Confiscation, including strip searches:

1. **Prioritise Less Invasive Methods:**
  - Ensure strip searches are a last resort. Exhaust all other, less intrusive search methods before involving the police.
2. **Conduct Risk Assessments:**
  - Assess and balance the risk to the pupil's mental and physical wellbeing against the risk of not recovering the suspected item.
  - Consider the seriousness of the item, the reason and strength of the belief it is concealed, and the potential impact on the pupil.
  - Document the decision-making process.
3. **Staff Attendance:**
  - Ensure a staff member is present during all police searches to support the pupil and reassure parents.
  - Determine if staff should be present for searches involving only the removal of outer clothing.
4. **Informing Parents:**
  - Always inform parents after a strip search has taken place, and preferably beforehand.
  - Facilitate the presence of a parent as the **appropriate adult** if requested.
5. **Appropriate Adult Presence:**
  - Ensure an **appropriate adult** is present during strip searches, as required by the guidance.
  - The appropriate adult should be the same sex as the pupil, unless the pupil requests otherwise.
  - If the pupil requests no appropriate adult, ensure the request is documented and agreed upon by the appropriate adult.
6. **Post-Search Support:**
  - Provide support to the pupil after a strip search, regardless of whether a suspected item is found.
  - Focus on the pupil's safeguarding and well-being and allow them to express their views on the search.
7. **Record Keeping and Monitoring:**
  - Keep detailed records of all strip searches and analyse them for trends.
  - Use this analysis to address any emerging issues and plan preventative measures.
8. **Training and Awareness:**
  - Ensure all staff, especially those acting as appropriate staff, are well-versed in the guidance and confident in their roles.
  - Regularly update training to reflect any changes in the guidance.

These actions will help ensure compliance with the updated guidance and prioritise the safety and wellbeing of pupils during searches.

### **Appendix 3 - 30 Second Script for responding to behaviour**

- I noticed that... (you are struggling getting started/ seem distracted/ keep shouting out.) Is everything OK?
- It was the rule about (following instructions/aiming to do your best/being respectful to everyone and everything) that you broke today.
- What do you think that we could do to support you in making sure that this rule isn't broken again?
- Ok, So you have chosen to (move to a new seat/ stay in at break to catch up)
- Do you remember \_\_\_\_ when you (moved onto the recognition board/ earnt a house point/ got a positive behaviour point/ received a values and virtues card)
- That is the person that we want to see today.
- Thank you for listening I will check in with you again later on.

## Appendix 4: Emotion Coaching Script

**Step 1: Internally** recognise the pupil's feelings and empathise with them.

Also consider:

*Are you the right person to speak to this pupil? Are you emotionally ready to speak to this pupil? Do you need help from another adult?*

**Step 2: Label** and **validate** the feelings:

### Label

*You seem... to me  
I can see that you are feeling...  
I can tell that you are...  
The way you are feeling is making you feel...*

### Validate

*I am sorry that this has happened to you... you must feel... I  
would feel... if that happened to me too.  
It's ok to feel...  
I understand why you feel...*

**If the pupil is struggling to calm down at this point keep repeating the above whilst completing some soothing activities e.g. singing, colouring, scribbling, jumping, running, mindfulness, carrying heavy objects.**

**Step 3: Only when the pupil has calmed down... Set Limits and Problem Solve:**

### Set Limits

*It's not ok to behave like that...  
In school, one of our rules that we must follow is...  
Doing that, is not ok...  
Behaving like that is not helpful/safe/acceptable...*

### Problem Solve

*What made you feel like that?  
Have you ever felt that way before?  
Let's think of what you could have done instead...  
I can help you think of a different way to cope...  
Try and do this next time you feel like this...  
Let's decide what you can do next time you feel like this...*

## Appendix 5: Positive Intervention Plan (to be individualised)

### Positive Intervention Plan

|                                                                                 |                                                                                               |                                                       |                                                       |                                                    |
|---------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|-------------------------------------------------------|-------------------------------------------------------|----------------------------------------------------|
| Pupils name                                                                     | Date of plan                                                                                  |                                                       | Key staff in school                                   |                                                    |
| Date of Birth                                                                   | Date of review                                                                                |                                                       |                                                       |                                                    |
| Year Group / class                                                              | Completed by                                                                                  |                                                       |                                                       |                                                    |
| Common Triggers                                                                 | Provision - proactive strategies & motivators                                                 |                                                       | Any medical conditions to be taken into account?      | Communication support needed?                      |
|                                                                                 |                                                                                               |                                                       |                                                       |                                                    |
| Stage 0 All Calm                                                                | Stage 1 Anxiety Behaviours                                                                    | Stage 2 Defensive Behaviours                          | Stage 3 Crises Behaviours                             | Stage 4 Depression                                 |
| Pupils' behaviour What does it look like?                                       | Pupils' behaviour What does it look like?                                                     | Pupils' behaviour What does it look like?             | Pupils' behaviour What does it look like?             | Pupils' behaviour What does it look like?          |
|                                                                                 |                                                                                               |                                                       |                                                       |                                                    |
| Staff response How should staff respond to avoid escalation                     | Staff response How should staff respond to avoid escalation                                   | Staff response How should staff respond to deescalate | Staff response How should staff respond to deescalate | Staff response How should staff respond to support |
|                                                                                 |                                                                                               |                                                       |                                                       |                                                    |
| Communication Plan - how will incidents be recorded, analysed and communicated? | Positive Handling interventions which may be used by trained staff if a pupil reaches crisis. |                                                       |                                                       |                                                    |