



L.E.A.D. Academy Trust

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# L.E.A.D. Academy Trust

# Behaviour Policy

## Policy Information

Document name	Behaviour Policy
Date approved	Spring Term 2025
Date issued	<b>Spring Term 2025 update</b>
Date of review	<b>Spring Term 2026</b>

## Introduction

This policy sets out the legal framework, the definitions and our policy expectations.

The L.E.A.D. Academy Trust requires this policy to be implemented by all its member academies.

The policy makes the expectations for behaviour management explicit to ensure consistency of practice across the network of academies. The L.E.A.D. Academy Trust defines the policy expectation, but the responsibility for implementation of the policy rests with the Headteacher of each academy.

Underpinning our policy are the following principles:



## Cross Reference: Suspensions and Exclusions Policy

### Legislative Framework

- Behaviour in schools: advice for headteachers and school staff 2024
- Searching, screening and confiscation: advice for schools 2022
- The Equality Act 2010
- Keeping Children Safe in Education 2024
- Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement 2024
- Use of reasonable force in schools
- Supporting pupils with medical conditions at school
- Special Educational Needs and Disability (SEND) Code of Practice.
- 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

Procedures for behaviour management implemented by individual academies will be operated in a positive way, reflecting the Trust's underpinning principles and high expectations of all within the academy community.

All staff are responsible for promoting and establishing positive behaviour across Trust academies. It is important that all staff are consistent and proactive in rewarding good behaviour, and in dealing with unacceptable behaviour.

## Academy Expectations

The Trust expects each academy to:

- Have a whole-school behaviour policy (model policy attached) which details its approach to behaviour management. The academy behaviour policy should include detail on the following:
  - Purpose – including the underlying objectives of the policy, and how it creates a safe environment in which all pupils can learn and reach their full potential;
  - Leadership and management – including the role of designated staff and leaders, any systems used, the resources allocated and engagement of governors;
  - Academy systems and social norms – including rules, routines, and consequence systems;
  - Staff induction, development and support – including regular training for staff on behaviour;
  - Pupil transition – including induction and re-induction into behaviour systems, rules, and routines;
  - Pupil support – including the roles and responsibilities of designated staff and the support provided to pupils with SEND where those needs might affect behaviour;
  - Child-on-child abuse – including measures to prevent child-on-child abuse and the response to incidents of such abuse; and
  - Banned items – a list of items which are banned by the academy and for which a search can be made
- Include staff in reviewing and contributing towards behaviour policy formation
- Involve pupils in the creation and review of academy codes of conduct
- Provide a purposeful learning environment conducive to promoting high standards of pupil conduct and positive attitudes to learning
- Involve parents/carers by communicating well to seek their support
- Make positive recognitions of pupil achievement
- Ensure that if things go wrong, pupils are given the opportunity to put things right.

The Trust expects each Academy Governing Body (AGB) to provide clear guidance to its academy relating to:

- Screening and searching pupils (including identifying in the academy items which are banned and which may be searched for);
- The power to use reasonable force or make other physical contact;
- The power to discipline beyond the school gate;
- Pastoral care for academy staff accused of misconduct; and
- When a multi-agency assessment should be considered for pupils who display continuous disruptive behaviour.

Each academy, in order to instil good behaviour, should therefore:

- Provide an environment conducive to effective learning for all pupils and staff
- Raise and promote self-esteem in all members of the academy community
- Promote consideration and respect for others and the academy environment

- Encourage a shared responsibility between home and the academy
- Define what constitutes acceptable and unacceptable behaviour
- Provide guidance for staff, pupils and parents, enabling everyone to know what is expected of them.

Positive recognition motivates pupils to observe the rules. Whilst consistently dealing with disruptive behaviour, teachers are expected to focus positively on pupils who are behaving well, ensuring that praise is well utilised in classrooms and around the academy site. If this strategy is used consistently, it will have the following effects:

- Encourage all pupils to behave appropriately
- Increase pupil self-esteem, self-confidence and reflectiveness
- Dramatically reduce behaviour problems and confrontational situations
- Create a positive classroom environment for both pupil and class teacher
- Help to teach behaviour and establish positive relationships.

### **Consequences**

In addition to positive recognition, there must be systems for dealing with disruptive behaviour when pupils choose not to follow the rules. Systems should have staged interventions with a clear scale of escalation to cope with repetition. It is important that this staged intervention is designed to allow all pupils the opportunity to choose to change his/her behaviour within an identified framework.

The Trust expects each academy to record both positive recognition and consequences.

When a pupil is experiencing difficulties with behaviour and normal classroom sanctions have not worked, the Trust expects the Headteacher to initiate a clear plan of support. Examples may include:

- Behaviour plans
- Pastoral Support Programmes (PSPs) if pupils are at risk of suspension or exclusion
- Use of alternative provision (AP)
- A referral to local partners and external agencies may also be considered if it is felt that there are other issues affecting the pupil's behaviour that could be better addressed through a multi-agency approach. Where a school has serious concerns about a pupil's behaviour, it should consider whether a multi-agency assessment such as an early help assessment or statutory assessment that goes beyond the pupil's educational needs is required. See [Working Together](#)

### **Outside agencies may include:**

- School nurse
- Educational psychologist
- Police
- Family doctor
- CAMHS
- Behaviour support team
- Speech therapist
- Visual impairment services
- Families Information Service/ ASK US (formally parent partnership)
- Attendance Support Team (formally EWO)

### **Suspension and Exclusion**

Ultimately, a pupil who does not behave in accordance with the standards set may be suspended for a fixed term, or may be permanently excluded from the academy. Situations where suspension or exclusion may be considered include violent assault on another pupil or an adult, inappropriate sexual behaviour, verbal abuse/threatening behaviour against a pupil or an adult, bullying, racial abuse, drug or alcohol related offences or persistent disruptive behaviour. (See Suspension and Permanent Exclusion Policy).

## **Equality Statement**

The L.E.A.D. Academy Trust is committed to applying the equality duty in all academies across all phases. It is the responsibility of all staff, leaders, trustees and governors to have due regard to the need to eliminate unlawful discrimination, to advance equality of opportunity, and to foster good relations between people.

## **Safeguarding**

L.E.A.D. Academy Trust recognises that changes in behaviour may be an indicator that a pupil is in need of help or protection. As a result, we expect each academy to consider whether a pupil's misbehaviour may be linked to them suffering, or being likely to suffer, significant harm.

Where this may be the case, the academy is expected to follow our child protection and safeguarding policy, and consider whether pastoral support, an early help intervention or a referral to children's social care is appropriate.

## **Bullying**

L.E.A.D. Academy Trust is committed to promoting an anti-bullying/harassment ethos, where bullying and harassment are not tolerated. The Trust takes issues of bullying/harassment seriously and enables all members of the Trust's community to challenge bullying behaviour in order that a supportive, cooperative ethos is maintained. Bullying, especially if left unaddressed, can have a devastating effect on individuals.

## **Monitoring, Evaluation and Review**

In order to determine the effectiveness of a policy, the Trust will monitor and evaluate its impact. This will be achieved by:

- Analysis of data
- The AGB, via the SEND Link Governor, annually reviewing progress made and the effectiveness of the policy in their academy
- Trust Board scrutiny of suspension and exclusion data
- Quality Assurance (QA) visits made by Directors of Schools.

# Birley Primary Academy

# Behaviour Policy

**Review frequency:** Annual

## Policy/Procedure management log

<b>Document name</b>	Behaviour Policy
<b>Date approved</b>	Spring Term 2025
<b>Date issued</b>	<b>Spring Term 2025</b>
<b>Date of review</b>	<b>Spring Term 2026</b>
<b>Approved by</b>	Academy Governing Body (name of link governor to be added) As a statutory policy this needs to be reviewed annually and minuted at the AGB meeting.

## Aims

At Birley Primary Academy, it is our aim to:

- Establish a whole-school approach to maintaining high standards of behaviour that reflect the values of the academy
- Create a positive culture that promotes excellent behaviour, ensuring that all pupils have the opportunity to learn in a calm, safe and supportive environment
- Outline the expectations and consequences of behaviour
- Provide a consistent approach to behaviour management for pupils
- Define what we consider to be unacceptable behaviour, including bullying and discrimination

At Birley Primary Academy, our underlying principles are:



## Legislation, statutory requirements and statutory guidance

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

- Behaviour in schools: advice for headteachers and school staff 2024
  - Searching, screening and confiscation: advice for schools 2022
  - The Equality Act 2010
  - Keeping Children Safe in Education 2024
  - Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement 2024
  - Use of reasonable force in schools
  - Supporting pupils with medical conditions at school
  - Special Educational Needs and Disability (SEND) Code of Practice.
  - 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

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



## Definitions

At Birley Primary Academy, misbehaviour is defined as:

- Disruption in lessons, in corridors between lessons, and at break and lunchtimes
- Non-completion of classwork or homework
- Poor attitude
- Incorrect uniform
- Breach of the academy rules

When misbehaviour occurs, it should be dealt with consistently using the sanctions that schools have in place, and restorative work should be undertaken to ensure that misbehaviour does not escalate.

At Birley Primary Academy, serious misbehaviour is defined as:

- Repeated breaches of the academy rules
- Any form of bullying
- 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
- Child on Child abuse
- Theft
- Vandalism
- Fighting
- Smoking and Vaping
- Racist, sexist, homophobic or other discriminatory behaviour

### **Possession of any prohibited items. These are:**

- Knives or weapons
- Alcohol
- Illegal drugs
- Stolen items
- Cigarettes, tobacco and/or cigarette papers
- Vapes and/or related items
- Fireworks
- Pornographic images
- Any article a staff member reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of, any person (including the pupil)

If serious misbehaviour occurs, the academy will investigate the incident fully and will treat each case individually using a balanced and proportionate approach.



At Birley Primary Academy bullying is defined as:

The repetitive, intentional harming either physically or emotionally, of a person or group.

Bullying is, therefore:

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

### Bullying can include:

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

## Roles and responsibilities

### The AGB

The AGB is responsible for:

- Reviewing this behaviour policy in conjunction with the Headteacher
- Monitoring the policy's effectiveness
- Holding the Headteacher to account for its implementation

### The Headteacher

The Headteacher is responsible for:

- Reviewing this policy in conjunction with all stakeholders
- Reviewing and approving this behaviour policy

- Ensuring that the academy 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 academy'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 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

## Academy Staff

All staff are responsible for:

- Creating a calm and safe environment for pupils
- Establishing and maintaining clear boundaries of acceptable pupil behaviour
- Implementing the behaviour policy consistently
- Imposing relevant sanctions according to the nature of the incident
- Communicating the academy's expectations, routines, values and standards through teaching behaviour and in every interaction with pupils
- Modelling expected behaviour and positive relationships
- Providing a personalised approach to the specific behavioural needs of particular pupils
- Considering their own behaviour on the academy culture and how they can uphold academy rules and expectations
- Recording behaviour incidents promptly
- Challenging pupils to meet the academy's expectations

The senior leadership team (SLT) will support staff in responding to behaviour incidents.

## Parents and Carers

Parents and carers, where possible, should:

- Get to know the behaviour policy and reinforce it at home where appropriate
- Support their child in adhering to the academy's behaviour policy
- Inform the academy of any changes in circumstances that may affect their child's behaviour
- Discuss any behavioural concerns with the teacher/tutor 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 academy directly, whilst continuing to work in partnership with the academy
- Take part in the life of the academy and its culture

The academy will endeavour to build a positive relationship with parents and carers by keeping them informed about developments in their child's behaviour and the academy's policy and working in collaboration with them to tackle behavioural issues.

## Pupils

Pupils will be made aware of the following during their induction into the behaviour culture:

- The expected standard of behaviour they should be displaying at academy
- That they have a duty to follow the behaviour policy
- The academy's key rules and routines
- The rewards they can earn for meeting the behaviour standard, and the consequences they will face if they don't meet the standard
- The pastoral support that is available to them to help them meet the behavioural standards

Pupils will be supported to meet the behaviour standards and will be provided with explicit teaching on attitudes and dispositions for learning and will be supported to develop an understanding of the academy's behaviour policy and wider culture.

At timely points, pupils will be asked to give feedback on their experience of the behaviour culture to support the evaluation, improvement and implementation of the behaviour policy.

## Behaviour curriculum

At Birley Primary Academy, strong behavior systems are pivotal to achieving what we expect to see in our classrooms. Our aim is for all lessons to be free from disruption. For behaviour in lessons, we expect:

- Teachers to know their pupils and their learning needs well
- Pupils to be happy and secure, and able to experience a sense of achievement every day
- The curriculum to be ambitious
- Teachers plan and deliver well planned lessons
- All staff to explicitly teach attitudes to learning
- Use of positive framing
- Recognition of achievement in all senses and reward
- A culture of high expectations
- That everyone is included, and all needs are met
- That the environment is well organised, inviting and stimulating
- Behaviour standards to be high, with any inappropriate behaviour being dealt with effectively
- Routines are simple and consistently used

It is, however, not just about behaviour in our classrooms. We expect positive behaviour at all points of the school day. For behaviour outside of lessons, we expect all learners to:

- Be proud to be part of their community and treat everyone with respect
- Be courteous and respectful
- Engage positively with everyone within the academy community
- Walk calmly but purposefully around the academy following the movement structures that have been implemented, respecting other people's physical space
- Talk politely using developed language and not shout out
- Actively engage with staff and visitors - good morning and good afternoon is the standard response that should be expected

Where appropriate and reasonable, adjustments may be made to routines to ensure all pupils can meet behavioural expectations in the curriculum.

## Mobile Phones and Devices

If parental permission is provided, children are allowed to bring their mobile phones to the academy as long as they are switched off whilst the child is on the academy's premises. Once children are greeted by their class teacher, all mobile phones must be handed over to the class teacher who will keep them all phones stored together in the phone box inside the classroom's store cupboard. All mobile phones will be returned at the end of the day. As outlined on the parental permission slip, the academy does not accept liability for damage or loss to any phone that is brought onto site.

## Responding to Behaviour

### Systems to manage Behaviour

Behaviour incidents and sanctions are logged and monitored through DC Pro. DC Pro is used to track behaviour patterns and incidents to support strategic intervention and reporting.

### Classroom Management

We expect all lessons to be calm and extremely purposeful. Children and young adults will be highly engaged and have a thirst for learning. There will be true working partnership and collaboration. Our aim is for all lessons to be free from disruption.

### Responding to good behaviour

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

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

Positive behaviour can be rewarded with a wide variety of different rewards, including:

#### Star of the Day:

- At the end of each day, an individual will be selected by the class teacher to be *Star of the Day* based on them displaying one of the school's core values.
- Each selected individual will be given a certificate as well as an opportunity to select a prize from their class' prize box.

#### Birley Superstars:

- Through the use of the academy's behaviour recording system, the consistent display of positive behaviour will be recognised through the accumulation of behaviour points.
- These behaviour points will be celebrated at specific milestones – 75 for bronze, 150 for silver and 250 for gold. Every milestone achieved will result in children receiving a certificate, pin badge and accompanying prize.

#### Star in the Jar:

- This reward is achieved collectively as a class. If the class have demonstrated one of the school's core values, they will be given a star to place in their jar.
- Each class will be aiming to fill up their jar with 25 stars. Once this has been completed, they will be given a reward of their choosing.

### **House Points**

- Individual achievements and positive behaviour within the classroom, intervention groups and around the academy can also be rewarded with house points.
- House point totals are counted weekly with children updated regularly within assemblies. The winning house team will be rewarded on a termly basis with a special treat organised at the end of the academic year for the overall winners.

### **Golden Tickets**

- Children who are displaying positive behaviour during lunch and break times will be rewarded with a golden ticket
- All golden tickets are placed into a draw, which takes place every Friday, and 5 lucky winners will be able to select a special prize from the Inclusion Team.

### **Hot Chocolate with the Headteacher**

- These tickets can only be awarded to children for outstanding learning within the classroom during the week.
- These tickets will be entered into a fortnightly draw and 5 children will be selected to have Hot Chocolate with the Headteacher whilst sharing their accomplishment.

### **Sparkle and Shine**

- Every week, one child is selected by their class teacher to have their work/behaviour acknowledged in the Sparkle and Shine assembly.
- This celebration assembly is attended by parents/carers where possible and is led by the Headteacher.

### **Value Ambassadors**

- Every fortnight, one child from every year group will be selected to become a school value ambassador, based on their behaviours against the school's value of the week.
- Each child will be given a Value Ambassadors Pin Badge to acknowledge their amazing achievement and will have their photo displayed in the Value Ambassadors' Wall of Fame.

### **Marvellous Me**

- All parents and carers have been provided with access to the Marvellous Me app, which is used to celebrate the success of children with their parents at home.
- This can be used to send pictures of fantastic learning, pictures of children displaying the school's values or acknowledgements of special achievements.

### **Stickers**

- Teachers and teaching assistants will be provided with 'Noticed You Notes' and general stickers to give children to acknowledge positive behaviour, effort or learning.

## Responding to misbehaviour

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

Staff will endeavour to create a predictable environment by always challenging behaviour that falls short of the standards, and by responding in a consistent, fair and proportionate manner, so pupils know with certainty that misbehaviour will always be addressed. We address misbehaviour through the use of the behaviour systems below:

### **FS2 – Year 6: Birley Superstars Behaviour Management System**

Across the academy, every classroom has an 'Out of This World Behaviour Chart' (pictured below) placed within it. This behaviour chart works on a model where children can either move up the chart for displaying positive learning behaviours or move down the behaviour chart for displaying inappropriate learning behaviours. The chart displays the following statements and the following behaviour points will be awarded at the end of each day based on children's positioning on the chart. It must be noted that at Birley Primary Academy, we strive to champion positive behaviour and therefore the main focus of this system is to acknowledge and reward pupils who consistently display the expectations of the academy.

Out of this World Behaviour	+3 points & visit to Headteacher's Office.
Superstar Student	+3 points
Shining Role Model	+2 points
Mission: Ready to Learn	+1 points
Houston, We Have a Problem	-1 points
Heading Back Down to Earth	-2 points
Flight Grounded	-3 points



### **De-Escalating Behaviour Management System**

De-escalation techniques will be used to help prevent further behaviour issues arising, such as the use of pre-arranged stages and phrases. These are the agreed stages and phrases used, when necessary, in classrooms to de-escalate behaviour.

<b>Step 1</b>	<b>Houston – We Have a Problem</b>	- Ensure that the child is clear that a rule has been broken.
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		<ul style="list-style-type: none"> <li>- The child must be made aware that they have now received two reminders about their behaviour and they will be moved to 'Houston – We Have a Problem'</li> </ul>
<b>Step 2</b>	<b>Heading Back Down to Earth</b>	<ul style="list-style-type: none"> <li>- Children will be given a final reminder and may even be asked to move within their classroom to complete work, to reflect and then correct their behaviour. Display this to the child by moving their peg to the 'Heading Back Down to Earth' section.</li> </ul>
<b>Step 3</b>	<b>Flight Grounded</b>	Children should be sent to a partner classroom for 5 minutes (KS1) or 10 minutes (KS2). Upon returning to the classroom, children should have a chance to redeem themselves by having a positive conversation with the class teacher.
<b>Step 4</b>	<b>Loss of Break Time</b>	<p>Explain to the child that the consequence of not changing their behaviour will result in a loss of break or lunch time in the SLT office.</p> <p>With a member of SLT, a conversation will be held about the behaviour choices that led to the sanction with children provided with the chance to reflect on their actions.</p>
<b>Step 5</b>	<b>Fixed Term Suspension</b>	As appropriate

### Nursery: Rainbow Behaviour System

With our Nursery children, the academy uses a more simplistic version of the above behaviour system themed around the weather (Rainbow, Sunshine and Raincloud). This behaviour chart works on the same premise where children can either move up the chart for displaying positive learning behaviours (up to the rainbow) or move down the behaviour chart for displaying inappropriate learning behaviours (down to the raincloud).

#### Rainbow System

<b>Step 1</b>	<b>Reinforce Positive Behaviour</b>	Explain to the child the positive behaviour that you expect to see from them.
<b>Step 2</b>	<b>First Reminder</b>	Ensure that the child is clear that a rule has been broken and how to rectify this.
<b>Step 3</b>	<b>Second Reminder: From Sunshine to Rain Cloud</b>	If behaviour hasn't been rectified, their name will be moved down from the sunshine to the cloud. Further discussion with child to reinforce how they can rectify this and move back to the Sunshine.
<b>Step 4</b>	<b>Time out (within the classroom)</b>	Child to have a timer and sit for a maximum of 3 minutes with an adult to reflect on their behaviour, discussing with staff what positive behaviour looks like before returning.



<b>Step 5</b>	<b>Time Out (Out of the classroom)</b>	Child to have time out of the classroom; in another area of the nursery setting or a FS2 classroom. Discuss with staff what positive behaviour looks like before returning.
<b>Step 6</b>	<b>Fixed Term Suspension</b>	As appropriate

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

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

The academy may use 1 or more of the following sanctions in response to unacceptable behaviour:

- A verbal reprimand and reminder of the expectations of behaviour
- Setting of written tasks such as an account of their behaviour
- Expecting work to be completed at home, or at break or lunchtime
- Staying in at break or lunchtime
- Loss of privileges
- Referring the pupil to a senior member of staff
- Sending the pupil out of the class to another designated and supervised area
- Letter or phone call home to parents
- Agreeing a behaviour contract/behaviour card
- Removal of the pupil from the classroom for an internal seclusion
- Suspension
- Permanent exclusion, in the most serious of circumstances

Personal circumstances of the pupil will be taken into account when choosing sanctions and decisions will be made on a case-by-case basis, but with regard to the impact on perceived fairness.

## Responding to Bullying

### Procedures

- Pupils should report bullying incidents to a member of staff or someone who they can trust.
- Parents reporting any bullying incidents must use the attached form – also available in the academy office.
- In cases of bullying, the incidents will be recorded by staff on the MIS and MyConcern and addressed initially by the class teacher, followed by the following individuals if an incident is not then resolved Inclusion Team and ultimately the Headteacher.
- In cases of bullying, parents of the pupils accused of bullying will be informed and will as necessary be asked to come into a meeting to discuss the problem.
- Appropriate feedback will be given to parents reporting bullying in a timely manner.
- The academy accepts that any child could display bullying behaviour, and our approach is to help those doing so to change their behaviour.
- If necessary and appropriate, external agencies will be consulted to provide support.

## Outcomes

- The child displaying bullying behaviour will be asked to genuinely apologise. Other consequences such as (a) an apology letter or (b) a written contract may be required.
- The academy will aim to sort out differences and encourage the pupils to reconcile.
- In serious cases, suspension or even exclusion will be considered.
- After the incident / incidents have been investigated and dealt with, each case will be monitored to ensure repeated bullying does not take place, but the incident/incidents themselves will be considered closed. The academy strongly believes that all children can be bullied or bully and as such, once an issue has been addressed, all parties should be allowed to move on from the issue at hand.

## Prevention

We will use various methods for helping children to prevent bullying. This will include:

- Having a listening and caring ethos
- Encouraging discussion and avoiding premature assumptions
- Adopting a problem-solving approach
- Exploring issues through the curriculum by PSHE, assemblies and Anti-bullying week.
- Supporting the bully and the victim in modifying behaviour
- Providing information through noticeboards and posters
- Where cyberbullying is concerned, educating and engaging parents on the principles of online safety so they know the dangers of what unsupervised internet access can create.
- Encouraging parents to check what their children are doing online and using parental controls on their computer so that they are comfortable that children are not wandering into dangerous territory.

The anti-bullying policy works alongside the behaviour policy. This is discussed with pupils so they are informed of the procedures.

## Reasonable Force

Reasonable force covers a range of interventions that involve physical contact with pupils. All members of staff have a duty to use reasonable force, in the following circumstances, to prevent a pupil from:

- Causing disorder
- Hurting themselves or others
- Damaging property
- Committing an offence

Incidents of reasonable force must:

- Always be used as a last resort
- Be applied using the minimum amount of force and for the minimum amount of time possible
- Be used in a way that maintains the safety and dignity of all concerned
- Never be used as a form of punishment
- Be recorded (template in appendix 3)
- Reported to parents

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

### **Searching, Screening and Confiscation (see appendix 1 for details)**

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

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

Searching and screening pupils is conducted in line with the DfE's [latest guidance on searching, screening and confiscation](#).

### **Off-site Misbehaviour**

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

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

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

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

### **Online misbehaviour**

The academy can issue behaviour sanctions to pupils for online misbehaviour when:

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

### **Suspected Criminal Behaviour**

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

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

If a decision is made to report the matter to the police, a member of the safeguarding and inclusion team will make the report.

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

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

## **Zero-tolerance Approach to Sexual Harassment and Sexual Violence**

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

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

The academy's response will be:

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

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

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

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

## **Malicious Allegations**

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

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

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

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

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

## **Serious Sanctions**

### **Removal from Classrooms**

If a child is displaying very disruptive behaviour they may need to leave the room with a teaching assistant. This should be for as short a time as possible. This may include a walk outside, breathing techniques, talking through their feelings or a sensory activity. Once calm they will return to the classroom. Occasionally a child

may be asked to complete work in another classroom. The class teacher will ensure all work is completed and supported where needed. If a child's needs are preventing them accessing class based learning on a regular basis, support is sought through the primary inclusion panel and a personalised plan written to enable these needs to be met.

Removal is a serious sanction and will only be used in response to serious misbehaviour. Staff will only remove pupils from the classroom once other behavioural strategies have been attempted, unless the behaviour is so extreme as to warrant immediate removal.

Removal can be used to:

- Restore order if the pupil is being unreasonably disruptive
- Maintain the safety of all pupils
- Allow the disruptive pupil to continue their learning in a managed environment
- Allow the disruptive pupil to regain calm in a safe space

Staff will record all incidents of removal from the classroom along with details of the incident that led to the removal, and any protected characteristics of the pupil in the behaviour log.

### **Suspension and Permanent Exclusions**

The academy can use suspension and permanent exclusion in response to serious incidents or in response to persistent poor behaviour, which has not improved following in-school sanctions and interventions.

The decision to suspend or exclude will be made by the Headteacher and only as a last resort.

Please refer to our suspensions and exclusions policy for more information.

## **Responding to Misbehaviour from Pupils with Special Educational Needs and/or Disabilities (SEND)**

### **Recognising the Impact of SEND on Behaviour**

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

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

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

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

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

Any preventative measures will take into account the specific circumstances and requirements of the pupil concerned.

Some of the approaches that the academy use to anticipate and remove potential triggers of misbehaviour are outlined below.

- Short, planned movement breaks for a pupil with SEND who finds it difficult to sit still for long.
- Short planned sensory breaks for a pupil who needs regular planned sensory input.
- Adjusting seating plans to allow a pupil with visual or hearing impairment to sit in sight of the teacher.
- Individual work stations.
- Support during unstructured times e.g. break and lunch. This can be in the form of Lego club, football, ICT time.
- Adjusting uniform requirements for a pupil with sensory issues.
- Training for staff in understanding conditions such as autism.
- Training for individual members of staff on specific children whose needs may be significant and require a bespoke plan.
- Use of zones of regulation for children as usually recommended by professionals.
- Children with exceptional needs sometimes come in slightly altered start and finish times to avoid busy periods of the school day.
- Children are supported in small groups within class to avoid learning being a trigger.

### **Adapting Sanctions for Pupils with SEND**

When considering a behavioural sanction for a pupil with SEND, the academy will take into account:

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

If the answer to any of these questions is yes, the academy will assess if it is appropriate to use a sanction and if so, whether any reasonable adjustments need to be made to the sanction.

### **Considering Whether a Pupil Displaying Challenging Behaviour may have Unidentified SEND**

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

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

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

### **Pupils with an Education, Health and Care (EHC) Plan**

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

If the academy has a concern about the behaviour of a pupil with an EHC plan, it will make contact with the local authority to discuss the issue. If appropriate, the academy may request an emergency review of the EHC plan.

The contact information for our local authority can be found below:

SENDSARS

SENDAssess&Review@sheffield.gov.uk

0114 273 6394

## **Supporting pupils following a sanction**

Following a sanction, the academy will consider strategies to help pupils to understand how to improve their behaviour and meet the expectations of the academy. Some of the strategies that may be adopted include;

- Reintegration meetings
- Daily contact with a member of the SLT
- A report card with personalised behaviour goals
- Daily check ins with a member of the year group (could also be at key times of the day).
- Discussion with child about incidents using a post incident log

## **Safeguarding**

The academy recognises that changes in behaviour may be an indicator that a pupil is in need of help or protection.

We will consider whether a pupil's misbehaviour may be linked to them suffering, or being likely to suffer, significant harm.

Where this may be the case, we will follow our child protection and safeguarding policy, and consider whether pastoral support, an early help intervention or a referral to children's social care is appropriate.

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

## **Pupil Transition**

### **Inducting Incoming Pupils**

The academy will support incoming pupils to meet behaviour standards by offering an induction process to familiarise them with the behaviour policy and the wider academy culture.

### **Preparing Outgoing Pupils for Transition**

To ensure a smooth transition to the next year, pupils will have transition sessions with their new teacher(s). In addition, staff members hold transition meetings to ensure that all information and strategies used to support a pupil are passed on.

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

### **Training**

As part of their induction process, our staff are provided with regular training on managing behaviour, including training on:

- The needs of the pupils at the academy
- How SEND and mental health and trauma needs impact behavior
- Our behaviour system and language used
- Behaviour management will also form part of continuing professional development.



## Monitoring Arrangements

### Monitoring and Evaluating Academy Behaviour

The academy will collect data on the following:

- Behavioural incidents, including removal from the classroom
- Attendance, permanent exclusion and suspension
- Use of pupil support units, off-site directions and managed moves
- Incidents of searching, screening and confiscation
- Anonymous surveys for staff, pupils, governors and other stakeholders on their perceptions and experiences of the academy behaviour culture

The data will be analysed every term by the SLT.

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

- At academy level
- By age group
- At the level of individual members of staff
- By time of day/week/term
- By protected characteristic
- By distinct pupil group characteristics, e.g. prior attainment, phase of schooling, disadvantage

The academy will use the results of this analysis to make sure it is meeting its duties under the Public Sector Equality Duty.

### Monitoring this Policy

This behaviour policy will be reviewed by the Headteacher and [AGB] at least annually, or more frequently, if needed, to address findings from the regular monitoring of the behaviour data (as per section 13.1). At each review, the policy will be approved by the Chair of Governors.

### Links with Other Policies

This behaviour policy is linked to the following policies:

- Exclusion and suspensions policy
- Child protection and safeguarding policy
- Physical restraint policy
- Mobile phone policy
- Equality Policy

## Appendix 1 – searching screening and confiscating.

### Searching a Pupil

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

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

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

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

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

If the authorised member of staff considers a search to be necessary, but is not required urgently, they will seek the advice of the headteacher, designated safeguarding lead (or deputy) or pastoral member of staff who may have more information about the pupil. During this time the pupil will be supervised and kept away from other pupils.

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

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

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

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

If the pupil refuses to agree to a search, the member of staff can give an appropriate behaviour sanction. If they still refuse to co-operate, the member of staff will contact the headteacher, to try and determine why the pupil is refusing to comply.

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

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

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

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

Outer clothing includes:

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

### **Searching pupils' possessions**

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

- Desks
- Lockers
- Bags

A pupil's possessions can be searched for any item if the pupil agrees to the search. If the pupil does not agree to the search, staff can still carry out a search for prohibited items (listed in prohibited items) and items identified in the academy rules.

An authorised member of staff can search a pupil's possessions when the pupil and another member of staff are present. If there is a serious risk of harm if the search is not conducted immediately, or it is not reasonably practicable to summon another member of staff, the search can be carried out by a single authorised member of staff.

### **Informing the designated safeguarding lead (DSL)**

The staff member who carried out the search should inform the DSL without delay:

- Of any incidents where the member of staff had reasonable grounds to suspect a pupil was in possession of a prohibited item as listed in 'prohibited items'
- If they believe that a search has revealed a safeguarding risk

All searches for prohibited items, including incidents where no items were found, will be recorded in My Concern.

### **Informing parents**

Parents will always be informed of any search for a prohibited item. A member of staff will tell the parents as soon as is reasonably practicable:

- What happened
- What was found, if anything
- What has been confiscated, if anything

- What action the academy has taken, including any sanctions that have been applied to their child

## Support after a search

Irrespective of whether any items are found as the result of any search, the academy will consider whether the pupil may be suffering or likely to suffer harm and whether any specific support is needed (due to the reasons for the search, the search itself, or the outcome of the search). If this is the case, staff will follow the academy's safeguarding policy and speak to the designated safeguarding lead (DSL). The DSL will consider if pastoral support, an early help intervention or a referral to children's social care is appropriate.

## Strip searches

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

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

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

Once the police are on academy premises, the decision on whether to conduct a strip search lies solely with them. The academy will advocate for the safety and wellbeing of the pupil(s) involved. Staff retain a duty of care to the pupil involved and should advocate for pupil wellbeing at all times. The academy will advocate that any such search happens in the police station or any approved social care setting.

## Communication and record-keeping

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

The academy will keep records of strip searches that have been conducted on academy premises and monitor them for any trends that emerge.

## Who will be present

For any strip search that involves exposure of intimate body parts, there will be at least 2 people present other than the pupil, except in urgent cases where there is risk of serious harm to the pupil or others. This will not be a member of academy staff.

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

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

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

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

The appropriate adult will:

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

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

### Care after a strip search

After any strip search, the pupil will be given appropriate support, irrespective of whether any suspected item is found. The pupil will also be given the opportunity to express their views about the strip search and the events surrounding it. As with other searches, the academy will consider whether the pupil may be suffering or likely to suffer harm and whether any further specific support is needed (due to the reasons for the search, the search itself, or the outcome of the search). Staff will follow the academy's safeguarding policy and speak to the designated safeguarding lead (DSL). The DSL will consider if, in addition to pastoral support, an early help intervention or a referral to children's social care is appropriate.

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

## Electronic devices

### Introduction

The changing face of information technologies and ever-increasing learner use of these technologies has meant that the Education Acts were updated to keep pace. Part 2 of the Education Act 2011 (Discipline) introduced changes to the powers afforded to academies by statute to search learners in order to maintain discipline and ensure safety. We are required to ensure we have updated policies which take these changes into account. No such policy can on its own guarantee that the academy will not face legal challenge but having a robust policy which takes account of the Act and applying it in practice will however help to provide us with justification for what it does.

The particular changes we deal with here are the added power to screen, confiscate and search for items 'banned under the academy rules' and the power to 'delete data' stored on confiscated electronic devices.

Items banned under the academy rules are determined and publicised by the Headteacher (section 89 Education and Inspections Act 1996).

An item banned by the academy rules may only be searched for under these new powers if it has been identified in the academy rules as an item that can be searched for. It is therefore important that we have a statement which sets out clearly and unambiguously the items which:

- are banned under the academy rules; and
- are banned AND can be searched for by authorised staff

The act allows authorised persons (usually the police) to examine data on electronic devices if they think there is a good reason to do so. In determining a 'good reason' to examine or erase the data or files, the authorised person must reasonably suspect that the data or file on the device in question relates to an offence and/or may be used to cause harm, to disrupt teaching or could break the academy rules. If there is a suspected offence, confiscate the item and contact the police.

Following an examination, if the person has decided to return the device to the owner, or to retain or dispose of it, they may erase any data or files, **if they think there is a good reason to do so**.

The Headteacher will publicise the academy behaviour policy, in writing, to staff, parents/carers and learners at least once a year. (There should therefore be clear links between the search etc. policy, the behaviour policy and safeguarding policy).

### Responsibilities

The Headteacher is responsible for ensuring that Birley Primary Academy policies reflect the requirements contained within the relevant legislation. The formulation of these policies may be delegated to other individuals or groups. The policies will be taken to governors for approval. The Headteacher will authorise those staff who are allowed to carry out searches.

This statement has been written by and will be reviewed by: Dawn McAughey, Headteacher.

The Headteacher has authorised the following members of staff (Darren Ward, Katie Widdowson and Alice Offord) to carry out searches for and of electronic devices and the deletion of data/files on those devices: [\(the policy should here list those staff/roles given such authority. A Headteacher may choose to authorise all staff willing to be authorised, but should consider training needs in making this decision\)](#).

[Members of staff \(other than security staff\) cannot be required to carry out such searches. They can each choose whether or not they wish to be an authorised member of staff.](#)

### Training/Awareness

[It is essential that all staff are made aware of and implement our academy's policy.](#)

Members of staff will be made aware of the academy's statement on "Electronic devices – searching, confiscation and deletion":

- at induction
- at regular updating sessions on the academy's online safety / safeguarding / behaviour management policy
- in safeguarding training and briefings

Members of staff authorised by the Headteacher to carry out searches for and of electronic devices and to access and delete data/files from those devices should receive training that is specific and relevant to this role.

Specific training is required for those staff who may need to judge whether material that is accessed is inappropriate or illegal.

### Electronic devices statement

[The DfE guidance – Searching, Screening and Confiscation received significant updates in July 2022 \(updated in July 23\) and now states:](#)

- Electronic devices, including mobile phones, can contain files or data which relate to an offence, or which may cause harm to another person. This includes, but is not limited to, indecent images of children, pornography, abusive messages, images or videos, or evidence relating to suspected criminal behaviour.

- As with all prohibited items, staff should first consider the appropriate safeguarding response if they find images, data or files on an electronic device that they reasonably suspect are likely to put a person at risk
- Staff may examine any data or files on an electronic device they have confiscated as a result of a search, if there is good reason to do so if it (defined earlier in the guidance as)
  - poses a risk to staff or pupils
  - is prohibited, or identified in the academy rules for which a search can be made
  - is evidence in relation to an offence.
- If the member of staff conducting the search suspects, they may find an indecent image of a child (sometimes known as nude or semi-nude images), the member of staff should never intentionally view the image, and must never copy, print, share, store or save such images. When an incident might involve an indecent image of a child and/or video, the member of staff should confiscate the device, avoid looking at the device and refer the incident to the designated safeguarding lead (or deputy) as the most appropriate person to advise on the academy's response. Handling such reports or concerns can be especially complicated and academies should follow the principles as set out in [Keeping children safe in education](#). The UK Council for Internet Safety also provides the following guidance to support academy staff and designated safeguarding leads: [Sharing nudes and semi-nudes: advice for education settings working with children and young people](#).
- If a member of staff finds any image, data or file that they suspect might constitute a specified offence, then they must be delivered to the police as soon as is reasonably practicable.
- In exceptional circumstances members of staff may dispose of the image or data if there is a good reason to do so. In determining a 'good reason' to examine or erase the data or files, the member of staff must have regard to the following guidance issued by the Secretary of State
  - In determining whether there is a 'good reason' to examine the data or files, the member of staff should reasonably suspect that the data or file on the device has been, or could be used, to cause harm, undermine the safe environment of the academy and disrupt teaching, or be used to commit an offence.
  - In determining whether there is a 'good reason' to erase any data or files from the device, the member of staff should consider whether the material found may constitute evidence relating to a suspected offence. In those instances, the data or files should not be deleted, and the device must be handed to the police as soon as it is reasonably practicable. If the data or files are not suspected to be evidence in relation to an offence, a member of staff may delete the data or files if the continued existence of the data or file is likely to continue to cause harm to any person and the pupil and/or the parent refuses to delete the data or files themselves.

The examination of the data/files on the device should go only as far as is reasonably necessary to establish the facts of the incident. Any further intrusive examination of personal data may leave the academy open to legal challenge. It is important that authorised staff should have training and sufficient knowledge of electronic devices and data storage.

Members of staff may require support in judging whether the material is inappropriate or illegal. One or more Senior Leaders should receive additional training to assist with these decisions. Care should be taken not to delete material that might be required in a potential criminal investigation.

The academy should also consider their duty of care responsibility in relation to those staff who may access disturbing images or other inappropriate material whilst undertaking a search. Seeing such material can be most upsetting. There should be arrangements in place to support such staff.

A record should be kept of the reasons for the deletion of data/files. (DfE guidance states and other legal advice recommends that there is no legal reason to do this, best practice suggests that the academy can refer to



relevant documentation created at the time of any search or data deletion in the event of a learner, parental or other interested party complaint or legal challenge. Records will also help XXXX Academy to review online safety incidents, learn from what has happened and adapt and report on application of policies as necessary).

### **Care of Confiscated Devices**

Birley Primary Academy staff are reminded of the need to ensure the safe keeping of confiscated devices, to avoid the risk of compensation claims for damage/loss of such devices (particularly given the possible high value of some of these devices).

### **Audit/Monitoring/Reporting/Review**

The responsible person will ensure that full records are kept of incidents involving the searching for and of electronic devices and the deletion of data/files. (a log sheet can be found in the appendices)

These records will be reviewed by our *Online Safety Officer* at regular intervals of 6 months.

This policy will be reviewed by the head teacher and governors annually and in response to changes in guidance and evidence gained from the records.

## Appendix 2 – Bullying incident form (Model)

# Bullying incident form

### Section 1: Staff details

Date completing form:

Name of staff:

Email address of staff:

After completion this form needs to be handed to: **[Insert staff responsible for anti-bullying.]**

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### Section 2: Details of incident

If you are unsure of the category (for example whether it is homophobic or biphobic bullying) then you can tick all that you think may apply and simply explain the details.

**Nature of incident:** Tick all that apply

- ☐ **Physical** (e.g. hitting, kicking, pushing or inappropriate/unwanted physical contact)
- ☐ **Verbal** (e.g. name calling, ridicule, comments)
- ☐ **Cyber** (e.g. messaging, social media, email)
- ☐ **Emotional/indirect/segregation** (e.g. excluding someone, spreading rumours)
- ☐ **Visual/written** (e.g. graffiti, gestures, wearing racist insignia)
- ☐ **Damage to personal property**
- ☐ **Threat** with a weapon
- ☐ **Theft or extortion**
- ☐ **Persistent Bullying**

**Form of bullying or incident:** Tick all that apply

- ☐ **Race** – racist bullying
- ☐ Sexual orientation – **homophobic**
- ☐ Sexual orientation – **biphobic**
- ☐ Special educational needs (**SEN**) or **Disability**
- ☐ **Culture** or **class**
- ☐ **Gender identity** – transphobic
- ☐ **Sex** – sexist bullying
- ☐ **Appearance or health conditions**
- ☐ **Religion or Belief** related
- ☐ Related to home or other personal circumstances
- ☐ **Other** or non-specific

Details of those involved: record all involved whether adults, pupils or visitors.				
	Name	Age/Year group	Form/class	Other relevant information (e.g. gender, SEN, disability, religion)
Target of bullying/incident				
Person/s responsible for bullying/incident				

Details of incident					
Date		Place:		Time:	
Witnesses					
Repeat incident or serious incident					
Any relevant supporting information e.g. witness					
Action taken					
Details of others involved or notified					
Date for review					

## Appendix 3 – Physical Restraint Log (Model)

### Physical restraint form

Name of child		Date of Birth	
Class		Year Group	
SEND (If yes, state need)		Date of Incident	
Place where incident occurred		Time Incident commenced	
Time Incident concluded		Approximate time being handled	
Name/s of staff involved:			
Name/s of staff witnesses:			
Names of pupil witnesses:			

Reason for Intervention							
Immediate danger to personal injury to self		Immediate danger to injury to another person					
Disruption to others		Fighting		Assault		Verbal threats	Accidental
To avoid damage to property		To prevent/interrupt absconding				Off site	Within grounds
Description of Incident							

De-escalation Techniques Used					
Verbal Advice/Support		Humour		Directed Time out	
Reassurance		Time out offered			
Calm Talking		Distraction			
Neutral tone/body language		Step Away		Other (specify)	

<b>Describe restraint methods used</b>
<b>Describe any injuries received to pupil or restrainer and medical attention required</b>

<b>What actions are being taken to support this child in future. Describe them here or refer to any SEN action plans that are being put in place.</b>

Form completed by		Signed		Date	
Witness (if required)		Signed		Date	
Headteacher		Signed		Date	
Time and date parents were informed		Parents handed a copy of the form Yes/No		Date form handed to parents	