



**Beacon Academy Trust**

A COMPELLING VISION FOR SUCCESS

# **STUDENT CODE OF CONDUCT AND**

# **BEHAVIOUR MANAGEMENT**

# **POLICY AND PROCEDURE**

Approving Body	Trust
Date of Last Approval	August 2018
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Statutory (Y/N)	Y
Signed/Authorised	

## **I. INTRODUCTION – PURPOSE AND SCOPE**

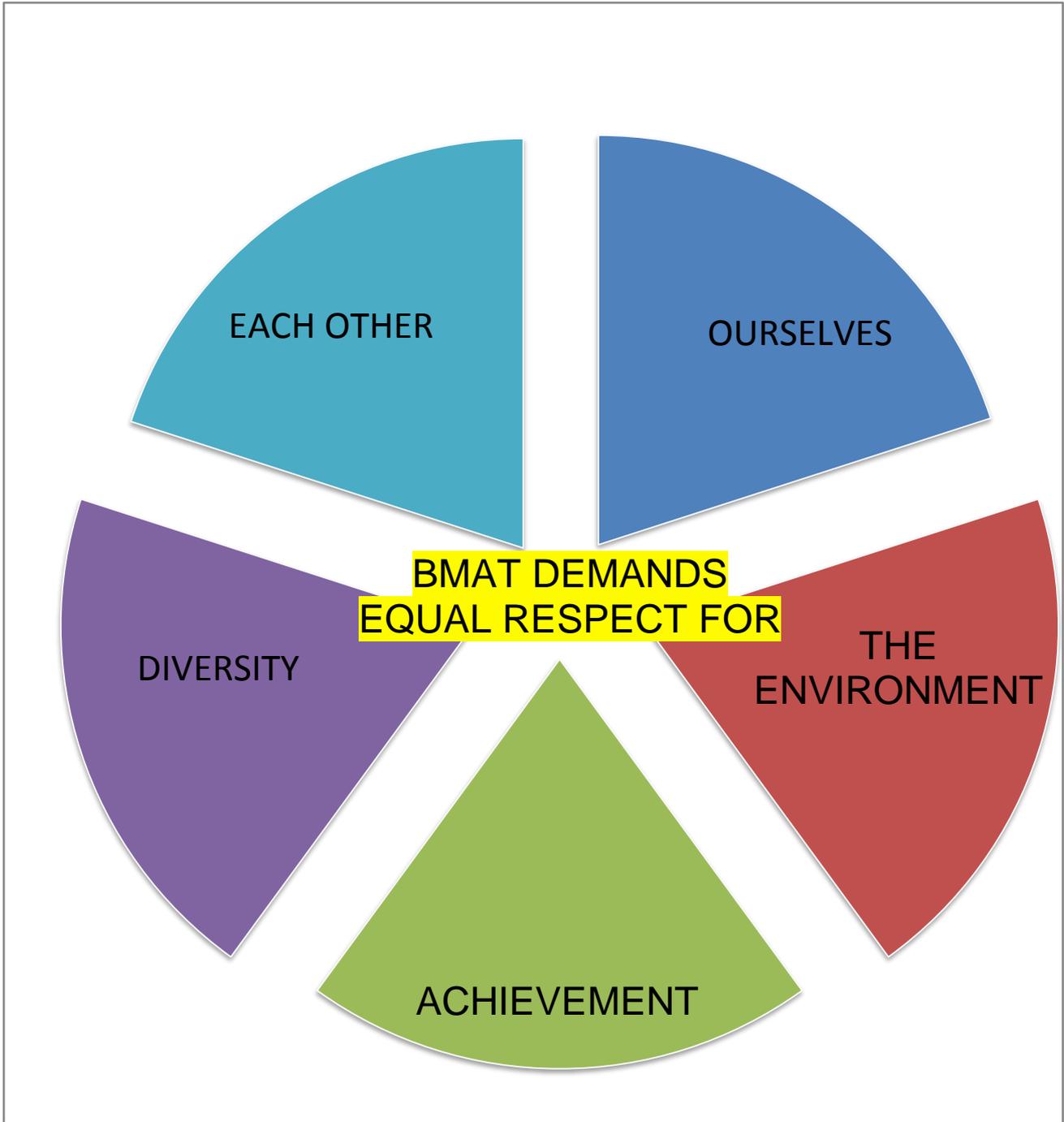
1. BMAT is committed to outstanding learning; and to instilling values of respect, ambition and responsibility in all BMAT students. This policy aims to ensure that:
  - a. Boundaries are clearly expressed, understood and maintained;
  - b. All members of the BMAT community have a voice in shaping its norms;
  - c. BMAT employees have a framework for managing behaviour in lessons, on BMAT premises and outside BMAT premises;
  - d. BMAT employees have a clear understanding of their roles and responsibilities in relation to behaviour management;
  - e. Students are prepared for the adult world by being held accountable for their behaviour;
  - f. Students have clarity of expectation when they choose to behave positively or poorly;
  - g. Positive contributions to the BMAT community are rewarded;
  - h. Poor behaviour is rigorously and consistently challenged;
  - i. Feedback from stakeholders, including parents/carers, employees, trustees and governors, is implemented;
  - j. Due regard is given to students identified with special educational needs and disabilities, to BMAT's public sector equality duty, and to the circumstances of individual students.
2. This policy covers:
  - a. Section II - The BMAT Student Code of Conduct;
  - b. Section III - Positive Behaviour Reinforcement (i.e. rewards);
  - c. Section IV - Poor Behaviour Management (i.e. sanctions);;
  - d. Section V - Confiscation, screening, searching and using reasonable force;
  - e. Section VI – Complaints.
3. Roles and Responsibilities: Promoting positive behaviour for learning is the responsibility of the BMAT community as a whole. This covers all teaching and non-teaching staff. The DFE defines key responsibilities as follows:
  - a. Local governing bodies are responsible for defining the principles underlying the Behaviour for Learning and Attendance Policies;
  - b. School principals, senior leadership teams and SENCOs are responsible for developing and overseeing policies that contribute to an environment in which positive behaviour, equality and regular attendance is encouraged; and

- ensuring that parents/carers are updated on their child's progress on a regular basis;
- c. SENCOs are responsible for being proactive in supporting students with special educational needs.
  - d. Pastoral teams, led by key stage directors and directors of achievement and progress, are responsible for supporting students with social, emotional and mental health difficulties (SEMH).
  - e. All employees (including support staff and volunteers) are responsible for ensuring that policies are consistently and fairly applied; that students are taught how to behave well and encouraged to attend punctually and regularly; and that they promote equality for all students by implementing rewards and sanctions consistently.
  - f. All teaching staff are responsible for ensuring that punctuality and attendance are monitored consistently, accurately and effectively, at the beginning of every lesson; and that parents/carers are updated on their child's progress regularly and as appropriate.
  - g. Form tutors are responsible for monitoring the attendance of their form groups across all lessons, identifying issues of poor attendance and reporting those issues to directors of achievement and progress/heads of year.
  - h. Directors of achievement and progress/heads of year and key stage directors are responsible for monitoring and overseeing behaviour, attendance and progress across year groups and/or key stages; and for ensuring that incidents or issues involving individual students, groups of students or an entire cohort of students are handled effectively, sensitively and in accordance with policy.
  - i. Heads of department are responsible for monitoring and overseeing the behaviour, attendance and progress of those students in their subject area.
  - j. Students are responsible for helping to shape and promote the BMAT Code of Conduct; and supporting staff and other students.
  - k. Parents/carers are responsible for their child's attendance and their behaviour inside and outside school; signing the BMAT Home-School Agreement; working in partnership with BMAT to maintain high standards of behaviour and attendance (e.g. by responding promptly and appropriately to letters or phone calls and communicating with BMAT via appropriate channels); and familiarising themselves with the [BMAT student policies](#).

4. This policy was created in accordance with the following legislation and guidance:
- a. The Equality Act 2010, which places a requirement on BMAT to eliminate discrimination and promote equal opportunities; and prohibits BMAT from rewarding or sanctioning behaviour such as to discriminate against students on the grounds of a protected characteristic.
  - b. The Education and Inspections Act 2006, which empowers and requires BMAT to prevent and respond to incidents of bullying and poor behaviour that happen off-site.
  - c. The Education Act 2002 and the Children Act 2004, which place a duty on BMAT to 'safeguard' and promote the welfare of students.
  - d. The Education and Inspections Act 2006 and 'Searching, Screening and Confiscation' [DFE, 2014], which empower BMAT to confiscate items; and search, screen or use reasonable force on students.
  - e. The Education (Pupil Registration) (England) Regulations 2013.
5. This policy should be read in conjunction with all other student policies and procedures, which are available on the [BMAT website](#).

## **II. STUDENT CODE OF CONDUCT AND HOME-SCHOOL AGREEMENT**

6. The BMAT Code of Conduct is printed in student planners; it should be displayed in all classrooms and throughout BMAT's constituent schools. It provides clear guidelines on the conduct expected of all members of the BMAT community, including students, employees and parents/carers.
7. The BMAT Code of Conduct focuses on student leadership and participation; and aims to reinforce positive behaviour so that it is valued and repeated.
8. All employees must familiarise themselves with the BMAT Code of Conduct and use it to remind students of BMAT's expectations. At the very least, teachers should draw students' attention to the BMAT Code of Conduct at the beginning of each academic year or term. However, the BMAT Code of Conduct should be used regularly as a practical tool for employees to manage behaviour in and beyond the classroom.
9. The BMAT Code of Conduct is based on respect for:



This means that members of the BMAT take care of their minds and bodies; their peers and friendships; and their community.

This means that, if students choose to behave in ways that are not respectful and which damage the BMAT community, a range of approaches will be used to encourage them to make better choices.

This means that, if students make the right choices, this will be noticed and rewarded.

This means that members of the BMAT community take care of our environment, including equipment that is available for use in BMAT schools, classrooms, toilets, outside areas and the neighbourhood.

This means that members of the BMAT community are expected to make positive choices about behaviour, attendance and learning.

This means that members of the BMAT community endeavour to learn new things, set targets for themselves and each other; and succeed as an individual or a member of a team.

### III. POSITIVE BEHAVIOUR REINFORCEMENT

#### **BMAT CODE OF CONDUCT - ALL STUDENTS ARE EXPECTED TO.**

<u>Work effectively by:</u>	<ul style="list-style-type: none"><li>• Listening to each other</li><li>• Concentrating on work and working hard</li><li>• Working with others sensibly</li><li>• Never distracting others</li><li>• Being silent when asked</li></ul>
<u>Support each other by:</u>	<ul style="list-style-type: none"><li>• Being considerate to everyone</li><li>• Being ready to help</li><li>• Being polite, even if angry</li><li>• Understanding each other's views</li><li>• Praising each other's work</li></ul>
<u>Be Responsible by:</u>	<ul style="list-style-type: none"><li>• Wearing the correct uniform</li><li>• Being on time</li><li>• Bringing all equipment</li><li>• Writing down homework</li><li>• Doing homework</li><li>• Telling the truth</li><li>• Helping others when possible</li><li>• Speaking to a teacher if something is wrong</li></ul>
<u>Care for their environment by:</u>	<ul style="list-style-type: none"><li>• Only eating or drinking in designated areas.</li><li>• Not chewing gum in school.</li><li>• Looking after displays and decorations.</li><li>• Putting litter in bins.</li><li>• Leaving classrooms tidy.</li><li>• Never damaging school property or the property of others.</li></ul>
<u>Stay safe by:</u>	<ul style="list-style-type: none"><li>• Moving quietly around BMAT premises</li><li>• Walking on the right</li><li>• Avoiding arguments</li><li>• Keeping calm</li><li>• Taking to teachers about any problems</li></ul>

10. This section provides clear guidelines on BMAT's expectations for positive behaviour. Employees must familiarise themselves with these guidelines and use it to remind students of BMAT's expectations. Teaching staff are required to ensure that behaviour management in their lessons is:
- a. Positive;
  - b. Consistent; and
  - c. Certain.
11. Positive Recognition: This list does not have a hierarchy or escalation; its purpose is to remind employees and students of some of the ways in which positive behaviour can be reinforced. It is important that employees and departments that prefer other methods of recognising positive behaviour are allowed to use them.
12. Notwithstanding this, it is equally important that positive behaviour is reinforced consistently, as part of a whole school reward system. To this end, the SIMS Behaviour Monitor should be used by all members of teaching staff to record positive behaviour. This enables:
- a. Employees to track behaviour and progress across all lessons and at break times;
  - b. Students and parents/carers to be provided with overview of progress, behaviour and achievement (e.g. at parents' evenings);
  - c. Directors of achievement and progress/heads of year to use SIMS data to inform individual, tutor group or whole year group awards;
  - d. BMAT to identify links between positive behaviour and the methods of teaching, learning or behaviour management used by individual employees and departments.
13. Whilst, as above, there is no hierarchy or system of escalation for positive recognition, it is important that employees do not use SIMS as the 'be all and end all' of positive behaviour management. Where appropriate and at their discretion, employees should also use other methods, for example:
- a. Rewards for attendance, punctuality and effort;
  - b. Phone calls home;
  - c. Letters home;
  - d. 'Campus dog' postcards home;
  - e. Announcements in assemblies;

- f. Public displays of students' work; and
- g. Inter-form competitions.

#### **IV. POOR BEHAVIOUR MANAGEMENT**

14. All members of BMAT staff have a responsibility for responding appropriately to poor behaviour throughout BMAT premises. In particular, members of teaching staff have a responsibility to monitor behaviour in their classroom and the corridor on which they teach.

15. The system for poor behaviour management follows a hierarchy or system of escalation. This helps to ensure:

- a. Clarity of consequence i.e. that all members of the BMAT community (including parents/carers) understand the consequences of different types of poor behaviour, the rationale for specific sanctions and what to expect if poor behaviour persists or escalates; and
- b. That poor behaviour is managed consistently across BMAT, so that students are not treated unduly harshly or unduly leniently; and
- c. That effective methods are used to manage poor behaviour. Teachers should not make sparing, inconsistent and unfair use of sanctions. Nor should they attempt to manage poor behaviour by humiliating or threatening students, shouting or punishing an entire class for individual behaviour; and
- d. That a centralised record of poor behaviour is maintained, so that employees, particularly those who belong to pastoral teams, can work together to tackle poor behaviour and identify its causes.

16. Managing poor behaviour outside BMAT premises:

- a. Behaviour off-site but on BMAT business (e.g. trips) will be dealt with as though it took place on-site.
- b. Behaviour off-site and not on BMAT business may result in sanctions if there is a clear link between that behaviour and maintaining discipline among the student body as a whole, or if there are likely to be repercussions on-site (e.g. serious incidents involving criminal activity, anti-social behaviour on the journey to or from BMAT premises)

- c. BMAT may notify the police and other external authorities (e.g. social care) if it becomes aware of student involvement in criminal or anti-social behaviour off-site.

17. Handling allegations made by students against employees:

- a. Allegations made by students against members of BMAT staff will be responded to in accordance with the [BMAT Safeguarding and Child Protection Policy and Procedure](#) Section VI, and the [BMAT Complaints Policy and Procedure](#).
- b. In accordance with the above policy, BMAT will investigate allegations to determine if they are malicious and unfounded or of substance and in need of further investigation. If the latter, BMAT will work closely with external agencies, including social care, the Local Authority Designated Officer and the police, where appropriate.
- c. Students who are found to have made malicious allegations against employees will be sanctioned in accordance with this policy. Malicious allegations of a serious and/or persistent nature may be sanctioned in accordance with the [BMAT External and Permanent Exclusion Policy and Procedure](#). Notwithstanding this, if the student(s) concerned are at risk, BMAT will offer support (e.g. counselling) and work with external agencies (e.g. social care), where appropriate.
- d. Employees who have been subjected to malicious allegations should be offered pastoral support by their school principal, HR and their department.
- e. A thorough written record must be kept of the response to and investigation of allegations against employees, to protect the student(s) and employees involved.

<u>Sanction</u>	<u>Protocol</u>	<u>Types of behaviour for which the sanction is appropriate.</u>
		<p>All incidents of poor behaviour must be recorded on SIMS. Employees should specify if the issue was resolved or if further action is required e.g. by a form tutor. If multiple sanctions are issued in one lesson due to persistent and/or escalating poor behaviour, then they may all be covered in one SIMS report.</p> <p style="text-align: center;"><u>This helps:</u></p> <ul style="list-style-type: none"> <li>• Employees to track behaviour and progress across all lessons and at break times;</li> <li>• All employees to use SIMS data to inform interventions;</li> <li>• Directors of achievement and progress/heads of year to use SIMS data to inform individual, tutor group or whole year group interventions;</li> <li>• Students and parents or carers to be shown a clear, evidence based rationale for sanctions (e.g. at parents' evenings and ad hoc meetings).</li> <li>• Disputes or complaints raised by parents or carers, concerning a decision to sanction their child, to be resolved as swiftly and objectively as possible;</li> <li>• BMAT to identify links between poor behaviour and the methods of teaching, learning or behaviour management used by individual employees and departments.</li> </ul>
		<p>The system of escalation below is not prescriptive. Warnings and detentions are not suitable for some persistent and/or serious instances of poor behaviour, which call for the immediate imposition of more serious sanctions.</p> <p>In addition to the sanctions listed below, external exclusions and permanent exclusions may lawfully be imposed, as a last resort for extreme cases of poor behaviour, which may call for an external exclusion even if the student(s) concerned have a 'good record'. The legislation and statutory guidance on external and permanent exclusions is complex; please refer to the <a href="#">BMAT External and Permanent Exclusion Policy and Procedure</a> for information on external and permanent exclusions.</p> <p>BMAT uses CCTV to monitor its premises; footage may be used as evidence in cases of poor behaviour. Please refer to the <a href="#">BMAT CCTV Policy and Procedure</a> for further information.</p>
		<p>Teachers possess a legal power to put students in detention (Behaviour and Discipline in Schools, 2016, DfE). Parental consent is not required and the power extends to issuing detentions outside of school hours on any school day where a student does not have permission to be absent.</p> <p>Parents/carers should be given 24 hours' notice of any after school detention, but this is not a legal requirement; notice does not have to be given for break or lunchtime detentions.</p> <p>Detentions may involve set work, additional work, conversations with employees or other activities, including litter picking or campus tidying.</p>

<p>First warning/verbal reprimand</p>	<ul style="list-style-type: none"> <li>• Teacher informs student of poor behaviour and instructs him/her that a failure to comply will result in relocation or removal from the classroom and a detention.</li> </ul>	<p><u>Minor disruption, such as:</u></p> <ul style="list-style-type: none"> <li>• Poor organisation or effort;</li> <li>• Lateness;</li> <li>• Talking when instructed not to;</li> <li>• Using a mobile device.</li> </ul>
<p>Second warning/verbal reprimand</p> <p>Combined with relocation within classroom or removal for up to five minutes.</p>	<ul style="list-style-type: none"> <li>• Teacher informs student of failure to comply with first warning;</li> <li>• Teacher instructs student that s/he must relocate within the classroom or be removed from the classroom for up to five minutes</li> <li>• Before removing a student from classroom, teachers should consider if that student is likely to truant/abscond (e.g. by checking their SIMS record).</li> </ul>	<p><u>Persistent minor disruption, such as:</u></p> <ul style="list-style-type: none"> <li>• Talking when instructed not to;</li> <li>• Distracting others;</li> <li>• Poor organisation;</li> <li>• Failing to complete work or put in the required effort.</li> </ul>
<p>Department relocation.</p>	<ul style="list-style-type: none"> <li>• Teacher engages department relocation protocol (all departments are required to have one) and relocates student to the appropriate classroom.</li> <li>• Teacher instructs student of the work that s/he must complete in the lesson.</li> </ul>	<ul style="list-style-type: none"> <li>• Persistent poor behaviour, despite warnings earlier in the lesson; or</li> <li>• A single non-minor incident of poor behaviour e.g. verbal abuse of a student or adult.</li> </ul>

<p>On call</p>	<ul style="list-style-type: none"> <li>• Used as a last resort in managing poor behaviour or in response to a serious incident which requires immediate assistance.</li> <li>• A reliable student is sent to an office/reception to request on-call.</li> <li>• The on-call member of staff may be able to resolve the issue so that the student can re-enter the classroom, but only if the classroom teacher is happy with this.</li> <li>• Otherwise, the on-call member of staff will use a departmental referral.</li> <li>• If the student needs to be removed from the department altogether (e.g. to write a statement), then they can be taken to a reception area or an office with the on-call member of staff.</li> </ul>	<p><u>A serious incident, such as:</u></p> <ul style="list-style-type: none"> <li>• Verbal or physical assault of a student or adult;</li> <li>• Intentional damage of school property;</li> <li>• Theft;</li> <li>• Persistent refusal to comply.</li> </ul>
<p>Teacher detention</p>	<ul style="list-style-type: none"> <li>• As a general rule, teacher detentions may be imposed for first and/or second warnings.</li> <li>• Teachers or departments may choose to impose teacher detentions as an automatic sanction for specific offences e.g. incomplete homework.</li> <li>• It is important that teachers are clear; students should be informed that they have been issued with a teacher detention and why.</li> <li>• It is important that teachers are consistent; teachers should issue detentions routinely for specific offences (e.g. missing work or second warnings).</li> </ul>	
<p>Department detention</p>	<ul style="list-style-type: none"> <li>• As a general rule department detentions are appropriate for students who have been relocated within a department or where an on-call has been issued.</li> <li>• However, departments may implement a system of department detentions for specific forms of poor behaviour (e.g. missing homework in an exam class). The important thing is that departments are clear about the forms of poor behaviour that will result in a department detention and consistent in their implementation.</li> </ul>	

<p>School detention</p>	<ul style="list-style-type: none"> <li>• Students can only be put into school detention by directors of achievement and progress/heads of year and members of a BMAT senior leadership team.</li> <li>• As a general rule, school detentions are appropriate in response to on-call incidents and other serious and/or persistent cases of poor behaviour.</li> </ul>
<p>Student Mediation</p>	<ul style="list-style-type: none"> <li>• Strictly speaking, student mediations are not a sanction. Mediations are not suitable as a 'standalone' response; they should be used in addition to other sanctions (e.g. an internal exclusion), to enable the swift, amicable resolution of poor behaviour.</li> <li>• Mediations are normally only necessary if poor behaviour is linked to a breakdown in the relationship between students, or between student(s) and a particular member of staff.</li> <li>• Mediations are normally only necessary in cases of persistent and/or serious poor behaviour.</li> <li>• Mediations should only be arranged by members of the BMAT senior leadership team or directors of achievement and progress/heads of year and their deputies.</li> <li>• A brief written record should be kept of student mediations, which should be co-signed by all in attendance (e.g. to agree on the resolution of a dispute).</li> </ul>
<p>Liaising with Parents/Carers</p>	<ul style="list-style-type: none"> <li>• Parents/carers will be updated regularly, as and when appropriate, on their child's behaviour (e.g. at parents' evenings and via letters or phone calls home).</li> <li>• In cases of persistent and/or serious poor behaviour, a meeting may be arranged with the parents/carers of the student(s) concerned.</li> <li>• These meetings should be used to explore the causes of the poor behaviour, to consider strategies to tackle poor behaviour in school and at home and to clarify the rationale for particular sanctions.</li> <li>• Meetings with parents/carers should only be arranged by members of the BMAT senior leadership team or directors of achievement and progress/heads of year and their deputies. Teachers who wish to meet with parents/carers to discuss poor behaviour should first get approval from the appropriate director of achievement and progress/head of year, who should attend where possible.</li> </ul>
<p>Report Card</p>	<ul style="list-style-type: none"> <li>• Students who persistently misbehave may be put on report to monitor their attendance and/or behaviour. The decision lies with the BMAT senior leadership teams, directors of achievement and progress/heads of year and their deputies.</li> </ul>

<p>Working with other agencies in cases of persistent and/or serious poor behaviour.</p>	<ul style="list-style-type: none"> <li>• All employees must read ‘Keeping Children Safe in Education’ [DfE, 2016]; and be alert to the possibility that poor behaviour may be a symptom of something beyond the school gates. When a member of staff believes that this is the case, s/he should inform the appropriate director of achievement and progress/head of year or member of a BMAT senior leadership team, who will decide if further action is required.</li> <li>• As indicated throughout the <a href="#">BMAT Safeguarding and Child Protection Policy and Procedure</a>, BMAT will work closely with other agencies when it has concerns about the safety of a student.</li> <li>• BMAT will work closely with appropriate external agencies when it decides to impose an external or permanent exclusion.</li> <li>• As indicated in Section VI of this policy, the <a href="#">BMAT Premises Security Policy and Procedure</a> and the <a href="#">BMAT CCTV Policy and Procedure</a>, BMAT will refer criminal activity to the police in order to protect the safety and cohesion of the entire BMAT community.</li> </ul>
<p>Internal Exclusion  (See Appendix A – Routine for Students on Internal Exclusion).</p>	<ul style="list-style-type: none"> <li>• Internal Exclusion serves as a serious sanction directly below a fixed term external exclusion. Internal exclusions are used to prevent students from engaging with the school community but without impacting on their academic learning.</li> <li>• Internal exclusions are imposed for serious and/or persistent poor behaviour. Patterns of behaviour will be taken into account. Examples of breaches of conduct that may result in internal exclusion are: <ul style="list-style-type: none"> <li>- Physical violence/inciting physical violence;</li> <li>- Bullying;</li> <li>- Verbal abuse that is prejudiced (e.g. racist, homophobic or sexist) and/or foul mouthed in nature;</li> <li>- Verbal and/or physical abuse of staff;</li> <li>- Truancy.</li> </ul> </li> <li>• There is no statutory maximum period for internal exclusion; in most cases a period of internal exclusion will not last more than five school days, and will often be imposed for one or two days. When a period of internal exclusion exceeding five days is required, the excluded student may be moved to another BMAT school or a local school with appropriate provision.</li> <li>• BMAT never puts internally excluded students into isolation; internally excluded students are supervised at all times. The purpose is to continue learning, put a stop to poor behaviour and ensure reintegration when appropriate.</li> <li>• Directors of achievement and progress/heads of year will inform parents/carers of the duration of and reasons for an internal exclusion, normally on the day that a decision to internally exclude is made.</li> </ul>

<p>Pastoral Support Programmes (PSPs)</p>	<ul style="list-style-type: none"> <li>• A PSP is a structured intervention for students at risk of permanent exclusion. The aim of a PSP is to promote social inclusion and help to reduce the need for permanent exclusion.</li> <li>• The PSP procedure and process is designed to support those students for whom the normal school based strategies have not been effective.</li> <li>• The aim of the PSP is to involve the student, parent and family in the shared challenge of improving behaviour/social skills and ensuring social and educational inclusion.</li> <li>• PSPs may be implemented by directors of achievement and progress/heads of year and members of a BMAT senior leadership team.</li> </ul>
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## **V. CONFISCATING ITEMS, SCREENING OR SEARCHING STUDENTS AND USING REASONABLE FORCE ON STUDENTS**

18. This section has been drafted in accordance with the provisions of 'Searching, Screening and Confiscation' [DfE, 2014], the Education Act 1996 and Article 8 of the European Convention on Human Rights. Whilst Article 8 affords students a reasonable level of personal privacy, public bodies may interfere with this right in a justified and proportionate way. The law is clear that the search powers set out below are in accordance with Article 8.

19. Confiscating Prohibited Items: Any member of staff can confiscate items that are illegal or prohibited by BMAT. Notwithstanding this, the law on searching students for illegal or prohibited items is more restrictive (see below).

20. Searching students with consent:

- a. Any member of staff can search a student for any item with his/her consent.
- b. Written consent is not required; it is sufficient to ask the student to hand over an item or ask whether the member of staff can search the student's bag, locker or jacket and for the student to agree.
- c. If a student refuses a search request, the member of staff may apply a suitable sanction in line with Section VI of this policy or request a search without consent by a senior member of staff, as below.

21. Searching students without consent:

- a. BMAT reserves the right to search students without their consent if it has reasonable grounds to suspect that they are carrying prohibited/illegal items or substances. This includes weapons, stolen items, any item that

the member of staff suspects has been or is likely to be used to commit an offence, alcohol, drug paraphernalia and smoking supplies.

- b. Searches must be carried out on BMAT premises or where the member of staff has lawful control of a student e.g. on school trips.
- c. Searches must be conducted by a BMAT School Principal or a member of staff authorised by a BMAT School Principal. The BMAT School Principals have authorised members of the BMAT senior leadership teams to conduct searches without consent, provided they do so in accordance with this policy.
- d. Searches must be conducted by someone of the same sex as the student being searched; and there must be a witness (also a staff member) present. If possible, the witness should also be the same sex as the student concerned.
- e. Employees of any seniority can only carry out a search of a student of the opposite sex and/or without a witness present if they have reasonable grounds to believe that there is a risk of serious harm to a person, including the student being searched, if the search is not conducted immediately; and where it is not reasonably practicable to summon another member of staff. This may be the case when a student is suspected to be in possession of a dangerous weapon.
- f. During a search, students must not be required to remove any clothing other than outer clothing (coats, jackets and blazers).
- g. In some circumstances, it may be necessary to use reasonable force when conducting a search for illegal items.

22. After a search (handling unlawful or prohibited items and recording the search):

- a. BMAT may retain or dispose of a student's property as a sanction (e.g. fireworks, tobacco and alcohol). Under no circumstances should these items be returned to the student.
- b. Pornographic images may be disposed of unless an image constitutes a specified offence (revenge pornography, child pornography, extreme pornography). These images must be reported to the police.
- c. Weapons, controlled drugs or items that are evidence of an offence must be passed to the police as soon as possible.

- d. It would not be reasonable to pass low-value stolen items (e.g. pencil cases) to the police, but high-value stolen items (e.g. mobile devices) should be passed onto the police.
- e. Although there is no legal requirement to keep a record of searches, BMAT considers it good practice to record searches in writing, particularly if a complaint is made regarding a decision to conduct a search or the manner in which a search was carried out. Records should be co-signed by the member of staff who carried out the search and any staff witnesses.
- f. Although there is no legal requirement to do so, BMAT considers it good practice to inform parents/carers when a search of their child has led to the discovery of illegal or prohibited items.

### 23. Using Reasonable Force:

- a. Section 93 of the Education and Inspections Act 2006 empowers schools to such force on students as is reasonable in the circumstances; and the DfE recognises that, at some point in their career, most teachers will come into physical contact with a student and that force is normally used to control or restrain in the interest of student safety.
- b. 'Reasonable' means using no more force than is necessary; it is always unlawful to use force as a punishment. An example of reasonable force would be leading a student to safety by his/her arm; restraining a student to break up a fight between students who refuse to separate voluntarily; or standing between students who are involved in a physical fight.
- c. Any member of BMAT staff has the power to use reasonable force; this power may extend to those who have been put in temporary charge of students by a school principal (e.g. unpaid volunteers on a school trip).
- d. Reasonable force should only be used to prevent students from harming themselves or others, from damaging property or from causing disorder. For example, employees may use reasonable force to remove disruptive children from the classroom where they have refused to follow an instruction to do so; to prevent a student from behaving in a way that disrupts a BMAT event, trip or visit; to prevent a student from leaving the classroom where allowing the student to do so would risk their safety or lead to behaviour that disrupts the behaviour of others; to prevent a student from attacking a member of staff or another student; and to

restrain a student at risk of harming themselves through physical outbursts. This list is non-exhaustive.

- e. The decision on whether or not to physically intervene is down to the professional judgment of the member of staff concerned and the circumstances at play. Wherever possible, employees who decide to use force should verbally pre-warn the student(s) concerned of their decision to do so.
- f. Reasonable force may be used on students with SEN needs but the decision to use reasonable force should take into account the information and understanding of the needs of the student concerned.
- g. Physical holds should only be used in extreme cases, where absolutely necessary (e.g. if a student has another student pinned to the floor and persists in delivering blows) and by employees with appropriate training. The DfE has certified that certain restraint techniques present an unacceptable risk when used on children and young people. These techniques include two employees forcing a student into a seated position and leaning them forward; holding a student's arms across their chest; and delivering a sharp upward jab under the nose.
- h. The use of force must be recorded on SIMS; the use of force in response to more serious incidents e.g. fights should be recorded in writing as part of the report on the incident. Witness statements should be obtained where the force used involved restraining/holding a student.
- i. Although there is no legal requirement to report the use of force to parents/carers, it is good practice to do so.

24. Screening Students: At the time of publishing this policy, BMAT does not conduct screening. However, BMAT may require students to undergo screening by a walk-through or hand-held metal detector, even if it does not suspect students of having weapons. Screening does not require consent and any member of staff can conduct screening.

## **VI. COMPLAINTS AND CONCERNS**

25. In accordance with DfE guidance, there is no right of formal appeal for disciplinary sanctions below the level of external or permanent exclusion. This is

because they do not result in missed education or the removal of a student from school premises.

26. Complaints regarding the way in which this policy and procedure is enforced (e.g. regarding a decision to impose an internal exclusion) must be made in accordance with the [BMAT Complaints Policy and Procedure](#). Complainants who fail or refuse to comply with the BMAT Complaints Policy and Procedure will be instructed to do so; and their complaint will not be investigated or responded to until they comply with due process.

27. Complaints regarding external or permanent exclusions are handled in accordance with the [BMAT External and Permanent Exclusion Policy and Procedure](#).

## **APPENDIX A - ROUTINE FOR STUDENTS ON INTERNAL EXCLUSION**

- Students on internal exclusion should report to reception at the start of the school day. A designated member of staff will collect them and explain the protocol.
- Students on internal exclusion will be asked to hand over their mobile phone, which will be securely stored until the end of the day.
- Students on internal exclusion will not be entitled to go to the canteen at morning break and will need to bring food in if they wish to eat during break. 10. Students on internal exclusion will be taken to the canteen to collect their lunch and returned to their internal exclusion venue to eat it.
- Students on internal exclusion will be provided with work for each timetabled lesson on that day. This will be returned to their teachers and marked; or marked by their internal exclusion supervisor.
- Students on internal exclusion will normally be dismissed at the end of the school day but may be kept behind for up to one hour after the end of the school day. This is because many BMAT students socialise on or around BMAT premises for up to 30 minutes after the end of the school day. As a result, it may be in the interests of discipline to require internally excluded students to finish school up to one hour later than their peers. If this decision is taken, it will be communicated to the students' parents or carers.