



STUDENT BEHAVIOUR POLICY

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I. INTRODUCTION – PURPOSE AND SCOPE

1. BMAT is committed to outstanding learning; and to instilling values of respect, ambition and responsibility throughout the student and broader BMAT community.

This policy aims to ensure that:

- a. Behavioural boundaries are clearly expressed, understood and maintained;
- b. All members of the BMAT community have a voice in shaping its norms;
- c. BMAT employees appreciate their roles and responsibilities in relation to behaviour management, and have a framework for fulfilling them to a high standard;
- d. Positive contributions to the BMAT community are rewarded;
- e. Poor behaviour is rigorously and consistently challenged;
- f. Students have clarity of expectation when they choose to behave positively or poorly;
- g. Feedback from stakeholders is implemented where appropriate;
- h. Due regard is given to students identified with special educational needs and disabilities, to BMAT's public sector equality duty, and to the circumstances or needs of individual students.

2. Roles and Responsibilities: Promoting positive behaviour for learning is the responsibility of the entire BMAT community, including parents and carers. The DfE defines key responsibilities as follows:

- a. School principals, senior leadership 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 regularly updated on their child's progress.
- b. SENCOs are responsible for being proactive in supporting students with special educational needs and disabilities.
- c. Pastoral teams, led by key stage directors and directors of achievement and progress, are responsible for leading efforts to support students with social, emotional and mental health difficulties (SEMH).
- d. All employees are responsible for ensuring that student behaviour policies and expectations are consistently and fairly applied.
- e. Teaching staff are responsible for ensuring that punctuality and attendance are monitored in line with the [Student Attendance Policy](#); that student behaviour is managed in line with relevant policies and expectations (inside and outside of

lessons); and that parents/carers are updated on their child's progress regularly and as appropriate.

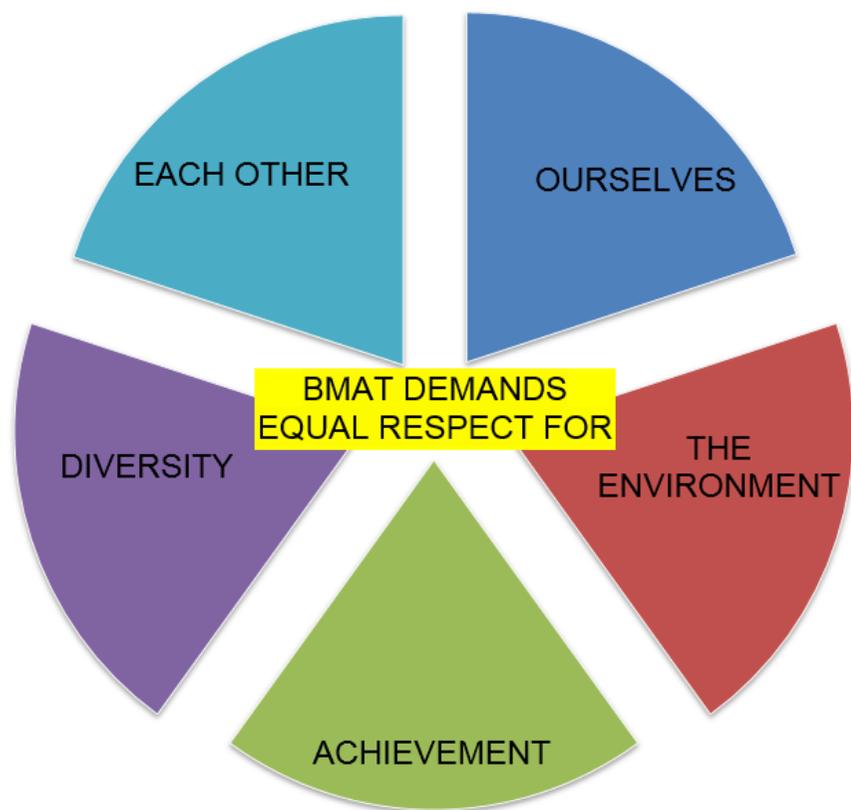
- f. Form tutors are responsible for monitoring the attendance of their form groups across all lessons, identifying poor attendance and reporting it in line with the [Student Attendance Policy](#); for managing the behaviour of their form groups in line with relevant policies and expectations; and for helping colleagues to manage behavioural issues within their form groups.
 - g. Directors of achievement and progress 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 are handled effectively, sensitively and in line with policy.
 - h. Heads of department are responsible for monitoring and overseeing the behaviour, attendance and progress of students in their subject area, in line with relevant policies and expectations; and for supporting colleagues within or beyond their department to identify, monitor and address behavioural issues.
 - i. Students are responsible for their own behaviour; for shaping, promoting and upholding the BMAT Code of Conduct; and for supporting staff and other students to do the same.
 - j. Parents/carers are responsible for their child's attendance and behaviour; for agreeing and adhering to the [BMAT Home-School Agreement](#); for collaborating with BMAT to maintain high standards of behaviour and attendance; and for familiarising themselves with the [BMAT student policies](#).
3. This policy was created in accordance with the following legislation and guidance:
- a. The Equality Act 2010, which requires BMAT to eliminate discrimination, to promote equal opportunity and to foster good relations; and prohibits BMAT from managing behaviour in a discriminatory way.
 - 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 2006 as amended.
 - f. The School Standards and Framework Act 1998, which requires BMAT to draw up procedures to prevent bullying and to bring these procedures to the attention of staff, parents/carers and students.
 - g. Government guidance, which advises that the policy should also address the bullying of staff by pupils.
4. This policy should be read alongside all other student policies and procedures, which are available on the [BMAT website](#), particularly the Safeguarding and Child Protection Policy, the Student Attendance Policy and the External and Permanent Exclusion Policy.
5. For the purposes of this Policy, 'premises' includes everything within BMAT property boundaries including buildings, outbuildings, playgrounds, fields; and extends to other settings such as vehicles, boats, marquees or any venue managed by the BMAT at the time e.g. the premises of a school trip or visit.

II. BMAT STUDENT CODE OF CONDUCT

- 6. The BMAT Code of Conduct provides clear guidelines on the conduct expected of all members of the BMAT community and should be displayed throughout BMAT schools.
- 7. The Code focuses on student leadership and participation; and aims to reinforce positive behaviour.
- 8. All employees must familiarise themselves with the Code and should use it regularly as a tool to manage behaviour in and beyond the classroom.

9. The BMAT Code of Conduct is based on respect for:



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

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

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 as part of a team.

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

This means that members of the BMAT community take care of their environment, including equipment, classrooms, toilets, outside areas and the neighbourhood.

BMAT CODE OF CONDUCT - ALL STUDENTS ARE EXPECTED TO.

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

III. POSITIVE BEHAVIOUR RECOGNITION

10. This section provides guidance on BMAT's expectations for reinforcing and rewarding positive behaviour.

11. Positive behaviour recognition:

- a. Behaviour management should be positive, consistent and certain.
- b. There is no hierarchy or system of escalation to strategies for recognising positive behaviour. Whilst examples are given, employees and departments should use other methods of recognising positive behaviour use them, as appropriate and effective.

12. Notwithstanding this, positive behaviour recognition should be consistent. To this end, the SIMS Behaviour Monitor should be used by all members of teaching staff to record positive behaviour. This enables:

- a. Teaching staff to track behaviour and progress;
- b. Students and parents/carers to be given an overview of progress, behaviour and achievement;
- c. Directors of achievement and progress/heads of year to use SIMS data to inform individual, tutor group or whole year group awards; and
- d. The identification of links between positive behaviour and the methods of 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 only form of positive behaviour recognition. Employees should use other methods as appropriate, 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 BMAT employees are responsible for responding appropriately to poor behaviour throughout BMAT premises. In particular, teaching staff are

responsible for dealing appropriately and effectively with poor behaviour in their classroom and the immediate area.

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;
- b. That poor behaviour is managed consistently across BMAT, so that students are not treated unduly harshly, unduly leniently or in a discriminatory way;
- 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;
- 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; and
- e. That any complaints or allegations regarding the manner in which poor behaviour is handled are dealt with swiftly, effectively and amicably.

16. Managing poor behaviour off-site:

- 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, or anti-social behaviour on the journey to or from BMAT premises)
- c. BMAT may notify the police and other authorities (e.g. social care) if it becomes aware of student involvement in criminal or anti-social behaviour.

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](#) and the [BMAT Complaints Policy and Procedure](#).

- b. BMAT will investigate allegations to determine if they are malicious and unfounded or of substance and in need of investigation. If the latter, BMAT will work closely with external agencies as appropriate.
- c. Students who are found to have made malicious allegations against employees will be sanctioned. If the student(s) concerned are at risk, BMAT will offer internal support and/or arrange external support, as 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 interests of all involved.

<u>Sanction</u>	<u>Protocol</u>	<u>Types of behaviour for which the sanction is appropriate.</u>
<p><i>Recording poor behaviour:</i> All incidents of poor behaviour should be recorded on SIMS and employees should specify if the issue is resolved or if further action is needed. 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"> • Behaviour and progress to be tracked across all lessons and at break times; • The use of SIMS data to inform interventions at all levels (e.g. class, department, form group, year group, key stage and school-wide); • Students and parents/carers to be have a clear, evidence-based rationale for sanctions. • Disputes or complaints concerning sanctions to be dealt with swiftly, effectively and amicably. • To identify links between poor behaviour and the methods of teaching, learning or behaviour management used by individual employees and departments. 		
<p><i>Serious and/or persistent poor behaviour should be escalated to the relevant director of achievement and progress and/or senior leadership, so that an appropriate investigation can be carried out before deciding on what forms of sanction and support are most appropriate. Directors of achievement and progress and/or senior leaders may decide to conduct a risk assessment and full investigation into serious and or persistent instances of poor behaviour (e.g. where physical violence is involved). Investigations should include written accounts of the incident and the action taken in response. This may include witness statements, copies of correspondence sent in relation to the incident or written notes of phone calls, and attendance notes of meetings, mediations or counselling sessions. Where an incident of poor behaviour is serious enough to warrant consideration of external or permanent exclusion, the External and Permanent Exclusion Policy applies.</i></p>		

The system of escalation below is not prescriptive. Minor sanctions (e.g. warnings or detentions) are not suitable for some persistent and/or serious instances of poor behaviour, which call for the immediate use of serious sanctions (e.g. exclusions).

In addition to the sanctions listed below, external exclusions and permanent exclusions may be lawfully imposed as a last resort for extremely serious and/or persistent cases of poor behaviour. Refer to the [BMAT Exclusion Policy and Procedure](#) for information on external and permanent exclusions.

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.

Parents/carers should be given 24 hours' notice of any after school detention, but this is not a legal requirement; notice is not required for break or lunchtime detentions.

Detentions may involve set work, additional work, conversations with employees or other activities, including litter picking or campus tidying.

<p>First warning/verbal reprimand</p>	<ul style="list-style-type: none"> • Teacher informs student of poor behaviour and that a failure to comply will result in relocation or removal from the classroom and a detention. 	<p><u>Minor disruption, such as:</u></p> <ul style="list-style-type: none"> • Poor organisation or effort; • Lateness; • Talking when instructed not to; • Using a mobile device.
<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"> • Teacher informs student of failure to comply with first warning; • Teacher instructs student to relocate within the classroom or be removed for up to five minutes. • Before removing a student, teachers should consider if that student is likely to truant/abscond (e.g. by checking their SIMS record). 	<p><u>Persistent minor disruption, such as:</u></p> <ul style="list-style-type: none"> • Talking when instructed not to; • Distracting others; • Poor organisation; • Failing to complete work or put in the required effort.

Department relocation.	<ul style="list-style-type: none"> • Teacher engages department relocation protocol (all departments are required to have one) and relocates student to the appropriate classroom. • Teacher informs student of the work to complete. 	<ul style="list-style-type: none"> • Persistent poor behaviour, despite warnings earlier in the lesson; or • A single non-minor incident of poor behaviour e.g. verbal abuse of a student or adult.
On call	<ul style="list-style-type: none"> • Used as a last resort in managing poor behaviour or in response to a serious incident which requires immediate assistance. • A reliable student is sent to an office/reception to request on-call. • On-call staff may be able to resolve the issue so that the student can re-enter the classroom. • Otherwise, on-call staff will use a departmental referral. • 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 on-call staff. 	<p><u>A serious incident, such as:</u></p> <ul style="list-style-type: none"> • Verbal or physical assault of a student or adult; • Intentional damage of school property; • Theft; • Persistent refusal to comply.
Teacher detention	<ul style="list-style-type: none"> • Generally, teacher detentions may be imposed for first and/or second warnings. • Teachers or departments may choose to impose teacher detentions as an automatic sanction for specific offences e.g. incomplete homework. • It is important that teachers are clear; students should be informed that they have been issued with a teacher detention and why. • It is important that teachers are consistent; teachers should issue detentions routinely for specific offences (e.g. missing work or second warnings). 	

Department detention	<ul style="list-style-type: none"> • Generally, department detentions are appropriate when a student has been relocated within a department or where on-call has been used. • Departments may implement a system of department detentions for specific forms of poor behaviour (e.g. missing homework in an exam class). The important things are clarity about the forms of poor behaviour that will result in a department detention and consistent implementation.
School detention	<ul style="list-style-type: none"> • Students should only be put into school detention by directors of achievement and progress and/or members of a senior leadership. • Generally, school detentions are appropriate in response to on-call incidents and other serious and/or persistent cases of poor behaviour.
Student Mediation	<ul style="list-style-type: none"> • Mediations are not suitable as a 'standalone' response: they should be used to supplement sanctions. • Mediations are normally only needed if serious and/or persistent poor behaviour is linked to a breakdown in a relationship between students, or between student(s) staff. • Mediations should be arranged by members of senior leadership or directors of achievement and progress and their deputies. • A brief written record should be kept of student mediations and co-signed by all in attendance (e.g. to agree on resolution).
Liaising with Parents/Carers	<ul style="list-style-type: none"> • Parents/carers should be updated regularly and as appropriate (e.g. at parents' evenings and via letters or phone calls home). • In cases of persistent and/or serious poor behaviour, a meeting may be arranged to clarify the rationale for sanctions, to explore the causes of poor behaviour, and to consider strategies to tackle it. • Meetings with parents/carers should be arranged by members of senior leadership or directors of achievement and progress and their deputies. Teachers who wish to meet with parents/carers to discuss poor behaviour should seek approval from the appropriate director of achievement and progress, who should attend where possible.
Report Card	<ul style="list-style-type: none"> • Students who persistently misbehave may be put on report by a department or by their director of achievement and progress or their deputy, or by a member of senior leadership.

<p>Working with other agencies in cases of persistent and/or serious poor behaviour.</p>	<ul style="list-style-type: none"> • 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 else. When an employee believes that this is the case, s/he should inform the appropriate director of achievement and progress and/or a member senior leadership, who will decide if further action is required. • As indicated throughout the BMAT Safeguarding and Child Protection Policy and Procedure, BMAT will work closely with other agencies when it has concerns about the safety of a student. • BMAT will work closely with appropriate external agencies when it decides to impose an external or permanent exclusion, in line with the External and Permanent Exclusion Policy and Procedure. • BMAT will refer criminal activity to the police to protect the safety of the entire BMAT community.
<p>Internal Exclusion (See Appendix B – Model Internal Exclusion Routine).</p>	<ul style="list-style-type: none"> • Internal exclusion is a serious sanction directly below fixed term external exclusion. Internal exclusion is imposed for serious and/or persistent poor behaviour. Examples include: <ul style="list-style-type: none"> - Physical violence/inciting physical violence; - Bullying; - Verbal abuse that is prejudiced (e.g. racist, homophobic or sexist) and/or foul mouthed in nature; - Verbal and/or physical abuse of staff; - Truancy. • Internal exclusion should be implemented by directors of achievement and progress and/or senior leaders. • 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 to a local school with appropriate provision. • Internally excluded students are not placed into isolation and are always supervised. The purpose is to continue learning, put a stop to poor behaviour and ensure reintegration when appropriate. • Directors of achievement and progress or a member of senior leadership 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.

<p>Pastoral Support Programmes (PSPs)</p>	<ul style="list-style-type: none"> • PSPs should be implemented by directors of achievement and progress and/or senior leaders. • A PSP is a structured intervention for students at risk of permanent exclusion, for whom normal strategies have been ineffective. The aim of a PSP is to promote social inclusion and help to reduce the need for permanent exclusion. • The aim of the PSP is to involve the student, parent and family in the shared challenge of improving poor behaviour and/or social skills; and to ensure social and educational inclusion. • PSPs may be implemented by directors of achievement and progress and members of senior leadership.
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V. ANTI-BULLYING POLICY

18. The DfE defines bullying as “*Behaviour by an individual or group, usually repeated over a period of time, that intentionally hurts another individual or group either physically or emotionally* (See Appendix A for types of bullying). This policy covers:

- a. Bullying of students by students within BMAT premises;
- b. Bullying of and/or by students outside of BMAT premises, where BMAT is aware; and
- c. Bullying of staff by students;

19. Allegations of bullying of students by staff are dealt with under the [BMAT Safeguarding and Child Protection Policy](#).

20. It is inevitable that some incidences of bullying will occur within the school environment. BMAT does not tolerate bullying of any kind and no member of the BMAT community should ever turn a blind eye to bullying. BMAT’s non-tolerance approach to bullying stems from its view that every right carries a responsibility;

I have the right to feel safe and protected and the responsibility to look out for others.

I have the right to be myself and a responsibility to accept other people’s differences and boundaries.

I have a right to get support and a responsibility to ask for it at the appropriate time.

I have a right to be heard and a responsibility to listen to others.

the following rights and responsibilities apply to all members of the BMAT community.

21. Student training and expectations: Education to prevent bullying is provided to all BMAT students, including through the following curriculum opportunities:

- a. Subject areas e.g. English, Drama, Philosophy/RE
- b. Personal Social Health Education (PSHE);
- c. Assemblies e.g. National Anti-Bullying Week;
- d. Presentations from outside agencies and theatre groups;
- e. Offsite activities;
- f. Tutorial activities; and
- g. Peer support.

22. BMAT students are encouraged to develop the following skills and values:

Patience	Empathy	Co-operation
Understanding	Mutual respect	Tolerance
Leadership	Care	Compassion

23. Procedure for responding to incidences or reports of bullying.

- a. Students should report bullying as soon as possible, to any member of staff.
- b. When this is not appropriate, students should report bullying to their parents/carers, who are encouraged to report the matter to the student's form tutor or director of achievement and progress.
- c. Members of staff will listen sympathetically to students who report bullying to them and remind them that they have done the right thing.
- d. Members of staff should keep a brief written record of the incident or report and upload it to SIMS. This helps to identify vulnerable students, to track

- persistent and/or serious bullying across a school and across BMAT, and to handle complaints about an incident of bullying or how it was handled.
- e. Members of staff should report incidences or reports of bullying should be reported to the relevant director of achievement or progress and/or head of key stage. This ensures that bullying is dealt with at an appropriate level of seniority and training, and that patterns of bullying within a specific cohort are identified.
 - f. Serious incidents (e.g. physical bullying) should be reported directly to a member of senior leadership, via the appropriate director of achievement and progress.
 - g. Directors of achievement and progress and senior leaders should use their experience, training and professional judgment to determine the appropriate action to take in response to bullying.
 - h. BMAT promotes a strategy of adapting the response to the circumstances; the following responses, which may be implemented on their own or in conjunction, are examples:
 - i. Facilitating a written/verbal apology from bully to victim;
 - ii. Holding a mediation between victim(s) and bully/bullies;
 - iii. Devising a strategy of positive steps to be taken with the bully/bullies to encourage improved behaviour;
 - iv. Monitoring the bully/bullies to identify repeated behaviour;
 - v. Counselling victim(s) and/or bully/bullies
 - vi. Contacting parents/carers by letter /telephone;
 - vii. Inviting parents/carers to a mediation meeting;
 - viii. Alerting staff who encounter victim(s) and or bully/bullies of signs to watch out for and strategies to adopt;
 - ix. Delivering targeted assemblies if the incident involves multiple students and/or affects an entire year group (e.g. racist bullying);
 - x. Implementing disciplinary sanctions - including detentions, internal exclusions, external exclusions and permanent exclusions;
 - xi. Working with external organisations such as the police and children's services where bullying is particularly serious or persistent and when a criminal offence is known or suspected.

24. Written accounts of the incident and the action taken in response will be kept by the responsible member(s) of staff. Depending on the nature and/or seriousness of the incident, this may include witness statements, copies of correspondence sent in relation to the incident and written notes of phone calls, and attendance notes of meetings, mediations or counselling sessions.
25. A failure to respond to an incidence or report of bullying may lead to action against the member(s) of staff concerned.
26. Allegations made by students against members of staff will be handled in accordance with the [BMAT Safeguarding and Child Protection Policy and Procedure](#).

VI. ANTI-DRUGS, SMOKING AND ALCOHOL POLICY

27. This Policy:

- a. Helps to maintain the safety and well-being of all students and staff;
- b. Clarifies legal responsibilities, entitlements and obligations about smoking, alcohol and drug use; and
- c. Complies with national guidance and relevant research data.

28. This Policy does not concern the administration of prescribed or over the counter medicine to BMAT students. For guidance on this matter, see the BMAT policy on [‘Supporting Students with Medical Needs’](#).

29. Smoking

- a. BMAT premises are ‘non-smoking’ at all times and to all people; students are not permitted to bring smoking materials, including matches and lighters, onto BMAT premises.
- b. Should a student be found in possession of smoking materials on BMAT premises, they will be confiscated immediately, and parents/carers will be informed as appropriate. Section VII of this Policy may be used as appropriate.
- c. An investigation will be conducted to determine the most appropriate sanction, in line with Section IV of this Policy.

30. Alcohol

- a. Students must not consume or possess alcohol on BMAT premises; the consumption of alcohol on BMAT premises will be treated as serious;

- b. Alcohol will be confiscated immediately; and parents or carers of students who have been found under the influence of alcohol will be asked to collect their child immediately, as appropriate.
- c. Alcohol-related incidents should be dealt with directors of achievement and progress and/or senior leadership, in line with Section IV of this Policy. A suitable sanction will be agreed in line with Section IV of this Policy and the [BMAT External and Permanent Exclusion Policy and Procedure](#).
- d. External agencies may be involved as appropriate.

31. Drugs

- a. Illegal substances/drugs must never be brought onto or used on BMAT premises and students must never be found to be under their influence on BMAT premises.
- b. Illegal substances/drugs will be handed to the police as soon as possible and not stored.
- c. A drug-related incident may involve the discover of drugs or drug paraphernalia on BMAT premises, the use or supply of drugs on BMAT premises, the disclosure of information about drug use, and the use or supply of drugs outside BMAT premises.
- d. If a student is found in the possession or under the influence of illegal drugs on BMAT premises, it will be treated as a serious breach of conduct. The drugs or drug paraphernalia will be confiscated immediately if possible; and parents/carers will be asked to collect their child immediately, where appropriate.
- e. Drug-related incidents should be dealt with directors of achievement and progress and/or senior leadership, in line with Section IV of this Policy. A suitable sanction will be agreed in line with Section IV of this Policy and the [BMAT External and Permanent Exclusion Policy and Procedure](#).
- f. External agencies may be involved as appropriate.

VII. CONFISCATING ITEMS, SCREENING OR SEARCHING STUDENTS AND USING REASONABLE FORCE ON STUDENTS

32. This section has been drafted in line with ‘Searching, Screening and Confiscation’ [DfE, 2014], the Education Act 1996 and Article 8 of the European Convention on Human Rights. The search powers set out below are in line with Article 8, which

affords students a reasonable level of personal privacy, that public bodies may interfere with in a justified and proportionate way.

33. Confiscating Prohibited Items: Any member of staff may 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).

34. 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 enough to ask the student to hand over an item or to 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 this policy or request a search without consent by a senior member of staff, as below.
- d. Another member of staff should be present as a witness to the search.

35. 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 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. The BMAT School Principals have authorised members of senior leadership to conduct searches without consent, provided they do so in accordance with this Policy.
- d. Employees of any seniority may only carry out a non-consensual 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.

- e. Searches must be conducted by someone of the same sex as the student being searched; and another staff member must be present as a witness. If possible, the witness should also be the same sex as the student.
- 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 without consent.

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

- a. BMAT may retain or dispose of unlawful or prohibited items, which will not be returned to the student
- b. Pornographic images will be disposed of unless an image constitutes a specified offence (revenge pornography, child pornography, extreme pornography). These images will be reported to the police.
- c. Weapons, controlled drugs or items that are evidence of an offence will be passed to the police as soon as possible.
- d. Low-value stolen items (e.g. pencil cases) will not be passed to the police, but high-value stolen items (e.g. mobile devices) will be.
- e. There is no legal requirement to keep a record of searches, but 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 way a search was carried out. Records should be co-signed by the member of staff who conducted 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, as appropriate.

37. Using Reasonable Force:

- a. Section 93 of the Education and Inspections Act 2006 empowers schools to use 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 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 their 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, staff 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. This list is non-exhaustive.
 - e. The decision on whether to physically intervene is down to the professional judgment of the employee concerned in the. Employees who decide to use force should verbally pre-warn the student(s) concerned.
 - f. Reasonable force may be used on students with SEND needs but the decision to use reasonable force should consider the needs of the student concerned.
 - g. Physical holds should only be used in extreme cases, where 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, including 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 incident report. Witness statements should be obtained where the force involved restraining 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.

38. 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.

VIII. COMPLAINTS

39. 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.
40. Complaints regarding the way in which this Policy is enforced (e.g. regarding a decision to impose an internal exclusion) must be made in line with the [BMAT Complaints Policy and Procedure](#).
41. Complaints regarding external or permanent exclusions are handled in line with the [BMAT External Exclusion Policy and Procedure](#).

APPENDIX A – TYPES OF BULLYING

There are several forms of bullying and that an act is bullying if it is done maliciously, deliberately or persistently to hurt, upset or to have that effect.

Verbal, for example:

- Deliberate, unkind and persistent remarks.
- Racist, sexual or homophobic name calling.
- Being hurtful about appearance.
- Name calling, sarcasm, persistent teasing.

Emotional, for example:

- Spreading hurtful rumours.
- Writing graffiti or using images/offensive materials.
- Tormenting, humiliating.
- Excluding someone and leaving them out on purpose.

Abuse of property, for example:

- Taking another's property without permission.
- Malicious damage to property.

Physical, for example:

- Pinching, punching, pushing, kicking and hitting.
- Threats of physical violence e.g. 'squaring up' to another.
- Any violence that is done on purpose to others.

Racist, for example:

- A racial taunt, graffiti, gestures.
- Making inappropriate comments regarding faiths and beliefs

Sexual, for example:

- Making sexual comments.

- Inappropriate touching.

Cyber bullying, for example:

- The use of ICT, particularly mobile phones and the internet, deliberately to upset someone else.
- Hurtful, harmful messages sent from individuals and groups.
- The taking and/or communication of photos and/or videos without consent.

Homophobic (because of, or focusing on the issue of sexuality.)

APPENDIX B - MODEL INTERNAL EXCLUSION ROUTINE

- 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.