



Behaviour Policy

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	Head of School	Executive Head	08 June 2023	June 2023
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Revision History

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1. Introduction

Hermitage Academy is part of the North East Learning Trust (NELT) and dedicated to ensuring that our Academy supports the learning and wellbeing of students and staff. Cooperation, support, and respect are the foundations of our community, and we work hard to provide a safe Academy where students feel included in every aspect of Academy life.

The Academy aims to encourage students to accept responsibility for their own behaviour. Promoting respect for others and highlighting the basic values of honesty, fairness, tolerance, and politeness are important aspects of school life. The establishment and maintenance of good order allows effective learning to take place and promote a positive ethos in the Academy. Good behaviour and self-discipline have strong links to effective learning and are vital for students to carry with them both during and after their Academy years.

This policy outlines the expectations we have for students in terms of their behaviour, and sanctions that will be enforced should the policy not be adhered to.

2. Aims

The patterns of behaviour that we want in our Academy have to be taught just as thoroughly and as consistently as the rest of the curriculum. In Academies and schools, most of the time, most students behave appropriately. There will be occasions in our Academy when things go wrong, and an effective behaviour policy will help staff to deal with such situations.

The Education and Inspections Act 2006 introduced for the first time a statutory power for teachers and certain other staff to discipline students. Subject to the Academy's behaviour policy, a teacher may discipline a student for any misbehaviour when the student is:

- Taking part in an activity organised by and/or based at the Academy.
- Travelling to or from the Academy.
- Wearing the Academy uniform.
- In some other way identifiable as a student from the Academy.
- Misbehaving at any time, whether or not the conditions above apply, in a way that could have repercussions for the orderly running of the Academy; or posing a threat to another student or member of the public and in doing so adversely affecting the reputation of the Academy.

At Hermitage Academy, all teaching staff, including student teachers, have the right to impose a range of sanctions up to and including an after-school detention should a student's behaviour warrant such a measure.

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The sanctions should be applied in accordance with the Academy's behaviour policy.

The use of this range of sanctions is extended to certain support staff who are in frequent contact with students – Year Managers, Seclusion Manager, Seclusion Facilitator, Attendance Officer, Cover Supervisors, School Counsellor and Teaching Assistants.

Other support staff – Lunchtime Supervisors, Site Staff, Technicians, Kitchen Staff, Library Staff, Cleaning Staff – have the right to impose sanctions also.

Regular visitors to the Academy and outside agencies also have the right to impose sanctions, having first discussed the incident with a member of senior leadership.

Any member of staff, teaching or support, who feels that a student's disruptive behaviour warrants a sanction beyond their remit should seek the advice of senior leadership.

The Head of School is the only member of staff within the Academy who can permanently exclude or suspend (exclude for a fixed period) a student. Prior to making the decision to permanently exclude a student, the Head of School will discuss the matter with the Executive Headteacher.

Internal exclusions may be imposed by members of the Senior Leadership Team with the agreement of the Head of School. Further information regarding exclusions can be found in the Trust's Permanent Exclusion and Suspension Policy.

The Deputy Headteacher (Pastoral) has the right to place a student in the Behaviour Support Unit (BSU) for a period, not exceeding ten days, should the student's behaviour warrant such a measure.

In accordance with the Education and Inspections Act 2006, the Academy reserves the right to impose sanctions, if warranted, on a student who is misbehaving while not on the Academy premises but who is under the charge of a member or members of staff, for example, a student who is misbehaving on an Academy trip. The range of sanctions would be up to and including an after-school detention. If it was felt that a student's behaviour warranted a more serious sanction, the supervising teacher must discuss the matter with a member of senior leadership. All sanctions would take place on the student's return to the Academy.

3. Links with other policies

This policy should be read in conjunction with the following Trust and Academy policies:

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- Acceptable Use Policy
- Anti-Bullying Policy
- Attendance Policy
- Permanent Exclusion and Suspension Policy
- Online Safety Policy
- Safeguarding Policy
- Special Educational Needs and Disabilities Policy
- Uniform and Equipment Policy.

4. Academy Code of Conduct for Students

At Hermitage Academy we recognise that each member of the Academy community has a right to be treated with respect and to work in a clean, calm and safe environment. To help us achieve this aim, we expect our students to:

- Show respect for others by working sensibly in lessons and not disrupting the learning of other students.
- Show consideration for others by moving around the Academy quietly and carefully. This means:
 - Keeping to the left side of the corridor.
 - Opening doors for others.
 - Walking down the corridor, not running.
 - Entering and leaving the Academy by the correct doors.
- Discouraging bullying.
This means:
 - Do not punch, kick, or spit at anyone.
 - Do not join in name calling.
 - Do not damage or steal another person's property.
 - Report incidents of bullying to a member of staff.
 - Never suffer in silence – if feel you are being bullied, speak to someone about it.
- Come prepared for the day wearing the appropriate uniform and bringing the necessary equipment.
This means:
 - Bringing to the Academy a pen, pencil, and a bag large enough to carry an A4 file. Tutors will carry out an equipment check each morning.
 - Following the Academy Uniform Policy.
 - Not bringing valuable items to the Academy
 - Not bringing to the Academy anything which could injure/harm another student e.g., knives, drugs etc.
- Attend the Academy regularly and arrive in plenty of time for the start of lessons.
This means:
 - Being punctual for registration and lessons.
 - Bringing a parental note to the Academy following an absence.

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- Making certain you ask for a pass from the office if you are leaving the Academy premises for a medical appointment.

5. Six Step Behavioural Procedure

The Academy operates a six-step procedure as a means of addressing the problem of poor behaviour. Students who repeatedly disrupt lessons will be moved up the steps. The procedure can also be used in response to a single incident.

Step 1 - applies to every student and entails the monitoring of every student's behaviour.

Step 2 - should a student, who has been placed on the target group continue to accrue an unacceptable number of negative reports, they will be moved on to the second step. At this stage parents/carers will be informed by letter and informed of the concern relating to their child's behaviour. The behaviour will come under closer scrutiny and parent/carers will be able to check their child's behaviour on the Academy systems.

Step 3 – if the student continues to disrupt lessons, they will be moved on to step 3. This move will result in the student being referred to the Academy's Pastoral Liaison Group. This is the Academy's multi-agency forum, which meets to discuss those students with problems relating to behaviour, attendance, social and emotional difficulties, and bullying. The Pastoral Liaison Group may refer a student to other external agencies for support if necessary. Parents/carers are invited to the meeting and where a referral has been made because of a student's poor behaviour, the group will establish an Individual Behaviour Plan (IBP) for the student. The student will be set a number of behavioural targets and the plan will usually run for an agreed period of time. A review will take place, and a final evaluation meeting. Parents/carers will receive a copy of the agreed plan and will also be able to read the comments made at the review and evaluation stages. Parents/carers and the student will be asked to sign the IBP.

Step 4 – should the student's behaviour not improve while on the IBP then the student will be moved on to step 4. The student will again be referred to the Pastoral Liaison Group, this time to establish a Pastoral Support Programme (PSP). As with the IBP, the student will be set targets and their behaviour will be monitored over an agreed period. A review and evaluation of the PSP will be carried out and parents/carers will receive copies of both. Parents/carers will be invited to the meeting. Referrals to outside agencies will also be considered. At Step 4 the Academy will assess the need for Early Help Assessment. Parents/carers and the student will be asked to sign the agreed PSP.

Step 5 - should the student's behaviour not improve while on the Pastoral Support Plan, then the student will be moved on to Step 5.

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Step 6 - should the student continue to disrupt the lesson; they will be moved on to the final step in the procedure. The student's SEND status will be reviewed. In accordance with the Trust's Permanent Exclusion and Suspension policy, a suspension exclusion will be recommended if no previous exclusion has taken place. A student on step 6 will receive a Final Warning from the Head of School. Parents/carers will be informed that the warning has been given and will be invited to contact the Academy should any further clarification be needed. A new PSP may be established. If a student who has been given a Final Warning continues to disrupt on a regular basis, then the Head of School will consider a recommendation of permanent exclusion.

The Academy reserves the right to bypass any steps should a student's behaviour warrant such action. This could mean recommending a student's permanent exclusion in response to a single, serious breach of the Academy rules. Examples include:

- Serious, actual, or threatened violence/assault against another student and/or a member of staff.
- Persistent bullying of another student, including cyber bullying.
- Sexual abuse or assault against a student and/or a member of staff.
- Possession of an illegal drug with intent to supply.
- Bringing an offensive weapon to school.
- Arson.
- Making a false accusation against a member of staff.
- Uses any form of media, including social networking media inappropriately, which is deemed to cause offence or harm to the school or its members.
- Bringing the good name of the school and/or staff into disrepute.

Movement on the step procedure is not one-way. If a student's behaviour improves over a sustained period of time, usually termly, then the student may be moved down a step.

6. Target Group

A student is moved onto the target group when it becomes apparent that they are picking up more than an average number of negative reports. Parents/carers will be informed by letter that their child has been moved to the target group. The Deputy Headteacher (Pastoral) will monitor the behaviour weekly, and parents/carers will receive a copy of the behaviour record monthly.

7. Pastoral Liaison Group (PLG)

The aim of the group is to adopt a multi-agency approach when dealing with students who are experiencing problems both in and outside of the Academy. The group meets on a monthly basis. The forum is also used to establish and monitor Pastoral Support Programmes (PSPs) and Individual Behaviour Plans (IBPs). Information shared at the meeting is confidential to the members of the group.

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The group can comprise of the following: Deputy Headteacher (Pastoral), SENDCo, School Nurse, Police Liaison Officer, School Counsellor, Academy's Attendance Officer, and Year Manager. An invitation is also sent out to the parents/carers of the student under discussion. The student will also be asked to attend the meeting.

The majority of referrals to the group come from the Academy, and principally from the Deputy Headteacher (Pastoral), who have an overall view of behaviour within the Academy. It remains, however, the right of any member of the group to make a referral. The referral is made to the Deputy Headteacher (Pastoral), who is responsible for sending out all relevant information to the group members. The list below is by no means exhaustive, but identifies the major criteria for referral:

- Students who appear very withdrawn, where there are significant deficiencies in terms of social skills.
- Truancy.
- Crime.
- Students who have received a high number of suspensions.
- Students likely to be a danger to themselves or others.
- An uncared-for child.
- 'Nomad' children.
- Students who are depressed / anxious / underachieving.
- Students not responding to the SEN staged procedures.
- Drug involvement.
- Where there is a sudden deterioration in academic work and/or behaviour.
- When a PSP needs to be established for the student.
- When an IBP needs to be established for the student.

The Deputy Headteacher (Pastoral) will send out information to the members of the group. This information will include curriculum reports, attendance details and the student's behaviour record.

8. Year Managers

Year Managers play an important part in monitoring the behaviour of students. Year Managers will monitor the behaviour of all students in their year group. Concerns about the behaviour of individual students should be brought to the attention of the Deputy Headteacher (Pastoral). Year Managers should consider a range of strategies, including disciplinary sanctions, when dealing with unacceptable behaviour. These strategies include:

- Withdrawal of privileges (end of term rewards).
- Letters of concern.
- Referrals to SLT.
- Referrals to Pastoral Liaison Group.
- Placing a student on report.
- Recommending a student for placement in the BSU.

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- Parental contact (letters/telephone calls/meetings).
- Parental interviews.
- Use of outside agencies, e.g., Educational Psychology Service.
- Using the system of consequences.

9. Bullying

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

Bullying can include name calling, taunting, mocking, making offensive comments; kicking; hitting; taking belongings; producing offensive graffiti; gossiping; excluding people from groups and spreading hurtful and untruthful rumours.

This includes the same unacceptable behaviours expressed online, sometimes called online or cyberbullying. This can include sending offensive, upsetting and inappropriate messages by phone, text, instant messenger, through gaming, websites, social media sites and apps, and sending offensive or degrading photos or videos.

Bullying can be a form of peer-on-peer abuse and can be emotionally abusive; it can cause severe and adverse effects on children’s emotional development.

Types of Bullying

Different forms of bullying all involve repetitive, intentional harming of one person or group another person or group, where the relationship involves an imbalance of power. Bullying impacts the safety and emotional health of another person or a group. Unkind behaviours, when repeated towards the same person are bullying behaviours will not be tolerated.

Cyber bullying: through e-mail, instant messaging, internet chat rooms and electronic gadgets such as camera cell phones, cyber bullies forward and spread hurtful messages and/or images. Bullies can use this technology to harass victims at all hours.

Emotional bullying: this can be subtler and can involve isolating or excluding a child from activities. For example, shunning the victim at lunchtime or on a school outing.

Physical bullying: this form of bullying can accompany verbal bullying and involves such things as kicking, hitting, biting, pinching, hair pulling, or the threat of physical bullying.

Racist bullying: this form of bullying involves racial jokes, racial name-calling, offensive gestures, or inappropriate comments.

Sexual bullying: this involves unwanted physical contact or sexually abusive comments. This includes homophobic bullying. This is bullying behaviour that has a

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specific sexual dimension or a sexual dynamic, and it may be physical, verbal, or non-verbal/psychological. It is also underpinned by sexual attitudes or gender stereotypes. Sexual bullying can be seen as sexual harassment in schools. Behaviours may involve sexual comments or innuendo, including offensive comments about sexual reputation; or using language that is designed to subordinate, humiliate, or intimidate.

Sexist bullying: this is bullying based on sexual attitudes that when expressed demean, intimidate, or harm another person because of their sex or gender. These attitudes are commonly based around the assumption that women are subordinate to men, or inferior. Sexist bullying may sometimes be characterised by inappropriate sexual behaviours.

Transphobic bullying: this bullying stems from a hatred or fear of people who are transgender, which is an umbrella term that describes people whose sense of their own gender identity is seen as different to typical gender norms. Transgender people feel that their biological body is not aligned with their inner sense of gender identity. Transphobic bullying is commonly underpinned by sexist attitudes. Boys and girls may be equally affected.

Verbal bullying: this usually involves name-calling, incessant mocking, and laughing at someone else's expense.

9.1 Preventing Bullying

The Academy will:

- Create and support an inclusive environment which promotes a culture of mutual respect, consideration, and care for others, which will be upheld by all.
- Recognise that bullying can be perpetrated or experienced by any member of the school community, including adults and children (peer on peer abuse).
- Openly discuss differences between people that could motivate bullying, such as: religion, ethnicity, disability, gender, sexuality, or appearance related difference. Also, children with different family situations, such as looked after children or those with caring responsibilities.
- Challenge practice and language which does not uphold the values of tolerance, non-discrimination, and respect towards others.
- Prevent cyberbullying by educating students and parents/carers to use technology, especially mobile phones, and social media positively and responsibly.
- Work with staff, the wider school community, and outside agencies to prevent and tackle concerns including all forms of prejudice-driven bullying.
- Actively create “safe spaces” for vulnerable children and young people.

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- Celebrate success and achievements to promote and build a positive ethos across the Academy.

Further details of the Academy's approach to preventing and addressing bullying are set out in the Anti Bullying Policy (a copy is published on the Academy website, or a hard copy is available on request from the School's Main Reception).

10. Rewards and Consequences

At the Academy, we believe that consequences help to underpin the boundaries of acceptable behaviour, but they must not be seen in isolation. They are part of the Behaviour Policy which seeks to reward and encourage high standards of conduct and achievement. Indeed, a greater emphasis on rewarding positive behaviour may reduce the need for sanctions.

In each classroom there is a Classroom Discipline Plan, comprising rewards and consequences.

Rewards are as important as sanctions, and we will reward students for good behaviour/work. The importance of rewarding students for good work and behaviour cannot be over-stressed. In our Academy, we will emphasise the positive!

Staff will issue rewards for the following:

- Organisation.
- Community points.
- Improved attendance.
- 100% attendance.
- Attitude to learning.
- Positive behaviour.
- Academic progress.
- Positive group work.

The Academy uses a praise points system to celebrate and reward good behaviour from students.

Consequences

- Name on the board.
- C1: verbal warning.
- C2: 15-minute detention (supervised by the subject teacher).
- C3: 20-minute detention (supervised by a rota of staff).
- C4: 2 x 20-minute detention (supervised by a rota of staff).
- C5: 1 hour after school detention.

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11. Specific Defined Incidents

11.1 Breaches of Uniform Policy

- A student arriving out of uniform will be sent to their Year Manager by their tutor.
- Any student out of uniform is expected to bring a note from their parent/carer to explain why this has happened.
- Any student arriving at the Academy out of uniform and without a parental letter to explain why, will spend the day in the BSU. Parents/carers will be informed of the action taken.
- Any student coming to the Academy without a tie needs to borrow one from their Year Manager. If this happens regularly parents/carers will be contacted, and a sanction applied.
- A second breach of the uniform code, providing the student has brought in an explanatory note from the parent/carer, will result in a letter being sent home.
- Any further breach of the uniform code will result in the student being withdrawn from lessons and spending the day in the BSU. This will be recorded as an internal exclusion. Parents/carers will be informed of the action taken. This action will be taken even in cases where the student has brought in a note from the parent/carer.

11.2 Jewellery

- First breach – the item of jewellery will be confiscated, and parents/carers contacted. The jewellery will be returned at the end of the day.
- Second breach – as above.
- Third breach – the item of jewellery will be confiscated and returned at the end of the day. Parents/carers will be contacted by letter and informed that there has been a further breach of the Academy rule and any further breaches will result in an internal exclusion.
- Fourth breach – the item of jewellery will be confiscated and returned at the end of the day. The student will receive an internal exclusion and parents/carers will be informed by letter.
- Fifth breach – the item of jewellery will be confiscated and returned when parents/carers attend a meeting with a senior member of staff. The student will receive a two-day internal exclusion.
- Sixth breach – the item of jewellery will be confiscated, and the student will receive a suspension. The jewellery will be returned when the student returns from the suspension.

11.3 Make-Up

- First breach – the student will be asked to remove the make-up and parents/carers will be informed by letter.
- Second breach – as above.

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- Third breach – the student will be asked to remove the make-up and parents/carers will be contacted by letter and informed that there has been a further breach of the Academy rule and any further breaches will result in an internal exclusion.
- Fourth breach – the student will be asked to remove the make-up and will receive an internal exclusion. Parents/carers will be informed by letter.
- Fifth breach – the student will be asked to remove the make-up and parents/carers will be invited to attend a meeting with a senior member of staff. The student will receive a two day internal exclusion.
- Sixth breach – the student will receive a suspension.

11.4 Hair

A student found to be in breach of the Uniform Policy in respect of their hairstyle and/or colour will be given a timescale of no longer than two weeks to remedy this. The Academy reserves the right to judge the appropriateness of a hair style.

Should a student continue to breach any aspect of the Uniform Policy (with or without a note from the parent/carer), the Academy reserves the right to take further disciplinary action to address the problem. Sanctions may include after-school detentions, internal exclusions, recourse to the Academy’s disciplinary step system and, in the worst cases, the use of suspensions and permanent exclusions.

11.5 Non-Participation in PE

All students are expected to participate in PE lessons. Students who are ill or injured should bring a letter of explanation from the parent/carer. Students who arrive at the lesson without the correct kit and with no letter of explanation will have the following sanctions applied:

- First breach – verbal warning.
- Second breach – C3.
- Third breach – C3.
- Fourth breach – C3.
- Fifth breach – an after-school detention.
- Sixth breach – an after-school detention.
- Seventh breach – an after-school detention.
- After three after-school detentions, the student will be given a one-day internal exclusion.
- If the problem persists the student will receive further internal exclusions.
- A suspension will be used in the worst cases.

Students who fail to bring their PE kit will be supplied with one by the Academy. This kit is clean. A student who fails to bring their PE kit but have a parental note to explain

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why will also be required to wear the PE kit provided by the Academy. The lesson activities will be adjusted so that performance is appropriate for the individual, or they will be given a role as a coach/officiator so that progress can still be made. The only exemption to this rule is in cases, where putting on a kit could aggravate a medical condition. If a student refuses to wear the kit provided by the Academy, the PE department should contact the student's Year Manager or a member of senior leadership. The punishment for refusing to wear PE kit supplied by the Academy is a one-day internal exclusion.

If a student repeatedly misses PE lessons owing to a medical condition, parents/carers will be asked to provide a doctor's note to clearly establish that the condition is serious enough to warrant the student's non-participation in the lessons.

11.6 Mobile Devices

Mobile devices should not be brought into school, should any device be brought into school it is entirely at the student's own risk and responsibility (while the below refers mainly to a mobile phone, it includes any mobile/SMART device):

- First breach – the mobile phone will be confiscated, and the phone will be returned at the end of the school day.
- Second breach – the mobile phone will be confiscated. The phone will be returned at the end of the school day.
- Third breach - the mobile phone will be confiscated and returned to the student at the end of the day. A letter will be sent to the student's parent/carer.
- Any further breaches of these this rule will result in other disciplinary sanctions being used. These sanctions will include after school detentions, internal exclusions and, if necessary, suspension. A temporary ban from bringing the phone on to the Academy premises will also be considered.
- If all the sanctions have been used and the student continues to breach this Academy rule, the student will be banned permanently from bringing the phone on to the Academy premises.
- If a permanent ban is breached, the Academy will consider a recommendation of permanent exclusion.

The Academy will take very seriously instances where a mobile phone has been used to film or photograph staff or students without their permission. In such cases the mobile phone will be confiscated, and the student's parent/carer will be required to come to the Academy to collect it.

The student will be given a formal warning and an appropriate sanction. Should the student be involved in another such incident, a five-day suspension will be given, and the student will be moved immediately to Step 6 of the Academy's Behaviour Policy, the final step prior to permanent exclusion. On the student's return to the Academy,

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they will be given a final warning by the Head of School. A further breach of this rule is likely to result in a recommendation of permanent exclusion.

11.7 Smoking/Vaping

This is a non-smoking site, a rule which applies to staff and students alike. There will be serious consequences for any student who chooses to breach the no-smoking/vaping rule repeatedly. These consequences are outlined below:

- First breach: a one-hour after-school detention.
- Second breach: the student will receive a one-day internal exclusion.
- Third breach: the student will receive a one-day internal exclusion.
- Fourth breach: the student will receive a two-day internal exclusion and the parent/carer will be invited to attend a meeting with a senior member of staff to discuss the problem. If the student is not on one of the disciplinary steps, they will be moved on to Step 2.
- Fifth breach: the student will be given a two-day suspension exclusion. If the student is on Step 2 of the disciplinary code, they will be moved on to Step 3 and an Individual Behaviour Plan will be established for the student at a meeting of the Pastoral Liaison Group. The IBP will state explicitly that the student must not smoke/vape on the Academy premises. If the student already has an IBP, the student will be moved on to Step 4, making it necessary to establish a Pastoral Support Programme for the student. As with the IBP, this will be done at a meeting of the Pastoral Liaison Group. If the student already has a PSP, a new one will be established. The PSP will state explicitly that the student must not smoke/vape on the Academy premises.
- Sixth breach: the student will be given a two-day suspension, and the parent/carer will be invited to attend a meeting to discuss the worsening situation.
- Seventh breach: the student will be given a two-day suspension. On the student's return from the suspension, they will be asked to sign a contract to the effect that they agreed not to smoke/vape on the Academy premises. Refusal to sign the contract will be recorded on the student's behaviour record.
- Eighth breach: the student will be moved immediately on to Step 6 of the Academy's Behaviour Policy, if they are already on that step, the student will receive a Final Warning from the Head of School. If the student continues to break the no-smoking/vaping rule, then they are at risk of a recommendation of permanent exclusion.
- E-cigarettes are not allowed on the Academy premises. If one is confiscated from a student, the student's parent/carer will need to come into the Academy to collect it.
- Any student who repeatedly breaks the no-smoking/vaping rule will be offered the opportunity of speaking to the school nurse for advice on how to stop smoking.

11.8 Making a false allegation against a member of staff

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Any student who is found to have made a malicious and/or false allegation against a member of staff may be excluded. This will be a suspension or a permanent exclusion depending on the circumstances.

11.9 Inappropriate use of social media

Any student who uses any form of media, including social networking media inappropriately, which is deemed to cause offence or harm to any member of the school community may be excluded. This will be a suspension or permanent exclusion depending on the circumstances.

11.10 Bringing the good name of the school and/or staff into disrepute

Any student who brings the good name of the school and/or staff into disrepute in the public domain may be excluded. This will be a suspension or permanent exclusion depending on the circumstances.

11.11 Out of Bounds

Students found in out of bounds areas will be given a C5.

11.12 Swearing

Any student who is heard swearing will receive an after-school detention. Any student who swears directly to a member of staff will receive a suspension.

11.13 Leaving the Academy Premises

- Any student who leaves the Academy premises without permission will receive a one hour after Academy detention.
- After two breaches of this rule, the student will be given a one-day internal exclusion in the Behaviour Support Unit.
- Subsequent breaches of this rule will lead to further internal exclusions and suspensions.

11.14 Students caught in the company of smokers/vapers

Each time a student is caught in the company of smokers/vapers, they will be given a C5 detention.

11.15 Failure to Arrive at a Detention

- A student who fails to arrive at a lunchtime detention will be given one warning and the student's parent/carer will be contacted.
- If the student, again, fails to attend a lunch time detention, they will receive an after-school detention.
- If they fail to attend the after-school detention, the student will be given a one-day internal exclusion.

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- If a student repeatedly does not attend detentions issued, then the student will receive a suspension.
- The above sanctions also apply to students who repeatedly fail to attend registration. However, the Academy accepts that there may be occasions when a student has a legitimate reason for failing to attend registration.

11.16 Alcohol

- Any student who possesses and/or supplies alcohol whilst wearing the Academy uniform will receive a suspension. The student will be given a formal warning and will be moved immediately to Step 6 of the Academy's Behaviour Policy, the final step prior to permanent exclusion. On the student's return to the Academy, they will be given a final warning by the Head of School. A further breach of this rule is likely to result in a recommendation of permanent exclusion.
- If the student possesses and/or supplies alcohol whilst wearing the Academy uniform a second time, a recommendation of permanent exclusion will be made.
- Any student who 'spikes' the drink of another student with alcohol will be permanently excluded.

11.17 Weapons

- A student bringing a weapon on to the Academy premises is likely to be permanently excluded. A judgement will be made as the level of threat the weapon itself represents to the health and safety of the other students. Weapons include knives, darts, guns of any description, including air pistols and BB guns.
- In all cases of a weapon being brought on to the Academy premises, the police will be informed.

11.18 Illicit Substances

- The priority in all incidents relating to the use of illicit substances is the health and safety of the student.
- Any student who possesses and/or supplies illicit substances whilst wearing the Academy uniform will receive a suspension. The student will be given a formal warning and will be moved immediately to Step 6 of the Academy's Behaviour Management Policy, the final step prior to permanent exclusion. On the student's return to the Academy, they will be given a final warning by the Head of School. A further breach of this rule is likely to result in a recommendation of permanent exclusion.
- Should the student for a second time, supply and/or possess illicit substances whilst wearing the Academy uniform a recommendation of permanent exclusion will be made.

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12. Confiscation of Inappropriate Items

There are two sets of legal provisions which enable staff to confiscate items from students:

- The general power to discipline enables a member of staff to confiscate, retain or dispose of a student's property as a punishment and protects them from liability for damage to, or loss of, any confiscated items.
- The power to search without consent for weapons, knives, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images, or any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence or cause personal injury to, or damage to the property of, any person (including the student). Weapons and knives and extreme child pornography must always be handed over to the police, otherwise the Academy has the right to decide when and if to return the confiscated item.

13. Screening, Searching and Confiscation

Staff can search a student for any item banned under the Academy rules if the student agrees. The Head of School and staff authorised by the Head of School have the right to search a student or their possessions without their consent, where they suspect the student has certain prohibited items. The items that can be searched for are weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images, any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence or cause personal injury to, or damage to, the property of any person including the student. Staff may seize any banned or prohibited item found as a result of a search and which they consider harmful to Academy community.

12.1 Screening

Though at present this is not in operation, nor are there plans to introduce such a system, the Academy can require students to undergo screening by a walk-through or hand-held metal detector, even if the student is not suspected of having a weapon. This can be done without the consent of the student. Were the Academy to introduce such a system, any member of staff can screen students.

If a student were to refuse to be screened, the Academy would have the right to refuse to have the student on the premises. This refusal would not constitute an exclusion and the student's absence would be treated as unauthorised.

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12.2 Searching with Consent

Staff can search students with their consent for any item which is banned by the Academy rules. This would not require a formal written consent – it is enough for the member of staff to ask the student to turn out their pockets, or if the teacher can look in the student’s bag or locker, and for the student to agree.

If a member of staff suspects a student has a banned item in his/her possession, they can instruct the student to turn out their pockets or bag, and if the student refuses, the member of staff can apply an appropriate punishment as set out in the Behaviour Policy.

12.3 Searching without consent

Staff can search for knives, weapons, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images, any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence or to cause personal injury to, or damage to property. This also includes any item banned by the Academy rules which has been identified in the rules as an item which may be searched for. The person carrying out the search must be the same sex as the student being searched, and there should be a witness, ideally also the same sex as the student.

There is a limited exception to this rule. A teacher can carry out a search of a student of the opposite sex and without a witness present, but only where there is reason to believe that there is a risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.

It is for the Head of School to decide whom to authorise to carry out such a search. Verbal authorisation will suffice.

Staff, other than security staff, can refuse to undertake a search. The law states that Headteachers may not require anyone other than a member of the Academy security staff to undertake a search. Staff can be authorised to search for some items but not others; for example, a member of staff could be authorised to search for stolen property but not for weapons or knives.

Staff should only undertake a search without consent if they have reasonable grounds for suspecting that a student may have in his or her possession a prohibited item. The member of staff must decide in each particular case what constitutes reasonable grounds for suspicion. The powers allow staff to search regardless of whether the student is found after the search to have that item. This includes circumstances where staff suspect a student of having items such as illegal drugs or stolen property which are later found not to be illegal or stolen.

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Searches without consent can only be carried out on the Academy premises or where a member of staff has lawful control or charge of the student.

12.4 During the Search

The member of staff conducting the search may not require the student to remove any item of clothing other than outer clothing, which means nothing next to the skin or immediately over a garment that is being worn as underwear. Outer garments include hats, shoes, boots, gloves and scarves. Possessions means any goods over which the student has or appears to have control – desks, lockers, bags. Under common law powers, Academies/schools are able to search lockers and desks for any item providing the student agrees. If a student does not consent to the search, then it is possible to conduct a search without consent but only for the prohibited items. A student's possessions can only be searched in the presence of the student and another member of staff. Reasonable force may be used by the member of staff conducting the search.

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

12.5 After the Search

Staff can use their discretion to confiscate, retain and/or destroy any item found as a result of a *with consent* search, so long as it is reasonable in the circumstances. Where any article is thought to be a weapon it must be passed on to the police.

With regard to items found as a result of a *without consent* search, the member of staff carrying out the search can seize anything they have reasonable grounds for suspecting is a prohibited item (knives or weapons, alcohol, illegal drugs, stolen property, tobacco or cigarette papers, fireworks, pornographic images or articles that have or could be used to commit an offence or cause harm).

Alcohol should be retained or disposed of. Controlled drugs should be handed over to the police, unless there is good reason not to do so, in which case the drugs must be destroyed. In determining what is a good reason for not delivering controlled drugs or stolen items to the police, the member of staff should take into account all relevant circumstances and use their professional judgement to determine whether they can safely dispose of a seized article.

Where they find other substances which are not believed to be controlled drugs, these can be confiscated where a teacher believes them to be harmful or detrimental to good order and discipline. This would include, for example, so called 'legal highs'. Where

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staff suspect a substance may be controlled, they should treat them as controlled drugs as outlined above.

Stolen items should be delivered to the police unless there is good reason not to do so, in which case they should be returned to the owner. With regard to stolen items, it would not be reasonable or desirable to involve the police in dealing with low value items such as pencil cases. However, staff may judge it appropriate to contact the police if the items are valuable (iPods/laptops) or illegal (alcohol/fireworks).

Where a member of staff finds tobacco or cigarette papers they may retain or dispose of them. As with alcohol, this means that the Academy can dispose of tobacco or cigarette papers as they think appropriate, but this should not include returning them to the student.

Fireworks found as a result of a search may be retained or disposed of but should not be returned to the student.

If a member of staff finds a pornographic image, they may dispose of the image unless its possession constitutes a specified offence (i.e. it is extreme or child pornography) in which case it must be delivered to the police as soon as reasonably practicable. Images found on a mobile phone or other electronic device can be deleted unless it is necessary to pass them to the police.

Where the article that has been, or could be, used to commit an offence or to cause personal injury or damage to property is found it may be delivered to the police or returned to the owner. It may also be retained or disposed of.

Where a member of staff finds an item which is banned under the Academy rules, they should take into account all relevant circumstances and use their professional judgement to decide whether to return it to its owner, retain it or dispose of it.

Any weapons or items which are evidence of an offence must be passed to the police as soon as possible.

Where the person conducting the search finds an electronic device they may examine any data or files if they think there is good reason to do so. 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. In determining a good reason to examine or erase data or files, the staff member must reasonably suspect that the data or file on the device in question has been, or could be, used to cause harm, to disrupt teaching or break the Academy rules. If inappropriate material is found on the device, it is up to the member of staff to decide whether they should delete that material, retain it as evidence (of a criminal offence or breach of Academy discipline) or whether the material is of such seriousness that it requires the involvement of the police.

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Items not allowed in Academy rules	Procedure after confiscation
Mobile phone	Retained by the Year Manager until the end of the school day. The strike system will be used for repeated breaches.
E-Cigarettes	Destroyed
Cigarettes/lighter/matches/vapes	Destroyed
Energy Drinks	Disposed of
Prohibited items	
Knives and other weapons	Handed to the police
Controlled drugs (prescription)	Must be collected from the Academy by parent/carer.
Substances not believed to be controlled drugs	Handed to police
Stolen items	Returned to owner/handed to the police.
Alcohol	Disposed of
Fireworks	Destroyed
Pornographic images	Depending upon the nature, images will be either destroyed and parents/carers informed or passed to the police.
Any article that a member of staff reasonably suspects has been or is likely to be used to commit an offence or to cause personal injury to or damage to the property of any person including the student.	Depending on the nature, the article will either be disposed of, and parents/carers informed or passed directly to the police.

12.6 Telling Parents/Carers and Dealing with Complaints

The Academy are not required to inform parents/carers before a search takes place or to seek their consent to search their child. There is no legal requirement to make or keep a record of the search. The Academy will inform the individual student's parents/carers where alcohol, illegal drugs or potentially harmful substances are found,

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though there is no legal requirement to do so. Complaints about screening or searching should be dealt with through the Trust's complaints procedure.

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