



THE
PORTSMOUTH
GRAMMAR
SCHOOL

The PGS Behaviour Management Policy

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The PGS Behaviour Management Policy

This is the Behaviour Management Policy of The Portsmouth Grammar School (**School**).

1. Aims

- 1.1. The School seeks to prepare its pupils for a flourishing and fulfilled life in and beyond School and in doing so to encourage certain behaviours, qualities and values. These, amongst others, include: good behaviour, self-discipline, diligence, acceptance of responsibility and challenge, regard for proper authority, honesty, unselfishness, courtesy, fairness, trustworthiness, loyalty and sensitivity to the needs and views of others, courage, and the capacity to look to the future. Many of these are encapsulated in the PGS Core, which comprises six qualities which we seek to nurture in all members of our community: Courage, Commitment, Collaboration, Compassion, Curiosity and Creativity; and, in The Portsmouth Grammar Junior School, the attributes of the Learning Tree. This policy also aims to ensure, as far as possible, that every pupil in the School is able to benefit from and make his/her full contribution to the life of the School, consistent always with the needs of the School community.
- 1.2. The School aims to set high standards of behaviour which will support pupil wellbeing and teaching and learning by providing pupils and staff with a framework of positive support and encouragement, by recognition and appreciation of achievement and by using a fair and consistent system of sanctions.
- 1.3. It is our expectation that pupils will be motivated to do well and will abide by the School rules. However, it is inevitable that some will make mistakes and although most, with advice, will learn from these without the need for formal sanctions, there will be occasions when sanctions are used. The School's system of sanctions provides a structured way of dealing with pupils who fail to co-operate academically or socially, deliberately or otherwise. This Policy aims to encourage pupils to accept responsibility for their behaviour and set out the sanctions adopted by the School in the event of pupil misbehaviour.

2. Scope and application

- 2.1. This Policy applies to the Pre-School, Junior School, and Senior School and, together with the School Rules and Smoking, Alcohol, Drugs and Substances Policy, applies to all pupils at the School and at all times when a pupil is:
 - 2.1.1. in or at School;
 - 2.1.2. representing the School or wearing School uniform;
 - 2.1.3. travelling to or from School;
 - 2.1.4. on School-organised trips; or
 - 2.1.5. associated with the School or undertaking an activity which falls within the scope of a School policy at any time.
- 2.2. This Policy shall also apply to pupils at all times and places in circumstances where failing to apply this policy may:

- 2.2.1. affect the health, safety or well-being of a member of the School community or a member of the public;
- 2.2.2. have repercussions for the orderly running of the School; or
- 2.2.3. bring the School into disrepute.

3. Responsibility and allocation of tasks

- 3.1. The Governing Body has overall responsibility for all matters which are the subject of this policy.
- 3.2. To ensure the efficient discharge of its responsibilities under this policy, the Governing Body has allocated the tasks according to the table in Appendix 5 below.

4. Publication and availability

- 4.1. The expectations of pupils are made clear both implicitly and explicitly by the circulation of the School rules in the PGS Planners and publication of this Policy on the School's website. This policy is available in hard copy on request. A copy of this policy is available for inspection from the School Office during the School day.
- 4.2. Whilst it is understood that there will be variations in staff acceptance and tolerance of pupils' behaviour depending on the nature and context of the lesson or activity, all staff are expected to promote self-discipline amongst pupils and to deal with any unacceptable behaviour. Behaviour which does not allow constructive teaching or learning is unacceptable and staff will ensure this is not tolerated.

5. Behaviour, discipline and the regulatory framework

- 5.1. This Policy has been prepared to meet the School's responsibilities under:
 - 5.1.1. Education (Independent School Standards) Regulations 2014;
 - 5.1.2. Education and Skills Act 2008;
 - 5.1.3. Children Act 1989;
 - 5.1.4. Childcare Act 2006;
 - 5.1.5. Data Protection Act 2018 and General Data Protection Regulation (GDPR); and
 - 5.1.6. Equality Act 2010.
- 5.2. Associated documents:
 - 5.2.1. [Behaviour and discipline in schools: Advice for Head teachers and school staff](#) (DfE, September 2022)
 - 5.2.2. [Use of Reasonable Force – advice for school leaders, staff and governing bodies](#) (DfE, July 2013)
 - 5.2.3. [Searching, screening and confiscation: advice for schools](#) (DfE, July 2022)

- 5.2.4. [Keeping Children Safe in Education](#) (DfE, September 2023, or latest version) (KCSIE)
- 5.2.5. Online Safety Act 2023 (gov.uk, January 2024)
- 5.3. The following School policies, procedures and resource material are relevant to this Policy:
 - 5.3.1. The PGS Exclusion Policy
 - 5.3.2. The PGS Safeguarding and Child Protection Policy (this and a number of other policies can be found on the following link: <https://www.pgs.org.uk/key-information/school-policies>)
 - 5.3.3. The PGS Reasonable Use of Force Policy
 - 5.3.4. The PGS Anti-Bullying Policy
 - 5.3.5. The School Rules
 - 5.3.6. The PGS Equal Opportunities Policy
 - 5.3.7. The PGS Online Safety Policy
 - 5.3.8. The PGS Smoking, Alcohol Drugs and Substances Policy
 - 5.3.9. Additional Educational Needs (AEN) and Disabilities Policy

6. Promoting good behaviour

The School understands that rewards can be more effective than punishment in motivating pupils. The ways in which the School may reward good behaviour are set out in Appendix 1.

7. Minor breaches of discipline

- 7.1. Allegations, complaints or rumours of minor breaches of discipline are naturally the primary responsibility of the member of staff concerned, supported by his or her Head of Department and, where appropriate, by the Heads of Year and/or senior staff. Discipline and the maintenance of standards in general outside the classroom are the responsibility of all members of staff. Senior School staff may refer more serious or persistent matters in the first instance to the Heads of Year, the Surmaster, the Assistant Head (Head of Sixth Form), the Assistant Head (Pupil Progress), the Assistant Head (Pastoral), the Deputy Head (Pastoral) or the Senior Deputy Head as appropriate. In the Junior School, staff should refer to the Assistant Head (Pastoral) or Head of Infants. The most serious cases are dealt with by the Head, who may choose to delegate responsibility to the Senior Deputy Head where appropriate. Appropriate sanctions may be given (see Appendix 1 for details of the range of sanctions).
- 7.2. When considering the appropriate sanction, the risks posed to pupil welfare by an individual's behaviour will be assessed. This may include consideration of how any action taken, sanctions applied or inaction may affect that individual's welfare and, where appropriate, how it may affect other pupils' welfare and / or the School community as a whole.

8. Serious breaches of discipline

- 8.1. Pastoral staff may refer allegations, complaints or rumours of serious breaches of discipline or persistent lower level breaches to the Senior Deputy Head or the Head. In the Junior School, staff should refer such matters to the Deputy Head or the Head.
- 8.2. The main categories of misconduct which are considered to be serious breaches of discipline include but are not limited to:
 - 8.2.1. physical assault against pupils or adults or intimidating behaviour;
 - 8.2.2. verbal abuse/ threatening behaviour towards pupils or adults;
 - 8.2.3. malicious allegations against staff;
 - 8.2.4. persistent bullying;
 - 8.2.5. emotional abuse on grounds of race, religion/ belief, disability, Special Educational Needs / Additional Educational Needs, gender and sexual orientation etc.;
 - 8.2.6. harmful sexual behaviour including sexual violence, sexual harassment and such online behaviours including the sharing of nudes or semi-nudes, whether occurring inside or outside of school;
 - 8.2.7. supply / possession / misuse of certain drugs and solvents or their paraphernalia or substances intended to resemble them, or alcohol or tobacco, as detailed in legislation and/or the School's Smoking, Alcohol, Drugs and Substances Policy;
 - 8.2.8. serious breaches of the School's ICT Acceptable Use Policies, including actions that target or demean staff and any other member of the community;
 - 8.2.9. deliberate damage to property;
 - 8.2.10. theft;
 - 8.2.11. blackmail;
 - 8.2.12. intimidation;
 - 8.2.13. persistent or repetitive disruptive behaviour which is inconsistent with the School's ethos;
 - 8.2.14. other misconduct specifically provided for in the School rules and/or policies.
- 8.3. Please see Appendix 1 for details of the range of sanctions.

9. Corporal Punishment

In accordance with section 131 of the School Standards and Framework Act 1998, it is the policy of The Portsmouth Grammar School not to use or threaten the use of corporal punishment.

10. Reasonable Use of Force

Any use of force by staff will be reasonable, proportionate and lawful. Members of staff have the power to use reasonable force, for example, to prevent pupils committing an offence, injuring themselves or others, or damaging property. The Portsmouth Grammar School advises all staff to follow the PGS Reasonable Use of Force Policy. Force must not be used as a method of punishment (see paragraph 9 above relating to Corporal Punishment). Any use of restraint in the EYFS must be recorded and reported to parents within 24 hours.

11. Behaviour and SEND / AEN

- 11.1. The School acknowledges its legal duties under the Equality Act 2010, in respect of safeguarding and in respect of pupils with Special Educational Needs (SEN) and/ or Additional Educational Needs. Expectations for pupil behaviour are the same for all pupils at The Portsmouth Grammar School. Pupils with Special Educational Needs and Disabilities (SEND), including those identified as having social communication difficulties, are supported by the Head of Learning Support/Special Educational Needs Coordinator (SENCo) and staff.
- 11.2. The School will make reasonable adjustments for managing behaviour which is related to a pupil's disability. Senior School staff should seek advice from the Senior Deputy Head if they are unsure about how to manage a pupil's behaviour where this is related to a disability. Staff in the Junior School should consult with the Junior School Deputy Head. If there is a concern that a pupil's behaviour is as a result of unmet educational or other needs, advice should be sought from the Head of Learning Support / SENCO and further action in accordance with the School's Additional Educational Needs (AEN) and Disabilities Policy will be considered.

12. Investigation

- 12.1. An allegation, complaint or rumour of a serious breach of discipline will be investigated in accordance with the procedures set out in Appendix 2.
- 12.2. If the findings of the investigation support the allegation, complaint or rumour of a serious breach of discipline, to which a zero tolerance approach will be adopted, a disciplinary meeting will be held in accordance with the procedures set out in Appendix 3.

13. Searching and confiscation

Heads and authorised school staff may also use such force as is reasonable given the circumstances when conducting a search without consent 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. Please see Appendix 4 regarding searching and confiscation.

14. Parent involvement

- 14.1. The School seeks to work in partnership with parents over matters of discipline, and it is part of the parents' obligations to the School to support the School rules.
- 14.2. Parents will be informed as soon as reasonably practicable after it becomes clear that the pupil may face disciplinary action for a serious breach of discipline, unless the School is prevented from doing so by the police if they are involved.

- 14.3. Parents will also be notified of disciplinary sanctions for minor breaches of discipline, where a formal sanction is warranted, and may be contacted to discuss the matter if it is considered appropriate to do so.

15. Behaviour records

- 15.1. All records created in accordance with this policy are managed in accordance with the School's policies that apply to the retention and destruction of records.
- 15.2. Records of both rewards and sanctions for all individuals are recorded on the School's data management systems. For sanctions, this record includes:
- 15.2.1. the name and year group of the pupil concerned;
 - 15.2.2. the nature and date of the offence;
 - 15.2.3. the sanction imposed and reason for it; and
 - 15.2.4. the name of the person imposing the sanction
- 15.3. The Deputy Head (Junior School) and Senior Deputy Head provide an annual report to the Governing body that includes analysis of the behaviour records and will look to identify any patterns that have emerged. As a result, the School may, if appropriate, seek to address any particular points that have been identified. From time to time, sanction systems are evaluated with input from the pupil councils and other interested parties.
- 15.4. The records created in accordance with this policy may contain personal data. The School has a number of privacy notices which explain how the School will use personal data about pupils and parents. The privacy notices are published on the School's website. In addition, staff must ensure that they follow the School's data protection policies and procedures when handling personal data created in connection with this policy. This includes the School's data protection and information security policies.

16. Safeguarding

- 16.1. Some behaviour by a pupil towards another may be of such a nature that safeguarding concerns are raised and further detail can be found in the School's Safeguarding and Child Protection Policy and Procedure. Safeguarding issues can manifest themselves via child on child abuse both in person and online (Online Safety Act 2023), to which a zero tolerance approach will be adopted. This includes, but is not limited to:
- 16.1.1. bullying (including cyber-bullying, prejudice-based and discriminatory bullying);
 - 16.1.2. physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
 - 16.1.3. Encouraging or assisting serious self-harm in person or online

sexual violence and sexual harassment including threatening online communications of this nature;

16.1.3. sexting (also known as youth produced sexual imagery) including 'cyber-flashing' and the sharing or threatening to share intimate photographs or films;

16.1.4. upskirting; and

16.1.5. initiation / hazing type violence and rituals.

16.2. The School's policy and procedures with regard to child on child abuse are set out in the School's Safeguarding and Child Protection Policy and Procedures. If behaviour and discipline matters give rise to a safeguarding concern, the procedures in the Safeguarding and Child Protection Policy and Procedures will be followed.

17. Malicious allegations against staff

17.1. Where a pupil makes an accusation against a member of staff and there is reasonable suspicion that the accusation has been deliberately invented or malicious, the Head will consider whether to take disciplinary action in accordance with this policy.

17.2. Where a parent has made a deliberately invented or malicious allegation the Head will consider whether to require that parent to remove their child or children from the School on the basis that they have treated the School or a member of staff unreasonably and compromised the requirement for mutual trust and confidence.

17.3. The School will consider whether the police should be asked to consider if action might be appropriate against the person responsible for the allegation.

17.4. The School will consider a malicious allegation to be one where there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive.

Appendix 1 Appreciation, Rewards and Sanctions

1. Appreciation and Reward

Pre-School

Rewards for children include verbal praise, stickers, reward charts and positive reinforcement.

The named person for behaviour management in the Pre-School is Mrs Chloe Eastburn.

Junior School and Senior School

Pupils should be valued as individuals and their talents, interests and developing personalities recognised, acknowledged and appreciated. Wherever possible, the positive aspects of any children should be emphasised, and any criticism should be constructive, and designed to enhance a child's feeling of self-worth and not to dispirit.

Achievement is recognised and applauded in Year, House, and School Assemblies, Prizegiving, through written reports and publications. In the Junior School commendation is also given via Achievement Certificates (Infants), Learning Tree Postcards, House Points in the form of My Stickers, and Head's Awards. Colours are awarded termly with appointments to pupil leadership positions such as House Captains, School Prefects or Librarians.

In the Senior School commendation is given through the award of PGS Core postcards home, Recognitions, Progress Commendations, House and School Colours and appointments to positions of responsibility including Buddies, Mentors, House Captains, School Prefects and Peer Mentors.

2. Support Systems

Both the Junior and Senior School aim to support the management of pupils' behaviour by:

- publishing School rules, codes of conduct and anti-bullying policies
- the delivery of a comprehensive programme of PSHEE and the Pastoral Curriculum
- pastoral support from Form Teachers, Tutors, Heads of Year, counselling and Health and Wellbeing Centre staff
- the involvement of Peer Mentors, School and House Prefects in the Senior School
- ELT & Year Group Meetings (Junior School) and Pastoral Review Meeting (Senior School)
- parents are actively encouraged to support the School's expectations which are communicated in Parents' Information Evenings and through the School's communications. When sanctions are administered parents will be contacted and their support is sought in reinforcing the key messages
- in the younger years, particularly in Pre-School, it is recognised that extreme poor behaviour may be due to excessive tiredness. In the event of repeated behaviour issues children's hours may be reviewed with parents and reduced hours or a temporary break from school may be encouraged.

3. Sanctions

Pre-School

If necessary, time out from an activity may be used as a sanction. An escalation of poor behaviour will require the involvement of the Pre-School Lead and communication with parents/carers.

Junior School and Senior School

Sanctions may include:

- a requirement to undertake menial but not degrading tasks on behalf of the School or external community;
- detention for a reasonable period;
- withdrawal of privileges; or
- temporary exclusion, or alternatively being removed or permanently excluded.

Junior School sanctions include:

- Loss of playtime
- Community Minutes – 15 minutes with member of JS SLT
- Assistant Head (Pastoral) detention (lunchtime)
- Deputy Head's detention (after school)
- Head's detention (before school – 1 hour)
- exclusion (temporary and permanent)

Senior School sanctions include:

- Departmental detentions (30 minutes within the school day)
- SMT Conduct Detention (30 minutes within the school day)
- disciplinary detention (one hour within or after School)
- Head's detention (two hours outside School hours)
- exclusion (temporary and permanent)

Other sanctions, prescribed and authorised by the Head in compliance with good education practice and to promote good behaviour and compliance with the School rules, may be deemed necessary which fall outside the main sanctions listed above. These may include removal from a particular lesson or teaching group, or withholding participation in educational visits, playtime or sports events which are not essential to the curriculum.

The School will seek to ensure that all rewards and sanctions are applied fairly, consistently and in accordance with the School's equal opportunities policy.

All sanctions are recorded on the School's management information system (iSAMS) so any patterns or recurring features in pupil behaviour, and School response, can be tracked and assessed.

Temporary exclusion

A temporary exclusion is a fixed period of absence that will be agreed in advance. Pupils may be temporarily excluded whilst an investigation is completed as a neutral act, following which the appropriateness of any sanction would then be considered carefully. If the child has been suspended pending an investigation, this period of time may be considered as part of the temporary exclusion period.

The Head may temporarily exclude a pupil, for a period of between 24 hours and five working days for serious indiscipline, or for less serious offences, where repeated punishment has proved ineffective. This decision would be made in consultation with the Chair. If temporary exclusion is ineffective, the School may be forced to consider permanently excluding the pupil, or to require him/her to be removed from the School (see below).

It is usual for temporary exclusions to be increased in severity for a series of significant offences that do not merit immediate permanent exclusion. The maximum temporary exclusion is usually for five days. Any temporary exclusion carries with it the caveat that a repetition of any further serious disciplinary offence will put the pupil's position at the school in jeopardy.

The school will make reasonable adjustments for managing behaviour which is related to a pupil's special educational need or disability. Where exclusion needs to be considered, the school will ensure that a pupil with a disability or special educational needs and/or his/her parents are able to present their case fully where their disability or special educational needs might hinder this. See also the PGS Disability Policy and Additional Educational Needs Policies.

Work will generally be set for a child to do at home during the period when they are temporarily excluded. In addition, consideration will be given to any relevant problems of the excluded child and how they might be addressed in the interim, together with reintegration post-temporary exclusion.

In the Senior School, the Head or the Senior Deputy Head will inform parents of any offence or outcome of an investigation without delay either in person or by telephone, followed by a letter stating the length of temporary exclusion, and the reasons for this sanction. In the Junior School this would be undertaken by the Head or Deputy Head.

Temporary exclusion constitutes a clear warning about continued membership of the school and this warning should be regarded as final. No child who is excluded for a second occasion may return to the school without the Head having obtained the approval of the Chair of the Governing Body or, in their absence, the Vice Chair of the Governing Body.

Temporary Exclusion from the Pre-School would only take place if all other avenues had been explored and exhausted.

Permanent Exclusion

A pupil may be permanently excluded from the School for a very grave breach of discipline or a criminal offence or for repeated and/ or persistent lower level breaches of discipline.

Since temporary exclusion should always be regarded as a warning that permanent exclusion may follow next, the Head considers that all children and their parents should clearly understand the consequences of temporary and permanent exclusion from the school. Some parents prefer, after due consideration, voluntarily to withdraw their child rather than the school imposing permanent exclusion. However, it must clearly be understood that the Head reserves the right to insist on permanent exclusion as a sanction.

Only the Head can permanently exclude a child and before doing so the Head will follow the same procedure as for temporary exclusion. The Head will always consult with the Chair of the Governing Body before any decision to exclude permanently is made.

In making decisions about exclusion the Head will take into account any contextual circumstances such as special educational needs, disabilities, gender and cultural differences that may be relevant to the case and any representations by the pupil and/ or parents, as well as any agreed list of issues relating to exclusion. Consideration will also be given to the child's continuity of education.

Permanent Exclusion from the Pre-School would only take place if all other avenues had been explored and exhausted.

See the PGS Exclusion Policy for details regarding the communication of a decision to permanently exclude a pupil and the appeal process.

Removal in other circumstances

Parents may be required, during or at the end of a term to remove the pupil, permanently from the school, if, after consultation with the pupil and/or the parents, the Head is of the opinion that:

- the pupil has committed a breach or breaches of School rules or discipline for which removal is the appropriate sanction; or
- by reason of the pupil's conduct or progress, the pupil is unwilling or unable to benefit sufficiently from the educational opportunities offered by the school; or
- the parents have treated the school or members of the staff or wider School community unreasonably; or
- the parents' actions have been such as to cause a breakdown of trust between the parents and the school.

In these circumstances, parents may be permitted to withdraw the pupil as an alternative to permanent exclusion. The Head shall act with procedural fairness in all such cases, and shall have regard to the interests of the pupil and parents as well as those of the school. In such circumstances, should parents accept this offer, no right of appeal is available.

If a pupil is withdrawn from the School before the conclusion of these disciplinary procedures, the School reserves the right to complete the procedures, in the absence of the pupil and the parents if necessary, and to make a finding. The School reserves the right to refer to such disciplinary action in references provided for the pupil.

Appeal

The School will always offer the right of appeal to any pupil excluded from the school. Any appeal against exclusion will be dealt with under Stage 3 of the School's Parental Complaints Policy and Procedure, and should be made in writing to the Head in accordance with the school's Complaints Procedure. See the School's Exclusion Policy for further details on the appeals procedure.

Appendix 2 Investigations into serious breaches of discipline

The Head will appoint a senior member of staff to carry out an investigation.

Parents will be informed as soon as reasonably practicable after it becomes clear that the pupil may face disciplinary action for a serious breach of discipline, which includes disciplinary action for repeated and / or persistent lower level breaches of discipline, unless the School is prevented from doing so by the police if they are involved.

An investigation and any subsequent meeting will be conducted fairly and in a way which is appropriate to a school, without formal legal procedures.

A pupil may be excluded temporarily from the School while a complaint is being investigated or while an investigation is on hold (see below). Should a temporary exclusion continue for a period of more than five School days, the School will take reasonable steps to put in place arrangements to ensure the continuing education of the pupil. Parents should note that there may be a delay in providing work whilst teaching staff are given the opportunity to determine what work should be set. Alternatively, the pupil may be offered a segregated regime on School premises. Parents will be informed about a pupil's involvement in an investigation as soon as is practicable.

A pupil's space or belongings may be searched during the course of the investigation. See Appendix 4 of this policy for the School's policy on searching and confiscation.

If the pupil is to be interviewed as part of the investigation, arrangements may be made for him / her to be accompanied by a member of staff of his / her choice (if available at the relevant time and appropriate). A minute of the interview will be recorded in writing by the interviewing member of staff. The pupil may be asked to confirm any statement made or minute taken to be true and accurate, or may be asked to offer their own statement.

It may be necessary to delay an investigation or put it on hold, for example where external agencies such as the police or social services are involved and have advised that this is necessary. A decision to suspend an investigation will take into account advice from appropriate external agencies and will be subject to periodic review. If considered necessary, the School may make arrangements for legal representation for the pupil to be funded entirely at the parents' expense. Regardless of delays caused by a police or other external agency investigation, the School will take all reasonable steps to provide appropriate pastoral and other support for all pupils affected by the allegations under investigation.

The outcome of the investigation will be reported to the Head. If the findings of the investigation appear to support the allegation, complaint or rumour, a disciplinary meeting will be held in accordance with the procedures in Appendix 3 of this policy.

Appendix 3 Disciplinary meeting with the Head

Where the findings of the investigation into an allegation, complaint or rumour of a serious breach of discipline appears to support the allegation, complaint or rumour, a disciplinary meeting will take place with the Head, or with the Senior Deputy Head on their behalf. In the Junior School, this would be undertaken by the Head.

Attendance

The pupil and his / her parents (if available) will be asked to attend the disciplinary meeting. Where the complaint concerns the behaviour of the parents, the pupil will not generally be expected to attend the meeting and this procedure applies to the parents only. The person who undertook the investigation will be in attendance to explain the circumstances of the complaint and his / her investigation and an additional member of staff will be present to minute the meeting.

Where Permanent Exclusion or Removal needs to be considered, the School will ensure that a pupil with a disability or special educational needs is able to present their case fully where their disability or special educational needs might hinder this.

Meeting

The Head will consider the allegations and the evidence, including statements made by and / or on behalf of the pupil or, where applicable, the parents.

The pupil and his / her parents will have an opportunity to state their side of the case.

The Head will inform the pupil and his / her parents of the range of disciplinary sanctions which the Head considers are open to them if the allegation, complaint or rumour is sufficiently proved.

Unless the Head considers that further investigation is needed, they will close the meeting and inform the pupil and the parents that they will be notified of their decision in writing.

Decision

The Head will consider whether the allegation, complaint or rumour has been sufficiently proved. The standard of proof shall be the civil standard, i.e. the balance of probabilities. The pupil's disciplinary record will be taken into account where the complaint concerns the conduct of the pupil.

The Head may permanently exclude or remove a pupil or impose any other sanction they consider to be appropriate in accordance with this policy. The Head will notify the parents of their decision in writing, with reasons, usually within five working days of the disciplinary meeting, provided further investigation is not needed. If further investigation is needed the Head will try to conclude matters as soon as is reasonably practical.

A decision to permanently exclude or remove a pupil shall take effect five working days after the date of the Head's letter confirming their decision, unless stated otherwise in the letter. Until then, the pupil shall remain excluded temporarily and away from School premises.

Please refer to the School's Exclusion Policy for details of communication of the decision to permanently exclude or require removal of a pupil.

Appeal

The parents or the pupil may request an appeal of the Head's decision to permanently exclude or remove a pupil from the School. The request must be made within five working days of the date of the Head's letter confirming their decision, or any longer period by agreement. If such a request is made, the pupil shall remain excluded until the appeal has taken place and either the sanction is upheld or a reconsidered decision made.

See the School's Exclusion Policy for further information about requesting an appeal and the detail of the procedure.

Appendix 4 Searching and Confiscation

All schools have a general power to impose reasonable and proportionate disciplinary measures (Education and Inspections Act 2006). This enables a member of staff to confiscate, retain or dispose of a pupil's property as a disciplinary penalty where it is reasonable to do so.

The School's policy on searching and confiscation has regard to the DfE guidance [Searching, screening and confiscation – advice for schools \(DfE, July 2022\)](#)

Please also refer to the PGS Smoking, Alcohol, Drugs and Substances Policy for policy and procedure relating to tobacco, alcohol, drugs and substances.

Prohibited items

The following are "prohibited items" under Section 550ZA(3) of the Education Act 1996 and Regulation 3 of the Schools (Specification and Disposal of Articles) Regulations (SI 2012/951):

- knives or weapons, alcohol, illegal drugs and stolen items;
- tobacco and cigarette papers, fireworks and pornographic images;
- 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 pupil); and
- any item banned by the School rules that are identified as being items which may be searched for, including all items associated with vaping.

The School has banned items that are reasonably believed to be likely to cause harm or disruption (see the School Rules and other policies). Pupils must not have these items in their possession on School premises or at any time when they are in the lawful charge and control of the School (for example on an educational visit).

Searching with consent / Refusal to provide consent

Before any search is undertaken the pupil will usually be asked to consent. In seeking consent, the age and maturity of the pupil will be taken into account together with any special needs the pupil may have. Written consent will not usually be required.

The consent of the pupil must be obtained for searches for items that are not "prohibited items" as listed above. The consent of the pupil must be sought even if he / she is not at the School at the time. If a member of staff suspects that a pupil has an item that is banned by the School they can instruct the pupil to turn out his / her pockets or bag.

If the pupil refuses to provide consent, disciplinary action may be taken in accordance with this policy. See next paragraph for further information regarding searching for prohibited items without consent.

Searching for prohibited items

Where the Head, the Senior Deputy Head or a member of staff authorised by the Head has reasonable grounds to suspect that a pupil may have a prohibited item (as defined above) in their possession, consent to search is not required. A search for a prohibited item, without consent, may therefore be carried out of the pupil or of their possessions. This may use reasonable force if necessary, with the following proviso: such force may only be used in searches for items specifically included in the prohibited items list above, but it may not be used for an item in the list which falls only under the final category (any item banned by the school rules which is identified in the rules as being an item which may be searched for).

See the School's Reasonable Use of Force Policy for further information relating to the use of force.

Searches will be carried out only on School premises or, if elsewhere, where the member of staff has lawful control or charge of the pupil, for example on an educational visit or in training settings.

If it is believed that a pupil has a prohibited item, it may be appropriate for a member of staff to carry out:

- a search of outer clothing; and / or
- a search of School property (e.g. pupils' lockers or desks, bed studies or dormitories); and / or
- a search of personal property (e.g. bag or pencil case).

A pupil's possessions can only be searched in the presence of the pupil and another member of staff, except where there is a risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably possible to summon another member of staff.

The person searching must be the same sex as the pupil being searched; there must also be a witness (also a staff member) and, if possible, they should be the same sex as the pupil being searched. There is a limited exception to this rule: where it is reasonably believed that serious harm may be caused to a person if the search is not carried out immediately and it is not practicable to summon another member of staff, a member of staff may carry out a search of a pupil of the opposite sex and / or in the absence of a witness.

Where the Head, Senior Deputy Head or staff authorised by the Head, find anything which they have reasonable grounds for suspecting is a prohibited item, they may seize, retain and dispose of that item in accordance with this policy.

Confiscation

Under the School's general power to discipline, a member of staff may confiscate, retain or dispose of a pupil's property as a disciplinary penalty where it is reasonable to do so.

Searching electronic devices

An electronic device such as a mobile phone or a tablet computer may be confiscated in appropriate circumstances in accordance with this policy. If there is good reason to suspect that the device has been, or could be used to cause harm, to disrupt teaching or break School rules, any data or files on the device may be searched and, where appropriate, data or files may be erased before the device is returned to its owner. Any search of an electronic device should usually be conducted in the presence of a member of the IT staff, where this is possible.

Disposal of confiscated items

- **Alcohol:** alcohol which has been confiscated will be destroyed.

- **Controlled drugs:** controlled drugs will usually be delivered to the police as soon as possible. In exceptional circumstances and at the discretion of the Head or authorised member of staff, the drugs may be destroyed without the involvement of the police if there is good reason to do so. All relevant circumstances will be taken into account and staff will use professional judgement to determine whether the items can be safely disposed of. They will not be returned to the pupil.
- **Other substances:** substances which are not believed to be illegal drugs but which are harmful or detrimental to good order and discipline may be confiscated and destroyed. Where it is not clear whether or not the substance seized is an illegal drug, it will be treated as though it is illegal and disposed of as above.
- **Stolen items:** stolen items will usually be delivered to the police as soon as possible. However, if, in the opinion of the Head or authorised member of staff, there is good reason to do so, stolen items may be returned to the owner without the involvement of the police. This is likely to apply to items of low value, such as pencil cases.
- **Tobacco or cigarette papers:** tobacco or cigarette papers will be destroyed.
- **'Vapes' and all vaping paraphernalia:** all such items will be destroyed.
- **Fireworks:** fireworks will not be returned to the pupil. They will be disposed of safely at the discretion of the Head or other authorised member of staff which may include donation to an appropriate charity.
- **Pornographic images:** pornographic images involving children or images that constitute "extreme pornography" under section 63 of the Criminal Justice and Immigration Act 2008 will be handed to the police as soon as practicable. As possession of such images may indicate that the pupil is at risk of harm, the Designated Safeguarding Lead will also be notified and will decide whether to make a referral to children's social care.
- **Other pornographic images** will also be discussed with the Designated Safeguarding Lead. The images may then be passed to children's social care for consideration of any further action. If no action is to be taken by the local authority the images will be erased after a note has been made for disciplinary purposes, confirming the nature of the material.
- **Article used to commit an offence or to cause personal injury or damage to property:** such articles may, at the discretion of the Head or authorised member of staff taking all the circumstances into account, be delivered to the police, returned to the owner, retained or disposed of.
- **Weapons or items which are evidence of an offence:** such items will be passed to the police as soon as possible.
- **An item banned under School rules and / or policies:** such items may, at the discretion of the School or authorised member of staff taking all the circumstances into account, be returned to its owner, retained or disposed of. Where staff confiscate a mobile electronic device that has been used in breach of School rules, the device will be kept safely until the end of the school day when it can be claimed by its owner, unless the Head or designated senior member of staff considers it necessary to retain the device for evidence in disciplinary proceedings in accordance with below. If a pupil persists in using a mobile electronic device in breach of School rules, the device will be confiscated and must be collected by a parent.

- **Electronic devices:** if it is found that a mobile phone, laptop or tablet computer or any other electronic device has been used to cause harm, disrupt teaching or break School rules, including carrying out cyberbullying, the device will be confiscated and may be used as evidence in disciplinary proceedings. Once the proceedings have been concluded the device must be collected by a parent and the pupil may be prohibited from bringing such a device onto School premises or on educational visits. In serious cases, the device may be handed to the police for investigation.

Communication with parents

There is no legal requirement for the School to inform parents before a search for banned or prohibited items takes place or to seek their consent to search their child and it will not generally be practicable to do so. In appropriate cases we will inform parents on how the School will dispose of certain items.

We will keep a record of all searches carried out, including whether the search is with or without the consent of the pupil. The record will include details of any disposal of items confiscated.

Complaints

Complaints about searching or confiscation will be dealt with through the School's Parental Complaints Policy and Procedure.

The School will take reasonable care of any items confiscated from pupils. However, unless negligent or guilty of some other wrongdoing causing injury, loss or damage, the School does not accept responsibility for loss or damage to property.

Appendix 5 Allocation of tasks and Version control

1. Allocation of tasks: in accordance with paragraph 3 of the policy above, the governors have allocated tasks according to the table below:

Task	Allocated to	When / frequency of review
Keeping the policy up to date and compliant with the law and best practice	Senior Deputy Head	As required, and at least termly
Monitoring the implementation of the policy	Senior Deputy Head	As required, and at least termly
Maintaining up to date records of all information created in relation to the policy and its implementation as required by the GDPR	Senior Deputy Head	As required, and at least termly
Seeking/receiving input from interested groups (such as pupils, staff, parents) to consider improvements to the School's processes under the policy	Senior Deputy Head	As required, and at least annually
Formal review	Governing Body	Every two years

2. Version Control

Date of approval/adoption of this policy	15 th March 2024 (Governing Body)
Date of last review of this policy	2 nd February 2024 (Education Committee)
Date for next review of this policy	Spring 2026
Review Schedule	Every two years
Policy author (SMT)	Senior Deputy Head
Status	ISI document (external website)
Report	Safeguarding and pastoral

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