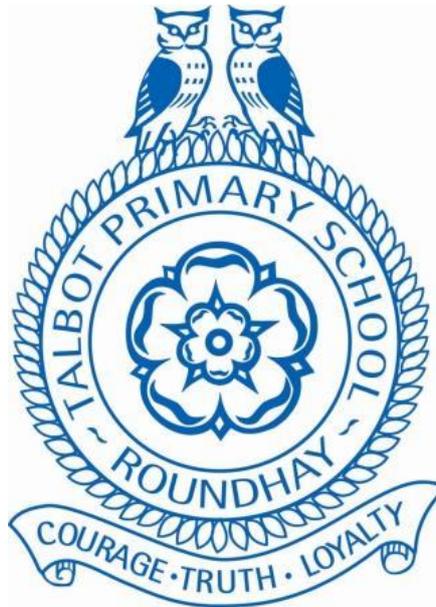


Talbot Primary School



Behaviour Policy

Reviewed/Revised: November 2023

Next review: November 2026

Office use:

Statutory	✓
Web	✓
Staff Notices	✓

Talbot Primary School Behaviour Policy

Aims

This policy aims to:

- Provide a consistent approach to behaviour management
- Define what we consider to be unacceptable behaviour, including bullying, harassment and discrimination
- Outline how children are expected to behave
- Summarise the roles and responsibilities of different people in the school community with regards to behaviour management
- Outline our system of rewards and sanctions

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

- [Behaviour and discipline in schools](#)
- [Searching, screening and confiscation at school](#)
- [The Equality Act 2010](#)
- [Keeping Children Safe in Education \(including DfE Sexual violence and sexual harassment between children in schools and colleges\)](#)
- [Use of reasonable force in schools](#)
- [Supporting children with medical conditions at school](#)
- [Special educational needs and disability \(SEND\) code of practice.](#)
- Section 175 of the [Education Act 2002](#), which outlines a school's duty to safeguard and promote the welfare of its children
- Sections 88-94 of the [Education and Inspections Act 2006](#), which require schools to regulate children's behaviour and publish a behaviour policy and written statement of behaviour principles, and give schools the authority to confiscate children's property
- [DfE guidance](#) explaining that maintained schools must publish their behaviour policy online

This policy should be read in conjunction with the following statutory policies which are available on the school website:

- Child Protection and Safeguarding Policy
- SEND Policy
- Anti-bullying Policy

and the following non-statutory policies which can be requested via e-mail by contacting the Office:

- Absconding Policy
- Care and Control Policy
- Child-friendly behaviour policy

Rationale

This policy outlines the underlying philosophy, purpose, nature, organisation and management of pupil behaviour at Talbot Primary School. It is a working document designed to enhance the development of positive relationships between children, adults working in schools, parents and other members of the wider school community. The policy reflects current practice within the school. Its fair and consistent implementation is the responsibility of all staff.

Talbot Primary School acknowledges that there are a range of causes of inappropriate behaviour, including home circumstances, friendship issues and other specific needs. All children have the right to feel safe. Staff, governors and stakeholders will use this policy to promote positive behaviour as well as use restorative practices to correct behaviour which is disruptive. When supporting behaviour management we try to establish the reasons for behaviour when dealing with incidents. Parent and

carers play a crucial role in supporting school to implement this policy by virtue of accepting a place at Talbot Primary.

At Talbot Primary School we aim to meet the needs of our children by:

- Establishing a safe, positive learning environment in school.
- Enhancing and developing self-esteem and feelings of self-worth through the provision of a well-planned, appropriate personal, social, health cultural and emotional (PSHCE) learning curriculum
- Securing a safe social climate in which children and staff have positive experiences
- Having high expectations in regards to children co-operating with one another and with adults
- Developing children's own sense of responsibility for their own behaviour within a structure of clear boundaries and consistent routines
- Promoting and encouraging a feeling of common purpose and belonging

Whole School Rules

- We are gentle
- We are kind and helpful
- We listen
- We are honest
- We work hard
- We look after property

These key aspects are adopted by classes at the beginning of each year, and children use them to develop their own class rules/ethos. These rules are based on the school's vision and ethos of 'Courage, Truth and Loyalty'. This is discussed by class teachers with their classes, and often used as the focal point for assemblies on a weekly basis through our child-generated ethos statements. Additionally, PSHCE posters and the weekly ethos Statements are displayed around school to reinforce these rules.

Positive Behaviour

At Talbot Primary School, as adults, we will:

- Provide encouragement and stimulation to all children.
- Treat all children fairly and apply this policy in a consistent way.
- Ensure that children are aware of the school rules.
- Treat each other with respect at all times, therefore providing a positive role model for the children and each other.
- Teach, through the school curriculum, values and attitudes as well as knowledge and skills, in order to promote responsible behaviour, self-discipline and respect for self, others and the world around us.
- Engage with parents and carers to support positive behaviour in school.

Children should learn to expect age-related, fair and consistently applied consequences, in the form of rewards and sanctions, for both appropriate and inappropriate behaviour respectively.

Behaviour that leads to rewarding consequences in line with our aims and principles are more likely to be repeated. This means all staff are actively involved in consistently rewarding positive behaviour, positive achievements and successes both in and out of school are celebrated and shared with parents and carers and peers and the types of rewards used across the school reflect the individual nature of class groups and children. We will reward individual child behaviour through:

- Smiles
- Praise
- Stickers
- Certificates

- Merit charts
- Entry in the weekly Golden Book
- Lunchtime stickers
- Message to parents or carers
- Special responsibilities
- Extra playtime related to targets met
- Send child to Headteacher for praise
- Special Headteacher certificate

Definitions of behaviour

The whole school rules and behaviour system has been created in consultation with all staff and children. The rules should be modelled and used by all members of staff, visitors and children. Where children break these school rules staff will explain which rule has been broken and examples on how the child can rectify the situation shared.

Where behaviour is inappropriate it will be dealt with hierarchically. Any general misbehaviour for example disruption in class, around school or at play and lunchtime will be dealt with in the following ways:

- Non-verbal warning, e.g. facial expressions
- Verbal warning
- Removal from group for time out including spending time in another classroom
- Missing part of playtime (following warnings)
- Stand with the teacher on duty during playtime
- Referral to class teacher
- Removal of privileges – rewards should not be removed once earned
- Where appropriate, additional support from the Area Inclusion Partnership (AIP) team or Cluster support will be accessed.
- Restorative conversations and discussions

Where required, we will involve parents and carers to support Phase Leaders and/or Senior Leaders to support in addressing inappropriate behaviour.

The following behaviours are non-negotiable and a child displaying these will be sent directly to a member of the Senior Leadership Team:

- Racist incident
- Homophobic incident
- Threatening language
- Physical aggression
- Swearing or inappropriate language
- Child on child abuse or sexual harassment
- Any form of bullying, including cyber bullying (please see our separate anti-bullying policy)
- Vandalism
- Theft

We will not tolerate sexual harassment or peer on peer harassment. This includes exploitation, taking and sharing images, comment, jokes, online sexual harassment. All staff and children are encouraged to call out and/or report any of the above behaviours. Where incidents occur, school's response will be proportionate, considered, supportive and decided on a case-by-case basis and may include the following steps:

- Asking the child to apologise to anyone the comment was directed at.
- Support and educating the child to improve their behaviour.
- Monitoring behaviour for any recurrence.
- Contact parents and carers to support the school in addressing the behaviour.

It is important to note that in cases where allegations of sexual violence and/or harassment are found to be unsubstantiated, unfounded, false or malicious, the Designated Safeguarding Lead (DSL) will consider whether the child or person who has made the allegation is in need of support. In cases where the report is found to be deliberately invented or malicious the school will consider whether it is appropriate to take any further action in keeping within this behaviour policy.

Strategies to support positive behaviour

An effective behaviour policy is one that seeks to lead children towards high self-esteem and self-discipline. Consequently, good discipline arises from good relationships and from setting expectations of good behaviour. We believe that self-esteem affects all thinking and behaviour, and, impacts on learning and performance. We aim to provide positive everyday experiences so that our children are more likely to reach their full potential. The following strategies are in place in order to foster appropriate behaviour:

- Teaching of good behaviour through PHSCE lessons, where children also develop their mediation skills and strategies for conflict resolution, i.e. super sorter rules.
- Children are taught the skills of active listening.
- Supervision and consistent routines are used to avoid possible inappropriate behaviour.
- Staff training/development in behaviour management (e.g. praising adjacent children to demonstrate expectations), including new staff induction and updating governors as required.
- Learning Mentor is available to support in relation to friendship issues and behaviour management alongside the Phase Leader.
- Thorough transition arrangements, between year groups and with other settings to minimise potential disruption for new classes, e.g. dedicated staff meeting time and thorough handover to High School settings.
- Close liaison with parents and outside agencies.

Sometimes there may be incidents which require action above and beyond the above behaviour system. We recognise that disruptive behaviour may be a response to additional needs that need to be met. When this occurs, we will adopt a personalised approach. These will always be in conjunction with parents and carers, and include:

- An Individual Pupil Risk Assessment (IPRA) – required when a child’s behaviour could harm either themselves or others.
- An Individual Behaviour Plan (IBP) – established with the child to set out SMART targets, how success will be monitored, rewards and sanctions.
- A Positive Behaviour Support Plan (PBSP) – put in place by staff, identifying known triggers for the child, what behaviours to be aware of and actions to be taken. This plan will also cover planning for any physical interventions that may be required.

Teachers will record incidents and track patterns in behaviour using the online CPOMS system, e.g. aggressive, discriminatory, bullying behaviour, transgender, homophobic or harassment behaviours. The Headteacher will use the online CPOMS system to review recorded incidents on a regular basis with senior leaders/the class teacher and/or the learning mentor, in order to identify any emerging patterns, which may require further actions. Any concerns would be reported to the Governing Board.

We recognise that at certain stages of a child’s school life they may struggle to access typical provision due to their Social, Emotional and Mental Health (SEMH) needs. Even when the curriculum is reasonably adapted in line with best teaching and learning practice, agency support and the school’s usual systems, there are occasions when they will still struggle to access full time education. At this time, the Headteacher may consider a personalised timetable to enable the child to better access full time education. Examples of when this is appropriate may include:

- At transition points – into or between settings.
- When the child has repeated or prolonged episodes of crisis.

- When the child's risk assessment shows the child poses a significant risk to themselves or others which cannot be reasonably managed within the usual school day.
- When the child's behaviour causes repeated and significant disruption to the education of other children.

If such a personalised approach is required, a clear plan will be completed, communicated to parents and include timelines for regular review. The aim of a personalised timetable will always be to support the child so that they can return to full time education as soon as possible. The duration, will however, depend on the needs of the child.

Roles and responsibilities

Children

Through our support, children will be expected to understand and respect the behaviour expectations shared across the school. They are encouraged to make the right choices, manage their behaviour, but also seek support from a trusted adult if needed.

Parents and Carers

By virtue of accepting a place at Talbot Primary School, parents and carers are expected to support their child in adhering to the expectations, inform the school of any changes in circumstances that may affect their child's behaviour and discuss any behavioural concerns or worries with the class teacher promptly to allow for action and support.

Staff

Staff are responsible for, implementing the behaviour policy consistently, modelling positive behaviour, providing a personalised approach to the specific behavioural needs of particular children and recording behaviour incidents on CPOMS. The senior leadership team will support staff in responding to behaviour incidents.

The Headteacher

The headteacher is responsible for reviewing this behaviour policy in conjunction with the Governing Board's Teaching and Learning sub-committee, giving due consideration to the school's statement of behaviour principles (appendix 1). The headteacher will also approve this policy. The headteacher will ensure that the school environment encourages positive behaviour and that staff deal effectively with poor behaviour, and will monitor how staff implement this policy to ensure rewards and sanctions are applied consistently.

The Governing Board

The Governing Board's School Improvement sub-committee is responsible for reviewing and approving the written statement of behaviour principles (appendix 1). These behaviour principles are also available to view on the school website. The sub-committee will also review this behaviour policy in conjunction with the headteacher and monitor the policy's effectiveness, holding the headteacher to account for its implementation.

Searching, screening and confiscation

There may be an occasion where staff have to search a child and/or confiscate items. In doing so the school will follow the guidance as outlined in the [DfE Searching screening and confiscation guidance](#) (July 2022). We will also confiscate any item which is harmful or detrimental to school discipline. These items will be returned to children after discussion with senior leaders and parents, if appropriate. Guidance is outlined in appendix two.

Outside of school

We have a duty to investigate misbehaviour of our children outside school (including notifying the police) when witnessed by a member of staff or reported to school when:

- Taking part in any school-organised or school-related activity (e.g. school trips).
- Travelling to or from school.

- Wearing school uniform or in some other way identifies the child as a pupil at Talbot Primary School.
- In any other way identifiable as a pupil of our school.

In such instances the school’s Positive Behaviour Management policy will be adhered to. Sanctions may also be applied where a child has misbehaved off-site at any time, whether or not the conditions above apply, if the misbehaviour:

- Could have repercussions for the orderly running of the school.
- Poses a threat to another pupil or member of the public.
- Could adversely affect the reputation of the school.

Exclusions

All exclusions will follow the [DfE guidance on Exclusions for Maintained Schools, Academies and Pupil Referral Units in England](#), September 2023. Full guidance is outlined in the Leeds Local Authority Exclusions Handbook, 2023.

Fixed-term exclusions

If a child’s behaviour shows no improvement after all available options to the school and all other procedures have been followed, then a child will be excluded for a fixed term which may also be for parts of the school day. Exclusion is only used a last resort, in response to a serious breach or persistent breaches of the school’s behaviour policy. Whilst an exclusion may still be an appropriate sanction, the Headteacher will take account of any contributing factors that are identified after an incident of poor behaviour has occurred.

A child will also receive a fixed term exclusion if the incident, in the opinion of the Headteacher, is serious enough for the child to be immediately excluded where allowing the child to stay in school would seriously harm the education or welfare of other children in school.

The DfE has provided the following codes for and reasons for exclusions:

PP - Physical assault against a pupil Includes: <ul style="list-style-type: none"> • Fighting • Violent behaviour • Wounding • Obstruction and jostling 	PA- Physical assault against an adult Includes: <ul style="list-style-type: none"> • Violent behaviour • Wounding • Obstruction and jostling
VA- Verbal abuse / threatening behaviour against pupil Includes: <ul style="list-style-type: none"> • Threatened violence • Aggressive behaviour • Swearing • Homophobic abuse and harassment • Verbal intimidation • Carrying an offensive weapon 	BU- Bullying Includes <ul style="list-style-type: none"> • Verbal bullying • Physical bullying • Homophobic bullying • Racist bullying
RA- Racist abuse Includes: <ul style="list-style-type: none"> • Racist taunting and harassment • Derogatory racist statements • Racist bullying • Swearing that can be attributed to racist characteristics 	SM- Sexual misconduct Includes: <ul style="list-style-type: none"> • Sexual abuse • Sexual assault • Sexual harassment • Lewd behaviour

<ul style="list-style-type: none"> • Racist bullying • Racist graffiti 	<ul style="list-style-type: none"> • Sexual bullying • Sexual graffiti
DA- Drug and alcohol related Includes: <ul style="list-style-type: none"> • Possession of illegal drugs • Inappropriate use of prescribed drugs • Drug dealing • Smoking • Alcohol abuse • Substance abuse 	DM- Damage Includes: <ul style="list-style-type: none"> • Vandalism • Arson • Graffiti
TH- Theft Includes: <ul style="list-style-type: none"> • Stealing school property • Stealing personal property (pupil or adult) • Stealing from local shops on school outing • Selling and dealing in stolen property 	DB- Persistent disruptive behaviour Includes: <ul style="list-style-type: none"> • Challenging behaviour • Disobedience • Persistent violation of school rules
OT- Other Includes incidents which are not covered by the categories above, this category should be used sparingly.	

Permanent exclusions

Only the headteacher (or the acting headteacher) has the power to exclude a child from school. The headteacher may exclude a child for one or more fixed periods, for up to 45 days in any one school year and may also exclude a child permanently. It is also possible for the headteacher to convert a fixed-term exclusion into a permanent exclusion, if the circumstances warrant this. The headteacher informs the local authority and the Governing Board about any permanent exclusion, and about any fixed-term exclusions beyond five days in any one term.

If the headteacher excludes a child, she informs the parents immediately, giving reasons for the exclusion. At the same time, the headteacher makes it clear to the parents that they can, if they wish, appeal against the decision to the Governing Board. The school informs the parents how to make any such appeal. A committee, made up of between three and five governors, considers any exclusion appeals on behalf of the Governing Board. When an appeals panel meets to consider an exclusion, they consider the circumstances in which the pupil was excluded, consider any representation by parents and the local authority, and consider whether the child should be reinstated. If the governors' appeals panel decides that a child should be reinstated, the Headteacher must comply with this ruling. The governing board itself cannot either exclude a child or extend the exclusion period made by the headteacher. In the case of a permanent exclusion the head teacher should also notify the Area Inclusion Partnership (AIP) so they can both ensure there is no alternative they can suggest and also so they can ensure swift integration into a locality provision, pupil referral unit, or equivalent provision.

This policy was reviewed and accepted by the Governing Board in November 2023

Appendix One

Talbot Primary

Written Statement of Behaviour Principles (based on the Leeds City Council Model Policy).

Approved by the Governing Board in November 2023.

Next due for review November 2024)

The Education and Inspections Act 2006 and DfE guidance on [Behaviour and Discipline in Schools](#) (October 2022) and guidance for governing bodies, [Behaviour and Discipline in Schools](#), 2015, which requires the governing body to make and frequently review a written statement of general behaviour principles to guide the Headteacher in determining measures to promote good behaviour.

Introduction:

This is a statement of principles, not practice.

Practical applications of these principles are the responsibility of the Headteacher.

The Governors at Talbot Primary School, believe that high standards of behaviour lie at the heart of a successful school and enable children to make the best possible progress in all aspects of their school life.

At Talbot Primary School, we value everyone as an individual, capable of growth, change and development. Our relationships are underpinned by the principles of justice, equality, mutual respect, fairness and consistency. We have high expectations that support the development of our children as effective and responsible citizens.

The purpose of this statement is to give guidance to the Headteacher in drawing up the Behaviour Policy by stating the principles the Governors expect to be followed. The Headteacher has a duty to publish the statement on the school website.

The Headteacher will develop the Behaviour Policy with reference to the DfE guidance document Behaviour and Discipline in Schools – Advice for Headteachers and School Staff, January 2016 and expectations as set out in Keeping Children Safe in Education (KCSIE), 2023.

Principles:

- All children, staff and visitors have the right to feel safe at all times at school and procedures should consider the requirements of the Education Act 2002 in relation to safeguarding and promoting the welfare of children.
- Talbot Primary School is an inclusive school. Bullying or harassment of any kind (as specified in KCSIE, 2023) is unacceptable. Our school has a zero tolerance approach to such behaviours and where required, we will involve parents and carers to support in addressing inappropriate behaviours. All members of the school community should be free from discrimination of any sort. Measures to protect children should be set out in the Behaviour and Equality policies, reflecting the duties of the Equality Act 2010.
- The Governors believe children should be at the heart of the development of school rules and these should be regularly reviewed with the involvement of the School Council and in consultation with staff and parents.
- High standards of behaviour are expected. The school rules should be clearly set out in the Behaviour Policy and displayed around school. Governors expect these rules to be consistently applied by all staff.
- Governors would like to see a wide range of rewards, consistently and fairly applied in such a way as to encourage and reward good behaviour around school.
- Sanctions for unacceptable/poor behaviour should be known and understood by all staff and children, consistently applied and regularly monitored to ensure effective impact.
- It is recognised that the use of rewards and sanctions must have regard to the individual situation and the individual student and the Headteacher is expected to use discretion in their use. Sanctions should however be applied fairly, consistently, proportionally and reasonably, taking

into account special educational needs and disability and the needs of vulnerable children. Support and assessment from external agencies should be available to support as necessary for children who display continued disruptive behaviour.

- We believe children should be given opportunities and openly encouraged to support each other in the process of positive reinforcement and personal growth, learning and recognising good behaviour.
- We expect children and parents to cooperate to maintain an orderly climate for learning.
- The Governors strongly feel that exclusions, particularly those that are permanent, must only be used as the very last resort.
- The Governors wish to emphasise that violence, threatening behaviour or abuse by children or parents towards the school's staff will not be tolerated. If a parent does not conduct himself/herself properly, the school may ban them from the school premises and, if the parent continues to cause disturbance, he or she may be liable to prosecution.
- The Governors expect the Headteacher to include guidance and clarification for staff on their powers to search (for banned items), to use of reasonable force (make physical contact with children), and to discipline children for misbehaviour outside school (including notifying the police) witnessed by a member of staff or reported to school when:
 - Taking part in school organised or related activity
 - Travelling to or from school
 - Wearing school uniform or in some other way identifiable as a pupil

Appendix Two - Searching, screening and confiscation guidance

Introduction

At Talbot Primary School we value good behaviour in the classroom and elsewhere to promote the school as a learning community and to ensure the school is a safe and effective learning environment. The highest regard is given to the quality of relationships between staff and children. We seek to develop independent and autonomous children who are self-disciplined and who are able to self-regulate and manage their behaviour. We aim for our children to take responsibility for their actions so that the school can be a physically and emotionally safe place for children to develop. This policy should be read alongside the school's behaviour policy which sets out what is expected of children in the school, when engaged in school activities and as members of our wider community.

Children should not bring onto the school site or be in possession of items which detract from good behaviour or have a negative effect on their own learning or that of others. Children should not be in possession of items which endanger the health, safety and wellbeing of other members of the school community. All items of value (financial or sentimental) e.g. laptops, mobile phones, jewellery, whether or not they are permitted, dangerous or banned items, are brought into school at the child's own risk. They are not covered by the school's insurance and the school will not accept responsibility for any loss or damage.

Talbot Primary School recognises and fully supports the right of children to respect, dignity and privacy. However, we also recognise, with regret, that on rare occasions it may be necessary for children and/or their possessions to be searched and prohibited items to be confiscated, in the interests, and for the safety, of other members of our school and/or the wider community.

Background Legislation and Guidance

This guidance should be read in conjunction with the The Education Act 2011 contains legislation on schools' powers of searching and screening children and, in particular, the use of the right to search children without their consent. A guidance document issued by the Department for Education (DfE) explains the powers schools have to seize and then confiscate items during a search. The [DfE guidance on Screening, Searching and Confiscation](#) is directed at Headteachers, school staff and governors.

Members of staff are permitted to confiscate inappropriate items and are protected from legal proceedings arising from the confiscation of the same. Headteachers and staff authorised by them have a statutory power to search children or their possessions, without consent, where they suspect the pupil has certain prohibited items. The items that can be searched for under this power are:

- knives or weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images (refer to government guidance: Sharing nudes and semi-nudes, published in KCSIE 2023)
- any article that the member of staff reasonably suspects has been, or is likely to be, used to a) commit an offence, b) cause personal injury to, or damage to the property of, any person (including the pupil)
- any item banned by the school rules which has been identified in the rules as an item which may be searched for (e.g. mobile phones and other portable electronic equipment).

School staff can search a pupil for any item if the pupil agrees. (The ability to give consent may be influenced by the child's age or other factors). Consent in writing is not required.

School staff can seize (confiscate) any prohibited item found as a result of a search. They can also seize any item, however found, which they consider harmful or detrimental to school discipline.

Other items which might be considered for confiscation include, among other items not listed here:

- Any item posing a threat to others: for example, a laser pen being used to distract and possibly harm other children or staff;
- Any item posing a threat to good order for learning: for example, a pupil using a personal music player in class;
- Any item which is against school uniform rules: for example, a pupil refusing to take off a baseball cap on entering a classroom;
- Any item posing a health or safety threat: for example, a pupil wearing jewellery in PE may present a safety threat to other children;
- Any item which is counter to the ethos of the school: for example, material which might cause tension between one community and another;
- Any item which is illegal for a pupil to have: for example, racist or pornographic material.

School Procedures for Searching for Prohibited Items

If a pupil is suspected of being in possession of something prohibited in school (e.g. mobile phone) or a stolen item, then the pupil should be asked to hand it over by emptying their pockets. If the pupil refuses, the matter should be referred immediately to a member of the Senior Leadership Team (SLT). If the pupil refuses a request by the SLT member to hand over the item they can apply an appropriate punishment as set out in the school's behaviour policy which may include the parents/carers being contacted to come into school.

Dependent on the outcome, disciplinary action may follow commensurate with any misconduct arising. If a pupil is suspected of being in possession of a weapon or drugs (see the prohibited items listed above) then a member of the Senior Leadership Team should be contacted immediately. The pupil will be seen by two senior members of staff and every effort made to persuade the pupil to hand over the item voluntarily. If the pupil refuses, and the situation is considered serious enough to proceed along formal lines, the police will be called and parents/carers informed. Until the police arrive the pupil will be kept under supervision in the Headteacher's /Deputy Headteacher's office or, should these be in use, another appropriate room.

Searching without Consent

Children and their possessions can be searched, without their consent, by the Headteacher. All other members of staff must have the headteacher's authorisation to carry out a search. There is no requirement for this authorisation to be in writing. The headteacher may not require members of staff to conduct a search. Teachers can only undertake a search without consent if they have reasonable grounds for suspecting that a pupil may have in his or her possession a prohibited item. The teacher must decide in each particular case what constitutes reasonable grounds for suspicion. For example, they may have heard other children talking about the item or they might notice a pupil behaving in a way that causes them to be suspicious.

DfE guidance states that:

The search may only take place on school grounds or where the staff member has lawful control or charge of the pupil, for example on a school trip. The law states the member of staff conducting the search must be of the same sex as the pupil being searched. There must be another member of staff present as a witness to the search.

The only exception to this rule is:

- The member of staff carrying out the search reasonably believes there is risk that serious harm will be caused to a person if the search is not carried out as a matter of urgency; and

- In the time available, it is not reasonably practicable for the search to be carried out by a member of staff who is the same sex as the pupil or it is not reasonably practicable for the search to be carried out in the presence of another member of staff
- The staff member may search the student's outer clothing, pockets, possessions desks or locker. The student must not be asked to remove any clothing other than outer clothing (any item of clothing not worn wholly next to the skin or immediately over a garment that is being worn as underwear, as well as hats, shoes, boots or scarves).

Strip Searching

A strip search involves the removal of more than outer clothing. Strip searches can only be carried out by police officers, however; school staff retain a duty of care to the students involved.

Before calling the police, staff should assess and balance the risks of a strip search on the student's mental and physical wellbeing. Unless there is an immediate risk of harm staff should inform a parent of the pupil suspected of concealing an item in advance of the search.

During the search

Clothes, possessions, desks and lockers may be searched.

1. The person conducting the search may not require the pupil to remove any clothing other than outer clothing.
2. 'Outer clothing' means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear but 'outer clothing' includes hats; shoes; boots; gloves and scarves.'
3. 'Possessions' means any goods over which the pupil has or appears to have control – this includes desks, lockers and bags.
4. 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 practicable to summon another member of staff.
5. 'The power to search without consent' enables a personal search, involving removal of outer clothing and searching of pockets.

After the search

No matter if any items have been found as a result of the search, staff should consider if the reasons for the search, the search itself, or the outcome of the search gives cause for concerns that the student is suffering, or is likely to suffer harm, as well as if any support is needed.

Recording Searches

All searches by staff or police should be recorded in the school safeguarding reporting system, including if an item was found or not. The following information should be recorded:

- The date, time and location of the search
- Which pupil was searched
- Who conducted the search and any other adults or pupils present
- What was being searched for
- The reason for searching
- What items, if any, were found
- What follow-up action was taken as a consequence of the search
- If a school is experiencing a high volume of searches, they should consider whether the searches fall disproportionately on any particular groups of pupils, such as by gender or ethnicity.

The law allows:

Schools' general power to discipline, as set out in Section 91 of the Education and Inspections Act 2006, enables a member of staff to confiscate, retain or dispose of a pupil's property as a disciplinary penalty, where reasonable to do so. A person carrying out a search can seize anything they have reasonable grounds for suspecting is a prohibited item (identified as such above, in other policies or in the school rules) or is evidence in relation to an offence. Where a person conducting a search finds alcohol, fireworks, tobacco or cigarette papers they must refer these to a member of SLT who will log receipt of it and decide whether to retain or dispose of them as they think appropriate

Child Q Case Practice Review

In 2020, Child Q, a Black secondary school-age female child, was strip-searched by female police officers. The search, which involved the exposure of Child Q's intimate body parts, took place on school premises, without an appropriate adult present and with the knowledge that Child Q was menstruating.

A case practice review determined that the Department for Education should review and revise its guidance on Searching, Screening and Confiscation (2018) to include more explicit references to safeguarding and to amend its use of inappropriate language and include much stronger references to the importance of keeping records and engaging parents as part of best safeguarding practice.

Confiscation Policy

If a pupil at Talbot Primary School is found to be in possession of any of the above items, this is likely to be a safeguarding concern and should be referred to a Designated Safeguarding Lead.

Where they find controlled drugs or substances they have reason to believe to be controlled drugs, these must be delivered to the police as soon as possible. Where staff are unsure as to the legal status of a substance they should treat it as such. Where they find other substances which are not a controlled drug, these can be confiscated where the adult believes them to be harmful or detrimental to good order and discipline. This would include so called 'legal highs'. These should be passed on to a member of SLT and, where appropriate, the matter will be referred to a Designated

Safeguarding Lead. Where the person conducting the search finds an electronic device they may examine any data or files on the device if they think there is a 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. The member of staff must have regard to the following guidance issued by the Secretary of State (Education Act 1966) when determining what is a "good reason" for examining or erasing the contents of an electronic device. In determining a 'good reason' to examine or erase the 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 school rules.

If inappropriate material is found on a device, or where an allegation is made that a child is in possession of a device containing nude and semi-nude imagery or any form of pornographic material, the member of staff should confiscate the device and set it to flight mode or, if this is not possible, turn it off. They must never view, copy, print, share, store or save the imagery, or ask a child to share or download – this is illegal. Do not delete the image or ask the young person to delete it, nor ask the child/children or young person(s) who are involved in the incident to disclose information regarding the imagery. This is the responsibility of the DSL (or equivalent). The device and the allegation must be shared with a Designated Safeguarding Lead (DSL) immediately. Please also refer to the Safeguarding and Child Protection Policy and guidance 'Sharing nudes and semi-nudes' published in KCSIE 2023.

Schools may respond to incidents without involving the police, for example where an incident can be defined as 'experimental' there is no evidence of abusive or aggravating elements. The police may, however, need to be involved in some cases to ensure thorough investigation, including the collection of all evidence (for example, through multi-agency checks). Where there are abusive and/or aggravating factors, incidents should always be referred to the police. Any weapons or items which are evidence of an offence must be passed to the police as soon as possible. Where they find stolen items, these must be delivered to the police unless there is a good reason not to do so – in which case the stolen item should be returned to the owner. These stolen items may be retained or disposed of if returning them to their owner is not practicable. It is up to SLT to decide whether there is good reason not to deliver/report stolen items. In determining what is a 'good reason', the SLT member should take into account all relevant circumstances and use their professional judgement. For example, it would not be reasonable or desirable to involve the police in dealing with low value items such as pencil cases. However, school staff may judge it appropriate to contact the police if the items are valuable (laptops) or illegal (alcohol/fireworks).

All members of staff involved in a search should record their involvement including why and how the search was carried out, along with the confiscated item/s if appropriate to a member of the SLT. This will be logged on the school's electronic reporting tool, CPOMS.

Managing Confiscated Items

Schools' general power to discipline, enables a member of staff to confiscate, retain or dispose of a pupil's property as a disciplinary penalty, where reasonable to do so. A member of staff may use their discretion to confiscate any item found as a result of a search so long as it is reasonable in the circumstances. In most instances confiscated items will be kept in the classroom by the class teacher unless it is one of the items listed above, or if there was any other reason than to keep the item in the classroom would be impractical. All reasonable steps will be taken to ensure that storage arrangements are secure but the school accepts no liability for confiscated items that children should not have brought into school. Confiscated items can be collected by the child or their parent/carer at the end of the school day. However, there are instances when the school will choose not to return an item to a child:

- Any item of an unlawful or hazardous nature;
- Any item of no value such as an inappropriate message scrolled on a piece of paper.
- Where it is deemed more appropriate to hand the item over to a responsible adult.

Should the child/family choose not to collect the item, it will be disposed of at the end of each week (e.g. sweets)/half term (e.g. jewellery) depending upon the item in question.

As described above, where the item is prohibited according to law, it must be passed to the Headteacher/Deputy Headteacher, who will log receipt of it. The item may then be destroyed at the reasonable discretion of the Headteacher/Deputy Headteacher. However, where any article is thought to be illegal it must be passed to the police.

Section 94 of the Education and Inspections Act 2006 protects staff against liability for damage or loss to items that are retained for any period or disposed of, providing the seizure can be considered reasonable and proportionate, and reasonable care was taken of the items.

Telling parents and dealing with complaints

We are not required to inform parents before a search takes place or to seek their consent to search their child and there is no legal requirement for us to make or keep a record of a search. However, we recognise that it is good practice to do so if circumstances permit. We will inform the individual pupil's parents or guardians where alcohol, illegal drugs or potentially harmful substances are found, though

again there is no legal requirement for us to do so. Complaints about screening or searching will be dealt with through our normal complaints procedure.

Equality Impact Assessment

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation. We are committed to treating all members of the school community fairly and challenging negative attitudes about disability and accessibility and to developing a culture of awareness, tolerance and inclusion. This guidance has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any member of the school community and it helps to promote equality and accessibility at our school. The curriculum is planned to be inclusive and meet the needs and interests of a full range of learners. Activities and resources will be differentiated and adult support used to ensure that children access the curriculum and make the best possible progress.

Safeguarding Commitment

The school is committed to safeguarding and promoting the welfare of children, in line with the most recent version of Keeping Children Safe in Education, and expects all staff and volunteers to share this commitment. We take seriously our duty of care to our children and staff which includes safeguarding them from the risk of being drawn into terrorism - this includes not just violent extremism but also non-violent extremism, which can create an atmosphere conducive to terrorism and can popularise views which terrorists exploit. We work closely with social care, the police, health services and other services to promote the welfare of children and protect them from harm. Radicalisation is recognised as a specific safeguarding issue and is addressed in line with the Government Prevent Strategy and The Counter-Terrorism and Security Act 2015.