



The Castle Partnership Trust

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The Castle School

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Behaviour for Learning Policy (Secondary Schools)

June 2019

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Due for review: Autumn Term 2020

This policy should be operated in conjunction with the Restrictive Physical Intervention Policy.

Key Principles

At The Castle Partnership Trust we are committed to ensuring that all our students achieve at their very best; setting high expectations of progress. We are committed to creating an environment where exemplary behaviour is at the heart of productive learning. We place a heavy emphasis on respectful behaviour, based on positive relationships between staff and students. We expect all students to participate in a range of additional activities to enrich their overall school experience and enhance their development as young people. Students must feel safe in school in order to take the calculated risks associated with challenge and success. Every student should have a positive experience at The Castle Partnership Trust in which they will thrive. In order to ensure this, behaviours which may interfere with these aims are not tolerated.

This policy aims to:

- create an environment which supports learning and achievement for all
- to support a sense of belonging and pride in the school and personal achievement
- promote consistently good behaviour and discipline
- develop self-esteem, self-discipline and positive relationships based on mutual respect and unconditional regard
- improve teaching and learning by reducing low level disruption and therefore maximising learning
- ensure fairness and consistency in response to both positive and negative behaviours
- work effectively with parents/carers and other agencies in ensuring good behaviour and discipline
- ensure there are consistently high expectations of all students and staff

Expectations of behaviour for learning in classrooms:

- students are engaged in the work set and are motivated to do well
- students are independent learners
- students are supporting each other in their learning
- students take responsibility for their behaviour
- students ensure they have the appropriate equipment with them

Expectations of Behaviour for learning in the wider environment:

- students have regard for their own safety and that of others
- students are courteous and respectful to all
- students are aware of their behaviour and how it reflects on the school
- students show responsibility towards their environment
- students follow school routines and rules
- students participate in enrichment activities

There is an appropriate system of rules in each of the Partnership schools, most of which are based on Health and Safety needs or ease of running the school.

Responsibilities

Board of Governors	<p>To provide accountability for all school leaders in a way that challenges and supports.</p> <p>To review the policy annually.</p> <p>To provide a panel of Governors to hear disciplinary issues when required.</p>
Executive Headteacher/ Headteacher	<p>To ensure the policy is adhered to and to ensure strategies are effective.</p>
SLT	<p>To ensure the policy is adhered to and ensure strategies are effective.</p> <p>To provide support and direction to staff and students as appropriate.</p> <p>To ensure that student behaviour positively contributes to learning.</p> <p>To liaise with parents/carers and other external agencies and groups to secure positive student behaviour.</p>
Pastoral Staff/Heads of House	<p>To promote positive ethos among students through participation, role modelling and support.</p> <p>To reward and celebrate success in a way that encompasses as many students as possible.</p> <p>To monitor behaviour through liaison with tutors, support staff, line management and teaching staff. Where issues concerning a student arise across several subjects, to co-ordinate appropriate interventions to remove barriers to learning.</p> <p>To support tutors to implement the Behaviour for Learning (BfL) policy.</p>
Tutors	<p>To be consistent in the use of the BfL policy.</p> <p>To mentor students in acknowledging achievements, celebrating success and challenging concerns.</p> <p>To liaise with Heads of House and parents.</p>
Curriculum Staff/Heads of Department and Faculty	<p>To ensure class teachers are aware of the BfL policy and use appropriate rewards and sanctions.</p> <p>To encourage the use of rewards</p> <p>To support class teachers with day to day routines.</p>

Class Teachers	<p>To be responsible for celebrating student successes within their classrooms.</p> <p>To ensure all children behave in a way that supports the learning of all.</p> <p>To be consistent in their use of the BfL policy.</p>
Support Staff	<p>To follow the BfL policy and seek clarification if unsure.</p>
Parents/carers	<p>To ensure their children adhere to the school rules, code of conduct and Home-School agreement.</p> <p>To liaise with the school when appropriate, ie to keep pastoral staff informed of situations out of school which may impact on behaviour in order that staff may support appropriately.</p> <p>To liaise with the school to celebrate achievements of students outside the school.</p>

APPENDIX 1

Rewards

Positive attitudes to learning are a vital element of student achievement. Rewards are a crucial part of motivating students, encouraging achievement, a sense of belonging and a reason for participation. Central to the ethos of The Castle Partnership Trust is the acknowledgement of achievement, across all areas of school life.

Examples of rewards at The Castle School include: Phone call home, Subject Commendation, Certificate, Colours and trophies. All rewards carry points which go towards the annual House Trophy.

At Court Fields School, the rewards are subject badges, Epraise badges and certificates for points gained ranging from bronze to platinum. Epraise points add to the house cup, reward trips at Christmas and Easter.

Positive behaviour at The Castle School is rewarded for the following actions based on six levels.

The Castle School - Exemplary Behaviour – House Points		
Level	Action	Reward
<p>Level 6 HT/Governors</p>	<ul style="list-style-type: none"> A specific achievement e.g. representing your country Exceptional performance in a subject <p>Accumulation of The Castle School House points in the school year:</p> <ul style="list-style-type: none"> 300 House points – Gold 250 House points – Silver 200 House points – Bronze <p>Accumulation of The Castle Headteacher Awards year on year</p> <p>Senior student</p>	<ul style="list-style-type: none"> Letter from the Chair of Governors <p>The Castle School Headteacher Awards to be collected from Headteacher:</p> <ul style="list-style-type: none"> 300 House points – Gold 250 House points – Silver 200 House points – Bronze Additional 20 House points for reaching the milestone <p>Senior Student badges</p> <p>Year on year accumulation - Badges</p> <p>The Castle School House points - An additional +20 for this category</p>

<p>Level 5 HOH/HOF/SLT</p>	<ul style="list-style-type: none"> Continued commitment to enrichment activities Senior Student Hustings for Senior Student <p>Reaching the milestone of:</p> <ul style="list-style-type: none"> 175 House points – Gold 150 House points – Silver 125 House points – Bronze Year 11 Prom points – The Magic 100. There after students entered into the draw for Prom tickets/hoodies/Year books Year Group House Point Auction Assemblies celebrating the accumulation of House points – 1 every half term for each year group Progress and Achievement subject awards Winner of awards at the Awards Evening IAs/Reports average ATL and Attainment points score 	<ul style="list-style-type: none"> House Trophy and reward for the House with the highest number of House points Full Colours – PE/the Arts (Year 10) – Weeks/Ruff/Dominic Smythe Awards Letter of recognition Badges Photos up in school/Celebrated in school Awards Evening <p>The Castle School SLT Awards from Assistant Head (Year 7 - 9)/Deputy Head (Year 10-11):</p> <ul style="list-style-type: none"> 175 House points – Gold 150 House points – Silver 125 House points – Bronze <p>Students to collect certificates from SLT - additional 15 House points for reaching the milestone</p> <ul style="list-style-type: none"> Year 11 Prom Point Assemblies/Auctions – Recognition throughout the build up to exams House Point Auctions for each year group – Prizes available – e.g. skip the lunch queue, TCS pen NB Points used to calculate form average that are then award to each House: <ul style="list-style-type: none"> Every ATL of A received 5 points Every ATL of B received 4 points Every Attainment grade above Milestone received 3 points Every Attainment grade equalling Milestone received 2 points <p>The Castle School House points - An additional +15 for this category</p>
<p>Level 4 HOH/HOF</p>	<ul style="list-style-type: none"> Exemplary attendance Courtesy/Respect to others <p>The Castle School House points:</p> <ul style="list-style-type: none"> Reaching the milestone of 100 House points – Gold 75 House points – Silver 	<ul style="list-style-type: none"> 97%+ - Bronze/Silver/Gold Certificate 100% Attendance – 100% (200%, 300%, 400%, 500% badges for subsequent years Half colours (Year 9) Awards Evening nomination certificates in a subject Recognition in Achievement Assemblies by the Head Teacher House Commendation/Postcard home <p>The Castle School HOH Award</p> <p>The Castle School House points:</p> <ul style="list-style-type: none"> 100 House points – Gold 75 House points – Silver

		The Castle School House points - An additional +10 for this category
<p>Level 3</p> <p>HOH/HOF</p>	<ul style="list-style-type: none"> • Going above and beyond for a department, faculty or House e.g. helping at Open Evening/Options Evening/Parents' Evenings • All As or majority As and Bs for Attitude to Learning from IA/Report • Service in position of responsibility • Attend revision sessions <p>The Castle School House points:</p> <ul style="list-style-type: none"> • Reaching the milestone of 50 Bronze 	<ul style="list-style-type: none"> • Department certificates/awards • Badges – House/Sports Captains/Senior Students • Praise Postcards home • ATLs – 5 points for the individual student • NB Points used to calculate form average that are then awarded to each House: <ul style="list-style-type: none"> ○ Every ATL of A received 5 points ○ Every ATL of B received 4 points ○ Every Attainment grade above Milestone received 3 points ○ Every Attainment grade equalling Milestone received 2 points <p>The Castle School HOH Award:</p> <p>The Castle School House points:</p> <ul style="list-style-type: none"> • 50 Bronze –Additional 5 House points for reaching the milestone <p>The Castle School House points - An additional +5 for this category</p>
<p>Level 2</p> <p>Teacher/Tutor (Repeated)</p>	<ul style="list-style-type: none"> • Repeated Level 1 consistently • Independent learning • Use of PALM+ in lessons • Leadership • Work used as exemplar • Supporting others • Significant progress • Commitment to the House/Participation • Given a 'Reward' on the IA or report 	<ul style="list-style-type: none"> • Phone call home • Letter sent home <p>The Castle School House points:</p> <ul style="list-style-type: none"> • Values +2 – Beyond normal expectations <p>The Castle School House point categories:</p> <ul style="list-style-type: none"> • Achievement and Progress • Belonging (general behaviour) • Participation <p>Attitude to learning (Homework/Organisation)</p>
<p>Level 1</p> <p>Teacher/Tutor</p>	<ul style="list-style-type: none"> • Good attitudes to learning • Good question and answer • Helping others to learn 	<ul style="list-style-type: none"> • Verbal praise • Written praise – including stamps, stickers <p>The Castle School House points:</p> <ul style="list-style-type: none"> • Values +1 – Beyond normal expectations

	<ul style="list-style-type: none">• Completing extension tasks• Homework above expectation• Respect and courtesy• Very good response to feedback/green penning• Playing in a House match	<p>The Castle School House point categories:</p> <ul style="list-style-type: none">• Achievement and Progress• Belonging (general behaviour)• Participation• Attitude to learning (Homework/Organisation)
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APPENDIX 2

The Castle School Sanctions for Unacceptable Behaviour

Guidance on Levels and Actions

Level	Student's Inappropriate Behaviour	Consequence- All to be recorded on SIMs
	Mobile phones or earphones, hoodies, piercings etc confiscated. EXCEPT mobile phones allowed in designated areas and times	Confiscation. Returned at end of school. Repeated confiscation: Returned only to parents.
WARNING	Any form of low-level disruption	Name on board or recorded (not recorded on SIMS)
L1 In class	<ul style="list-style-type: none"> After warning (name on board) student has still not settled, is disruptive or distracting. Incomplete homework or homework not done 	<p>CLASS TEACHER DETENTION</p> <p>Break time with class teacher</p> <p>Student has to turn up in the first 5 minutes.</p>
L1 out of class	<ul style="list-style-type: none"> Any breaking of school rules (uniform, lateness, out of bounds but on school site etc) 	<p>DUTY DETENTION</p> <p>Teacher will issue detention slip</p> <p>Student to turn up and report to Duty staff at lunchtime main hall for 10 minutes.</p> <p>Lateness = 2 x number of minutes late.</p>
L2 In class	<ul style="list-style-type: none"> After class teacher has issued detention, the student still has not settled, is disruptive or distracting. Or the student behaves in such a distracting or disruptive manner that parking needs to take place immediately, without going through previous steps. 	<p>Student is parked to remove them from the situation and to allow other children to get on with learning.</p> <p>Sanction: School Detention. 5 lunchtimes (but if they turn up to the first 3, let off the last 2)</p> <p>Students who miss one, get all 5 and are collected by staff.</p> <p>Letter/text/phone call home from class teacher.</p>
L2 Out of class	<ul style="list-style-type: none"> Non-attendance at ANY detention – class teacher, duty or late. Refusal to do as staff ask (for example staff on duty, or around the school make reasonable request of student who then refuses. This does not mean a reasonable conversation where a child clearly needs help.) 	<p>School detention: 5 lunchtimes. Student has responsibility to attend- commute to 3 lunchtimes.</p> <p>Non-attendance at first one- pick up and all 5 to be served.</p> <p>Letter home</p>

Once a child has reached Level 3, triage of SEMH/SEND begins through Student Focus meeting

- Consideration of SEND and SEMH
- Parents to be involved
- Consideration of external agencies if necessary

Additional sanctions at Level 3 may be in addition to an original sanction. For example, if a child refuses to attend School Detention, they will get an Exclusion, but the original School Detention still has to be served.

L3	<p>Serious refusal or breaches of school rules, for example:</p> <ul style="list-style-type: none"> • REFUSAL to follow an instruction by staff such as an instruction to leave the classroom to be parked, to follow a member of staff to attend School Detention. • Defiance to staff (including defying staff over school rules, eg misbehaving in a school detention) <p>Other behaviours that will attract Internal Exclusion</p> <ul style="list-style-type: none"> • Truancy- safeguarding risk • Theft • Use of inappropriate sexual language • Repeated or serious Level 2 incidents (e.g.: more than 3 School detentions in a half term) • Serious abuse/damage to property or of people (as judged by HoH/SLT) 	<p>Internal exclusion arranged with Head of House till 5pm. Parents have to be involved at this level.</p>
L4	<ul style="list-style-type: none"> • Repeated or severe Level 3 incidents • Fighting- both parties • Any kind of racism, sexism, homophobic language, intolerance, hate language • Bullying • Persistent or serious disruption to other students' learning • Swearing at staff • Any repeated refusal to do as staff reasonably ask • Leaving Internal or External exclusion or refusal to be Internally/Externally excluded 	<p>L4 External exclusion at a neighbouring school.</p>

L5	<ul style="list-style-type: none"> • Repeated or serious Level 4 behaviour • Refusal to serve External Exclusion • Serious and continued abuse of people or property for example, • Physical violence or threatening behaviour • Racist abuse/ homophobic/ misogynistic language/abuse • Serious breach of health and safety • Swearing at staff • Sexual abuse or harassment towards students/staff (this could result in Permanent Exclusion) • Use/possession of substances (including tobacco, alcohol, legal highs) • Malicious use of electronic equipment 	<p>L5 Fixed term exclusion agreed by Headteacher/Deputy</p> <p>Any of these, if serious enough, could result in Permanent Exclusion.</p>
L6	<p>Very serious behaviour that threatens the safety/wellbeing of others or the smooth operation of the school or a serious risk to self and /or others. For example:</p> <ul style="list-style-type: none"> • Serious abuse of people or property • Repeated Level 5 incidents • Possession/use of a weapon • Use/possession/supply of illegal drugs • Violence towards staff • Sexual violence towards students/staff 	<p>L6 Permanent Exclusion</p>
<p>All Sanctions are used on a +1 or -1 basis</p>		

APPENDIX 3

Court Fields School Rewards

Level 1	Action	Reward
Level 1 Teacher/ Tutor	<p>Good attitude to learning Good question and answer Helping others to learn Completing extension tasks Homework above expectation Respect and courtesy Very good response to feedback/green penning Playing in a House match</p>	<p>Verbal praise Written praise – including stamps/comment from the teacher Beyond normal expectations Court Fields School House point categories: Achievement and Progress Belonging (general behaviour) Participation Attitude to learning (Homework/Organisation) Up to 3 House Points.</p>
Level 2 Teacher/ Tutor Repeated	<p>Repeated Level 1 consistently Independent learning Leadership Work used as exemplar Supporting others Significant progress Commitment to the House/Participation Attending Revision</p>	<p>Phone call home Letter sent home Court Fields School House point categories: Achievement and Progress Belonging (general behaviour) Participation Attitude to learning (Homework/Organisation) Points allocated Up to 10 House Points</p>
Level 3 HOY/ HOD/ HOF	<p>Going above and beyond for a department, faculty or House e.g. helping at Open Evening/Options Evening/Parents' Evenings All 1s or majority 1s and 2s for Attitude to Learning from Progress Report Service in position of responsibility</p>	<p>Department certificates/awards Badges – House/Sports Captains/Senior Students Praise Postcards home 15 House Points Every Attainment grade on track to make progress 5 House points.</p>
Level 4 HOY/ HOD/ HOF	<p>Exemplary attendance Courtesy/Respect to others Improved ATL from previous Progress Report - letter from HOY/HOD/HOF Exemplary attendance Prefects Reward trip – Autumn/Easter/End of year</p>	<p>Awards Evening Recognition in Assemblies by the Head Teacher House Commendation/Postcard home Improved ATL grades between Progress Reports - Letter home/Postcard home Up to maximum of 25 House Points Attendance: Attendance 95+% (½ termly) – 5 House Points Attendance 100% (½ termly) – 10 House Points</p>

<p>Level 5 HOH/ HOF/ SLT</p>	<p>Continued commitment to enrichment activities Deputy Head Boy and Girl Year 11 – Rewards for attending revision sessions Year 11 Prom points – The Magic 100. There after students entered into the draw for Prom tickets/hoodies/Year books Assemblies celebrating the accumulation of House points Winner of award at the Awards Evening</p>	<p>House Trophy and reward for the House with the highest number of House points – End of Year reward Awards Evening Year 11 Prom Point Assemblies/Auctions – Recognition throughout the build up to exams Up to maximum of 30 House Points</p>
<p>Level 6 Headteacher/ Governors</p>	<p>A specific achievement e.g. representing your country Exceptional performance in a subject Accumulation of Headteacher Awards year on year Head Boy and Head girl</p>	<p>Letter from the Chair of Governors Senior Student badges Year on year accumulation of Headteacher Award – Badges Up to maximum of 50 House Points</p>

APPENDIX 4

Court Fields School Sanctions for Unacceptable Behaviour

Guidance on Levels and Actions

Consequence	Student's Inappropriate Behaviour	Actions - All to be recorded on SIMs
WARNING	Any form of low-level disruption	Verbal warning from the teacher <u>Name on board or recorded</u>
C1	Tutors <ul style="list-style-type: none"> • Incorrect uniform • Lack of equipment • Lateness 	C1 if behaviour does not improve Detention at the teacher's convenience (up to 15 minutes)
	Classroom <ul style="list-style-type: none"> • Disruption to learning • Incomplete homework/classwork • Misuse of electronic equipment • Unintentional inappropriate behaviour towards others • Late to lesson 	
C2	<ul style="list-style-type: none"> • If disruption continues in a lesson, after the teacher has given a C1, the student will be parked. • Intentional inappropriate behaviour to other students • Offensive language (NOT including swearing at staff as this is a C5) 	C2 Student is parked Faculty detention as the sanction (up to 60 minutes)
C3	<ul style="list-style-type: none"> • Refusal to be parked resulting in SLT call out. • Continued inappropriate behaviour towards others • Truancy • Theft • Refusal to follow instructions/failure to co-operate (e.g. lying) • Use of inappropriate sexual language • Repeated or serious Level 2 incidents • Abuse/damage to property or of people 	C3 SLT call out Internal isolation arranged with Head of Year
C4	Repeated or severe Level 3 incidents	C4 External isolation

C5	<ul style="list-style-type: none"> • Serious abuse of people or property • Repeated or serious Level 4 behaviour • Physical violence or threatening behaviour • Racist abuse/ homophobic/ misogynistic language • Serious breach of health and safety • Swearing at staff • Use/possession of substances (including tobacco, alcohol, legal highs, illegal drugs) • Malicious use of electronic equipment • Sexual abuse or harassment towards students/staff 	C5 Fixed term exclusion agreed by Headteacher/Deputy
C6	<ul style="list-style-type: none"> • Serious abuse of people or property • Repeated Level 5 incidents • Possession/use of a weapon • Repeated use/possession/supply of illegal drugs • Violence towards staff • Sexual violence towards students/staff 	C6 Permanent Exclusion

APPENDIX 5

The Use of Reasonable Force

The law allows for teachers and other persons authorised by the Headteacher to use Restrictive Physical Intervention to prevent a student from doing or continuing to do any of the following:-

- committing a criminal offence
- injuring themselves or others
- causing damage to property
- engaging in any behaviour which is prejudicial to maintain the good order and discipline at the school.

“Restrictive Physical Intervention” is the term used by the DfE to include interventions where bodily contact using force is used. It refers to any instance in which a teacher or other adult authorised by the Headteacher has to, in specific circumstances, use “reasonable force” to control or restrain students. There is no legal definition of “reasonable force”, however, the term covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with students.

Force is usually used either to control or restrain. This can range from guiding a student to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.

‘Reasonable in the circumstances’ means using no more force than is needed.

Restraint means to hold back physically or to bring a student under control. It is typically used in more extreme circumstances, for example when two students are fighting and refuse to separate without physical intervention.

School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the student.

(Use of reasonable force: Advice for Headteachers, staff and governing bodies; DfE July 2013).

The definition of physical force also includes the use of mechanical devices, forcible seclusion or use of locked doors. It is important for staff to note that, although no physical contact may be made in the latter situations, this is still regarded as a Restrictive Physical Intervention.

Restrictive Physical Interventions will be used when all other strategies have failed, and therefore only as a last resort. However there are other situations when physical handling may be necessary, for example in a situation of clear danger or extreme urgency. Certain students may become distressed, agitated, and out of control, and need calming with a brief Restrictive Physical Intervention that is un-resisted after a few seconds.

The safety and well-being of all staff and students are important considerations. Under certain conditions this duty must be an over-riding factor.

Examples of such situations include:

- preventing a student from attacking a member of staff or another student, or to stop a fight in the playground; and
- restraining a student at risk of harming themselves through physical outbursts

APPENDIX 6

The Right to Search Students (Reference should also be made to 'Searching, screening and confiscation – Advice for headteachers, school staff and governing bodies' – January 2018; DFE)

What the law says:

What can be searched for?

- Knives and cigarette papers, fireworks and pornographic images; and
- Any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury, or damage to property; and
- Any item banned by the school rules which has been identified in the rules as an item which may be searched for.

Telling parents and dealing with complaints:

- School are required to inform parents before a search takes place or to seek their consent to search their child.
- There is no legal requirement to make or keep a record of a search.
- School should inform the individuals parents or guardians where alcohol, illegal drugs or potentially harmful substances are found, though there is no legal requirement to do so.
- Complaints about screening or searching should be dealt with through the normal schools complaints procedure.

In addition to the general power to use reasonable force, headteachers and authorised staff can use such force as is reasonable given the circumstances to conduct a search for the following “prohibited items”:

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that 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).
- Headteachers and authorised staff can also search for any item banned by the school rules which they consider has been identified in the rules as an item which may be searched for.

Force cannot be used to search for other items banned under the school rules, eg chewing gum.

APPENDIX 7

Confiscation of Items

Headteachers and authorised staff can seize 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.

Following the finding of items:

- **alcohol, tobacco or cigarette papers** may be retained or disposed of them as the school thinks appropriate but this does not include returning them to the student.
- **controlled drugs** must be delivered to the police as soon as possible.
- **other substances** which are not believed to be controlled drugs for example, so called 'legal highs', can be confiscated where a teacher believes them to be harmful or detrimental to good order and discipline.
- **stolen items** must be delivered to the police as soon as reasonably practicable – but may be returned to the owner (or may be retained or disposed of if returning them to their owner is not practicable) if there is a good reason to do so.
- **Fireworks** may be retained or disposed of but should not be returned to the student.
- **pornographic images** may be disposed of unless its possession constitutes a specified offence (i.e. it is extreme or child pornography) in which case it must be delivered to the police as soon as reasonably practicable. Images found on a mobile phone or other electronic device can be deleted unless it is necessary to pass them to the police.
- an **article that has been (or could be) used to commit an offence or to cause personal injury or damage to property** is found it may be delivered to the police or returned to the owner. It may also be retained or disposed of.
- **an item which is banned under the school rules:** staff should take into account all relevant circumstances and use their professional judgement to decide whether to return it to its owner, retain it or dispose of it.
- Any **weapons or items which are evidence of an offence** must be passed to the police as soon as possible.
- **electronic devices:** data or files on the device may be examined if staff think there is a good reason to do so. Following an examination, if the member of staff 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. For good reason to exist, 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 the device it is up to the teacher to decide whether they should delete that material, retain it as evidence (of a criminal offence or a breach of school discipline) or whether the material is of such seriousness that it requires the involvement of the police.

Further information can be obtained from the DfE Guidance, Screening, Searching and Confiscation, February 2014.

APPENDIX 8

Responding to sexualised behaviour in school

Sexual violence and sexual harassment between children in schools and colleges

Context

Sexual violence and sexual harassment can occur between two children of **any** age and sex. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children.

Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physical and verbal) and are never acceptable. It is important that **all** victims are taken seriously and offered appropriate support. Staff should be aware that some groups are potentially more at risk. Evidence shows girls, children with SEND and LGBT children are at greater risk.

Staff should be aware of the importance of:

- making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up;
- not tolerating or dismissing sexual violence or sexual harassment as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”; and
- challenging behaviours (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them.

What is sexual violence and sexual harassment?

Sexual violence

It is important that school and college staff are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way. When referring to sexual violence we are referring to sexual offences under the Sexual Offences Act 2003/18 as described below:

Rape: A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.

Assault by Penetration: A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.

Sexual Assault: A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

What is consent?

Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex or penetration with conditions,

such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice

Sexual harassment

When referring to sexual harassment we mean 'unwanted conduct of a sexual nature' that can occur online and offline. When we reference sexual harassment, we do so in the context of child on child sexual harassment. Sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.

Whilst not intended to be an exhaustive list, sexual harassment can include:

- sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- sexual "jokes" or taunting;
- physical behaviour, such as: deliberately brushing against someone, interfering with someone's clothes (schools and colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature; and
- online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
 - non-consensual sharing of sexual images and videos;
 - sexualised online bullying;
 - unwanted sexual comments and messages, including, on social media; and
 - sexual exploitation; coercion and threats

The response to a report of sexual violence or sexual harassment

The initial response to a report from a child is important. It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

If staff have a concern about a child or a child makes a report to them, they should follow the school's referral. As is always the case, if staff are in any doubt as to what to do they should speak to the designated safeguarding lead (or a deputy).