



PRAESTAT OPES SAPIENTIA

# HAMPTON SCHOOL

## Behaviour, Rewards, Sanctions, Discipline and Exclusions Policy

This policy sets out the standards of behaviour required of boys attending Hampton School and outlines both the rewards used to encourage good behaviour and the sanctions adopted in the event of misbehaviour.

### Behaviour and Discipline

It is a privilege to be part of the Hampton School community. In return, its members have a duty to behave in a manner that does them and the School credit. Boys should be polite, helpful and considerate; they should behave sensibly and with sensitivity towards others. All boys should show full and proper commitment to their academic studies and co-curricular activities. Good behaviour in lessons is essential for pupils to learn successfully and behaviour that inhibits learning in lessons will not be tolerated. The very highest standards of conduct are expected and insisted upon, not only in the School building and during lessons, but also on the sports field and on trips and visits.

**Good behaviour is promoted at Hampton in a number of ways** and there is a strong pastoral ethos at the School, which encourages positive moral, social and spiritual attitudes. A copy of this ethos is printed and displayed in all Form Rooms. Assemblies and PSHE lessons focus on core values, especially the following: kindness, respect, generosity, tolerance, sensitivity towards others, citizenship and social responsibility. Members of staff are expected to act as positive role models, as are Prefects, Mentors and senior boys.

- New pupils – settling in at Hampton: there is a detailed induction programme for all boys who join at the main entry points (11+ and 13+). This involves New Boys' events, which are held before they join (during which new boys meet their Form Tutors and Form groups), and a residential trip to the New Forest (First Year) and a team building day (Third Year) to help boys settle into their Form groups once term begins. The Form Tutor and Heads of Year ensure clear guidance is given to all new boys about the expected standards of behaviour at Hampton School, as well as about the Rewards and Sanctions systems.
- Support systems for pupils: pupil behaviour is also promoted by offering a range of support mechanisms for all boys, and it is important that all boys know where to go to if they need help. Each pupil's Form Tutor will deal with the majority of pastoral and behavioural issues: a pupil can approach his Form Tutor (or any other member of staff) at any time for advice and guidance. Pupils have two registrations per day, in the morning and the afternoon, and these are ideal times to speak to his Form Tutor. In addition, boys in the First, Second and Third Years have Sixth Form Mentors linked to their Form groups who can provide support and advice. Pupils may also directly seek the help of his Head of Year if needed. The School has three on-site Counsellors who are available for any boys to see if they so wish, and there are two School Nurses available to discuss health-

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related issues. Information on *Where to go to if you need help or have a concern* is included for all boys to read in the Yellow Calendar and on notices in Form Rooms.

- Information for parents: good behaviour is promoted when parents are aware of the standards expected at the School. Parents are emailed a copy of the Code of Conduct at the start of each academic year. Each year group has an annual Pastoral Forum, in addition to parents' evenings, to discuss elements of the pastoral system, which will often contain guidance on behaviour, rewards and sanctions. When there is concern about a pupil's behaviour, his parents will be contacted by pastoral staff at the earliest appropriate opportunity to discuss how the matter can be addressed.

The Hampton **School Code of Conduct** is set out in the yellow School Calendar distributed to pupils each term and a copy is sent to all parents at the start of each academic year. It can also be found on the School website. Boys are expected to have read and understood the School Code and are expected to abide by its rules and guidelines.

The Code of Conduct rules and guidelines aim to ensure all boys have the ability to work in surroundings that are calm, orderly and safe. They protect the reputation of the School community as a whole and protect School property and the wider environment.

The Code of Conduct and this policy applies to all pupils when they are on the School premises, or in the care of the School, or wearing School uniform, or are otherwise representing or associated with the School in any way; on journeys to and from School, on School trips or during School-related activities at any time; during online activities associated with the School; it includes conduct that may occur away from School that affects the welfare of a member or members of the School community or which brings the school into disrepute.

The School has the following related policies that apply in conjunction with this policy in guiding the behaviour of Hampton School pupils.

- Anti-bullying Policy
- ESafety Policy
- Drug Education Policy
- ICT Acceptable Use Policy

### **Rewards**

The School recognizes the importance of praise and rewards in promoting good behaviour. We aim to reward good behaviour informally and also to recognize and praise achievements of all different types through publications and assemblies. Examples of places where boys receive praise are:

- Year Group weekly blogs
- Praise in the weekly School assembly
- Praise in Year Group assembly
- Publications such as *The Lion, News from Hampton* etc.
- Through stories published on the School website or via social media feeds

### **Merits**

Merits are available to boys in the First to Fifth Years. Up to two merits may be awarded for an excellent piece of work or for a praiseworthy act in any area of School life. Merit stickers are attached to a special sheet, which boys place at the back of their homework diaries. Once a boy has collected 10 merits (he will have completed his sheet at this point) he should take his homework diary to the Head of Year (HoY) who will sign the sheet. The HoY will send home a certificate of congratulation. In the Fourth and Fifth Years, boys can exchange 10 merits for

vouchers for School breakfasts; in the Third Year boys can exchange 10 merits for a small item of confectionary. Further merits result in additional certificates, on a Bronze, Silver and Gold basis, leading ultimately to a special certificate that is awarded by The Headmaster. Those boys in each year group attaining the most merits are eligible for prizes at the annual Lower School and Third Year and Senior Prizegiving Evenings.

### **Sixth Form Merits or “Panini Points”**

‘Panini points’ can be awarded to Sixth Form boys. They are awarded by members of staff for notable academic achievement or effort on a particular piece of work, or for service to the School. Boys carry both an ‘Academic Panini Card’ and an ‘Activities Panini Card’, which should be signed by the relevant member of staff. Once a boy has achieved 10 Academic Panini Points, he can exchange his completed Panini Card with his Head of Year or Assistant Head of Year for a Panini Voucher, entitling him to two free panini from the Sixth Form cafeteria; in addition, £5 will be donated by the School to Form Charity. Upon collecting 40 Academic Panini Points, boys will be awarded a navy blue Academic Tie.

### **Prizes**

Prizes (usually two per Form in the First to Fourth Years) are also awarded for all-round excellence, for service, or for a particular subject. Older pupils are awarded prizes for their contribution to the School or for success in public examinations. These prizes usually take the form of a book token, which can be exchanged for a book of the pupil’s choice. The book is then presented to the pupil at the Lower School, Third Year Evening or Senior Prizegiving Evenings.

Prizes include:

- Form Prizes (decided by the Head of Year after discussion with Form Tutors) Lower School prizes for endeavour
- GCSE subject prizes for Fourth and Fifth Year for the best result (one prize per subject), and also prizes for all those with very strong overall performance at GCSE.
- A Level subject prizes
- A Level prizes for pupils gaining four or more ‘A’ grades
- Sixth Form Subject prizes nominated by Heads of Department
- Parents’ Association Prizes for original work
- The Brian May Cup and prize for original thinking in Science or Technology
- The Ken Harris Prize for Endeavour

### **Academic Ties**

Senior boys are awarded navy blue Academic Ties via one of two routes: either they receive 40 ‘Panini Points’ (merits) for academic effort over a period of time; or they are nominated by departments for their overall approach to the subject during the Lower Sixth and excellent performance in the internal and/or public examinations undertaken at the end of that year. The Headmaster presents Academic Ties in assembly.

### **School Service Ties**

Senior boys who have made a particular contribution to the wider life of the School are awarded a yellow Service Tie. Service Ties are presented in assembly by The Headmaster. Pupils who receive Service Ties should normally be in the Upper Sixth Form. These pupils will have made a major and sustained contribution in some particular aspect of the co-curricular life of the School. This might include sport, the performing arts, CCF, and societies or other activities. School Service

Ties should not be awarded merely for taking part, but are earned by those who have shown leadership, outstanding skill or a particularly high degree of commitment in a given field.

#### Positions of responsibility

Some pupils from all Year groups will be elected captain of sports teams, or they will be given positions of responsibility in leading (or playing a leading role in) one of the wide range of co-curricular activities on offer at Hampton School. Senior pupils may also become School Prefects or Mentors, the latter having a particular responsibility in helping younger pupils.

## Sanctions

### Breaches of School Discipline

The Headmaster (or one of the Deputy Heads) may prescribe and authorise the use of any sanctions that comply with good education practice and promote good behaviour and compliance with the School rules, as outlined in the Code of Conduct and this policy.

In the case of minor disciplinary issues, a teacher might deal with them himself/herself without using formal sanctions: examples would be with a verbal reprimand or through requiring the repetition of unacceptable work. However, it is important that appropriate use should be made of the official School detention system, with reference to Form Tutors and Heads of Year. This is so that if there are difficulties occurring in several areas this trend will quickly become apparent.

The following formal sanctions may be used at Hampton School as a punishment for misbehaviour. If teachers are unclear about which sanctions are appropriate, they should discuss the matter with a Head of Year or the Deputy Head (Pastoral) to ensure a consistent approach to behaviour management is applied. Subject teachers and pastoral staff should be aware of the educational needs of each pupil and make sure that reasonable adjustments are made for SEND pupils.

Records of all detentions are retained and monitored by pastoral staff (Assistant Heads of Year, Heads of Year and the Deputy Head (Pastoral), Owen Morris - JOM).

#### 1. Detentions Year 1-5

Detentions take place in the lunch break rather than after School. Detentions are taken by Assistant Heads of Year in rooms allocated by the Deputy Head Pastoral (JOM). The venues for detentions are listed in the School Code section of the yellow School Calendar.

##### Work detentions

These are given for work-related issues and take place immediately at the start of lunch each day. They last for 30 minutes. Pupils should always take some work to do in these detentions even if none has been formally set. A Work Detention should be given for work-related issues only, for example if homework has not been completed (or if a boy has not handed his exercise book in on time or has forgotten to do so) or if it has not been done to an appropriate standard.

##### Conduct detentions

These are given for minor misbehaviour and take place immediately at the start of lunch each day. Teachers can set conduct detentions for either 15 or 30 minutes' duration. As a general rule, a 15-minute Conduct Detention would be an appropriate sanction for relatively minor misbehaviour like talking in class (after a warning), deliberately and

persistently leaving a shirt top button undone, eating in the corridors, consistently forgetting equipment or a text book. A 30-minute conduct detention would be an appropriate sanction for repeated incidences of minor offences of the type listed above, or for a more significant behavioural offence (e.g. a mobile phone going off in a lesson, use of an iPad or other device at an inappropriate time, disruptive behaviour, or rudeness to teaching or support staff).

## **2. Sixth Form detentions**

- **Missed, late or unsatisfactory work**

Minor work related problems will often be addressed initially in subject clinics at lunchtimes or after School. Other problems, such as missing, incomplete or unsatisfactory homework might merit that a boy be placed in the Sixth Form Detention. The Sixth Form Detention takes place on Tuesdays and Thursdays in the Demo (Wolfson) Lab. in Biology from 4.00pm to 5.00pm.

- **Sixth Form Behavioural Issues**

A Sixth Form boy may be placed into the Sixth Form Detention for behavioural reasons. More serious behavioural issues might lead to a boy receiving a Friday Head of Year detention, or a Saturday Headmaster's Detention, after a referral to the Deputy Head (JOM).

## **3. Head of Year detentions**

A Head of Year detention is given either for the accumulation of 90 minutes of Conduct detentions: parents and boys are warned by the relevant Assistant Head of Year when they approach this threshold. A Head of Year detention can also be given for a single, more serious disciplinary issue. Head of Year detentions are held after School on Fridays and last for one hour.

## **4. Headmaster's Detention**

Headmaster's Detentions take place on Saturday mornings and are accompanied by a letter from the Deputy Head Pastoral (JOM) to the boy's parents. Headmaster's detentions are reserved for serious offences, for the accumulation of detentions, or for a number of disciplinary offences, which together constitute an unacceptable pattern of behaviour. The relevant Head of Year will consult with the Deputy Head (JOM) if he/she feels that an incident reported to them might warrant a Headmaster's Detention.

## **5. Suspension**

A boy may be suspended from School for a very serious breach of the School Code or for an unacceptable pattern of behaviour, often evidenced by a very concerning accumulation of Head of Year detentions or Headmaster's detentions. This sanction indicates to pupils and parents the extreme seriousness with which the School views the offence such that the pupil's place at School is at threat if the pattern of behaviour continues. The Deputy Head (Pastoral) (JOM), or another Deputy Head, issue suspensions.

## **Serious Disciplinary Matters**

For serious breaches of discipline, the pupil may be asked to leave the School permanently:

### **1. Required Removal**

Parents may be required to remove a pupil permanently from the School if, after consultation with the parents and if appropriate the pupil, The Headmaster or a Deputy Head is of the opinion that:

- a) by reason of the pupil's conduct, behaviour or progress, the pupil is unwilling or unable to benefit sufficiently from the educational opportunities and / or the community life offered by the School; or
- b) if the parents have treated the School or members of its staff unreasonably.

## **2. Expulsion**

A pupil may be formally expelled from the School if it is proved on the balance of probabilities that the pupil has committed a very grave breach of discipline or a criminal offence. Expulsion is reserved for the most serious breaches.

A non-exhaustive list of the sorts of behaviour that could merit Expulsion or Required Removal includes the following:

- supply/possession/use of prohibited drugs and solvents or their paraphernalia or substances intended to resemble them, or alcohol or tobacco
- theft, blackmail, physical violence, intimidation, racism or persistent bullying
- misconduct of a sexual nature; supply or possession of pornography
- possession or use of unauthorised firearms or other weapons
- vandalism or computer hacking
- persistent attitudes or behaviour which are inconsistent with the School 's ethos
- other serious misconduct which affects the welfare of a member or members of the School community or which brings or could bring the School into disrepute (single or repeated episodes) on or off School premises.

The School seeks to work in partnership with parents over matters of discipline, and it is part of parents' obligations to the School to support the School Rules. Parents will be contacted to discuss any disciplinary matter that may result in suspension, or where Required Removal or Expulsion is being considered. Parents will also be notified of any other disciplinary sanction and may be contacted to discuss the matter if it is considered appropriate to do so.

The School will make reasonable adjustments where appropriate for managing behaviour that is related to a pupil's special educational need or disability. Where Expulsion 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. Any religious requirements affecting the pupil will also be considered.

### **Serious Disciplinary Matters: Investigation Procedures**

As soon as the School becomes aware of the possibility that a serious disciplinary situation has occurred (e.g. alleged bullying, theft, racist behaviour, or illegal substance-related activity) then the matter is taken extremely seriously and investigated thoroughly.

Where it is alleged that a pupil has committed a serious breach of School discipline the Headmaster or Deputy Head should be informed of the matter as soon as is practical. The investigation of serious breaches of School discipline will be carried out by the Head of Year, or a Deputy Head, with the Deputy Head, or The Headmaster, considering what sanctions to apply once the investigation has been concluded and the evidence considered.

Procedural fairness is essential in such cases to protect the interests of the boy(s) accused, along with those of the School and of the person making the complaint and/or the victim of the alleged behaviour. The principles and procedures that underpin such investigations are set out below. The School follows procedural rules that have been drawn up based on expert legal advice.

**Complaints:** Investigation of a complaint or rumour about serious misconduct will normally be co-ordinated by one of the Deputy Heads, with the investigation being carried out by the Head of Year or other senior teacher. Parents will be informed as soon as reasonably practicable if a complaint under investigation is of a nature that could result in the pupil being suspended, expelled or removed from the School.

**Suspension:** A pupil may be suspended from the School while a complaint is being investigated or while an investigation is suspended. The School will take reasonable steps to put in place arrangements to ensure the continuing education of the pupil. Parents or guardians 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 placed under a segregated regime on School premises.

**Search:** The senior teacher conducting the investigation may decide to search a pupil's space and belongings and ask him to turn out the contents of pockets or a bag, if we consider there is reasonable cause to do so. Clothing will not be searched until it has been removed from the wearer and care will be taken to ensure reasonable privacy. This policy does not authorise an intimate search or physical compulsion in removing clothing.

Only outer clothing will be searched. If necessary, the police would be called. See also Appendix 2 for the School's policy on searching and confiscation.

**Interview:** A pupil may be interviewed informally by a member of staff to establish whether there are grounds for a formal investigation. If the pupil is then interviewed formally about a complaint or rumour, arrangements will be made for him to be accompanied by another member of staff. The interviewing member of staff will record a minute of the interview in writing.

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

**Suspension of an investigation:** It may be necessary to suspend an investigation, 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 an appropriate external agency and will be subject to periodic review.

## **Disciplinary meeting with The Headmaster or Deputy Head**

**Preparation:** Documents available at the disciplinary meeting before The Headmaster/Deputy Head will include:

- a statement setting out the points of complaint against the pupil
- written statements and notes of the evidence supporting the complaint, and any relevant correspondence
- the Deputy Head's or Head of Year's Investigation Report
- the pupil's School file and (if separate) conduct record
- the relevant School policies and procedures
- information about the possible sanctions in the event that the allegation is upheld.

**Attendance:** The pupil and his parents (if available) will be asked to attend the disciplinary meeting with The Headmaster/Deputy Head at which the investigating member of staff will explain the circumstances of the complaint and his / her investigation.

The pupil and his parents will have an opportunity to state their side of the case. Members of staff will be on hand to join the meeting if needed, and their statements will be disclosed but, in most cases, the anonymity of pupils will be preserved (unless anonymity affects the procedural fairness of the investigation).

If the parents or the pupil have any special needs or disability which call for additional facilities or adjustments (e.g. parking or the provision of documents in large print or other accessible format) those requirements should be made known to The Headmaster/Deputy Head so that appropriate arrangements can be made. If a parent is unable to attend because of, for example, travel and working commitments, the School will make reasonable alternative arrangements to ensure the parent can be involved, remotely if necessary, with the disciplinary process and their child's education.

**Proceedings:** There are potentially three distinct stages of a disciplinary meeting:

1. **The complaint/s:** The Headmaster/Deputy Head will consider the complaint/s and the evidence, including statements made by and/or on behalf of the pupil. Unless it is considered that further investigation is needed, he will decide whether the complaint has been sufficiently proved. The standard of proof shall be the civil standard, i.e. the balance of probabilities.
2. **The sanction:** If the complaint has been proved, The Headmaster/Deputy Head will outline the range of disciplinary sanctions that he considers are open to him. He will take into account any further statement which the pupil and/or others present on his behalf wish to make. The pupil's disciplinary record will be taken into account. Then, or at some later time, normally within two working days, The Headmaster/Deputy Head will give his decision in writing, with reasons.
3. **Leaving status:** If The Headmaster/Deputy Head decides that the pupil must leave the School, he will consult with a parent before deciding on the pupil's leaving status (see below).

#### Confidentiality

Staff will deal with all disciplinary matters with discretion. In particular, if a boy has been suspended or is asked to leave, staff will not disclose this to any other pupil or other person, except on a need-to-know basis (for example, in seeking to help a boy find a place at another school).

#### Leaving Status

The expression '*leaving status*' refers to whether the Pupil has been expelled, removed or if the offer is made and accepted withdrawn, and to the record which will be entered in to the Pupil's file as to the reason for leaving, and the Pupil's status as a leaver, and the transfer of the Pupil's work to another educational establishment and to the nature of the reference which will be given in respect of the Pupil, and to the invitation to become a member of the Old Hamptonians' Association, and also to the financial aspects of the Pupil's leaving. The Headmaster will discuss these and any other relevant matters of leaving status, or his delegate, with the Parents and, where appropriate with the Pupil, at the time of, or in advance of, the decision.



## **Governors' Review**

Parents may ask for a Governors' Review of a decision to expel or require the removal of a pupil from the School (but not a decision to suspend a pupil unless the suspension is for 11 school days or more, or would prevent the Pupil taking a public examination). Any such review shall be governed by the School's **Complaints Procedure**. The request must be made as soon as possible and in any event within seven calendar days of the decision being notified to the Parents.

There will be no right to a Review of other sanctions but a pupil who feels aggrieved may ask a Deputy Head to take up his concerns with the member of staff who imposed the sanction.

## **Corporal Punishment**

Under Section 131 of the Schools Standards and Framework Act 1998, corporal punishment is prohibited for all pupils in independent schools, this includes Hampton School.

### **Peer-on-peer abuse**

The School will take advice from children's social care on the investigation of allegations of peer-on-peer abuse and will take all appropriate action to ensure the safety and welfare of all pupils involved including the victim(s) or perpetrator(s) accused of abuse. If there is reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm, then this abuse will be reported to children's social care (*Achieving for Children*).

## **Physical Intervention**

Any use of force by staff will be reasonable, proportionate and lawful. Reasonable force will be used in accordance with the DfE guidance Use of Reasonable Force (July 2013) and as set out in Appendix 1.

## **Malicious Allegations Against Staff**

If there is a malicious accusation made by a pupil against a member of staff, and the accusation is shown to have been deliberately invented or malicious, the School will consider taking disciplinary action in accordance with this policy.

If there is a malicious accusation made by a parent against a member of staff, and the accusation is shown to have been deliberately invented or malicious, the School will consider whether to require that parent to remove their child or children from the School, in accordance with the School's Terms and Conditions.

In accordance with Part 4 of the DfE's guidance *Keeping children safe in education*, 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.

## **Searching Pupils**

**Informed consent:** The School staff may search a pupil, with his consent, for any item. If a member of staff suspects that a pupil has a banned item in her possession, they can instruct the pupil to turn out his pockets or bag. If the pupil refuses, sanctions will be applied in accordance with this policy.

**Searches without consent:** In relation to prohibited items, the Head, and staff authorised by the Head, may search a pupil or a pupil's possessions, without their consent, where they have reasonable grounds for suspecting that a pupil has a prohibited item in their possession. Please see Appendix 2 for the School's policy on searching and confiscation. Such action will be taken in accordance with the DfE guidance *Searching, screening and confiscation* (February 2014). Schools

are not required to inform parents before a search takes place or seek their consent to search their child.

### **Records**

Administration of major punishments are recorded on the secure Staff area of Firefly by the Deputy Head (Pastoral).

## **Appendix 1                    Use of Reasonable Force**

1. Reasonable force may be used to prevent a pupil from doing or continuing to do any of the following:
  - a. committing a criminal offence
  - b. injuring themselves or others
  - c. causing damage to property, including their own
  - d. engaging in any behaviour prejudicial to good order and discipline at the School or among any of its pupils, whether that behaviour occurs in a classroom or elsewhere.
2. In these circumstances, force will be used for two main purposes: to control pupils or to restrain them. Reasonable force may be used, for example, to restrain a pupil at risk of harming themselves or another individual or to prevent a pupil leaving a classroom where allowing him to do so would risk his safety or lead to behaviour that disrupts the behaviour of others.
3. In addition, reasonable force may be used to conduct a search for "prohibited item" (see Appendix 2 below).
4. In deciding whether reasonable force is required, the needs of individual pupils will be considered and reasonable adjustments will be made for pupils with special educational needs or disabilities.
5. Where reasonable force is used by a member of staff, the Deputy Head (Pastoral) must be informed of the incident and it will be recorded in writing. The pupil's parents will be informed about serious incidents involving the use of reasonable force.

## **Appendix 2            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 guidance published by the Department for Education (DfE), *Searching, screening and confiscation (February 2018)*.

### **1.        Prohibited items**

- 1.1        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 2012:
  - 1.1.1     knives or weapons, alcohol, illegal drugs and stolen items
  - 1.1.2     tobacco and cigarette papers, fireworks and pornographic images
  - 1.1.3     any article that a member of staff reasonably suspects has been, or is likely to be used:
    - (a)        to commit an offence or
    - (b)        to cause personal injury to, or damage to the property of, any person (including the pupil) and
  - 1.1.4     any item banned by the School Code of Conduct that is identified as being an item which may be searched for.
- 1.2        The School has banned items that are reasonably believed to be likely to cause harm or disruption. 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 a school trip).

### **2        Searching with Consent**

- 2.1        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.
- 2.2        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 pockets or bag. If the pupil refuses, disciplinary action may be taken in accordance with this policy.

### **3        Searching for prohibited items**

- 3.1        Where the Headmaster or an authorised member of staff have reasonable grounds to suspect that a pupil may have a prohibited item, consent is not required and the search will be carried out, using reasonable force where appropriate.
- 3.2        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 a school trip or in training settings.
- 3.3        When pupils travel outside the UK on a school trip, they will be required as a condition of participating in the trip to confirm their consent in writing to any search that may be considered necessary by an authorised member of staff during the period in which pupils are outside the UK.
- 3.4        If it is believed that a pupil has a prohibited item, it may be appropriate for a member of staff to carry out:
  - 3.4.1     a search of outer clothing and / or

- 3.4.2 a search of school property (e.g. pupils' lockers or desks) and / or
- 3.4.3 a search of personal property (e.g. bag or pencil case).
- 3.5 Searches will be conducted in such a manner as to minimise embarrassment or distress. Any search of a pupil or their possessions will be carried out in the presence of the pupil and another member of staff. Where a pupil is searched, the searcher and the second member of staff present will be the same gender as the pupil.
- 3.6 Where it is reasonably believed that serious harm may be caused 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.
- 3.7 Where the Headmaster, or staff authorised by the Headmaster, find anything that they have reasonable grounds for suspecting is a prohibited item, they may seize, retain and dispose of that item in accordance with this policy.

#### **4 Confiscation**

- 4.1 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.
- 4.2 Confiscation of an item may take place following a lawful search, as set out above, or however the item is found, if the member of staff considers it harmful or detrimental to School discipline.

#### **5 Searching electronic devices**

- 5.1 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 (as outlined in the Code of Conduct and this policy), 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 data or files will only be erased, if there is good reason to suspect that the data or files have been, or could be used to cause harm, to disrupt teaching or break School rules (as outlined in the Code of Conduct and this policy).
- 5.2 If inappropriate material is found on an electronic device, the member of staff may delete the material, retain it as evidence of a breach of School discipline or criminal offence or hand it over to the police if the material is of such seriousness that police involvement is required.

#### **6 Disposal of confiscated items**

- 6.1 **Alcohol:** alcohol that has been confiscated will be destroyed.
- 6.2 **Controlled drugs:** controlled drugs will be delivered to the police as soon as possible. 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.
- 6.3 **Other substances:** substances which are not believed to be illegal drugs but which are harmful or detrimental to good order and discipline (for example psychoactive substances or "legal highs") 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.

- 6.4 **Stolen items:** stolen items will usually be delivered to the police as soon as possible. However, if, in the opinion of the Headmaster 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.
- 6.5 **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. Other pornographic images will also be discussed with the School's Designated Person for Child Protection. 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.
- 6.6 **Article used to commit an offence or to cause personal injury or damage to property:** such articles may, at the discretion of the Headmaster 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 that are evidence of an offence: such items will be passed to the police as soon as possible.
- 6.7 **An item banned under School rules:** such items may, at the discretion of the Headmaster or authorised member of staff, and considering all the circumstances, be returned to its owner, retained or disposed of. Where staff confiscate a mobile phone that has been used in breach of school rules to disrupt teaching, the phone will be kept safely until the end of the school day when it can be claimed by its owner, unless the Headmaster or authorised member of staff considers it necessary to retain the device for evidence in disciplinary proceedings. If a pupil persists in using a mobile phone in breach of school rules, the phone will be confiscated and must be collected by a parent.
- 6.8 **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 or carer and the pupil may be prohibited from bringing such a device onto School premises or on School trips. In serious cases, the device may be handed to the Police for investigation.

## 7 Communication with Parents

- 7.1 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. However, parents will be informed of any search that takes place and details will be provided of any items that have been found. In appropriate cases, the School will consult parents on how certain items should be disposed of.
- 7.2 The School will keep a record of searches carried out and this can be inspected by the parents of the pupil(s) involved, subject to any restrictions under data protection law. The record will include details of the disposal of items confiscated.
- 7.3 Complaints about searching or confiscation will be dealt with through the School's Complaints Procedure. A copy of the procedure is posted on the School website and hard copies are available on request.
- 7.4 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 3 Policy on Alcohol and the Misuse of Drugs and Substances

### 1. Introduction

- 1.1 **Scope:** The policy relates to possession and consumption of alcohol and the misuse of controlled drugs and other substances and applies to all pupils irrespective of their age. The policy may also apply at times when a pupil is not in the care of the School. The procedures and sanctions may be adapted as appropriate to meet the policy aims and the circumstances of each case. Certain of the procedures can only be carried out during term time.
- 1.2 **Alcohol:** means intoxicating liquor of all descriptions (including beer, cider, wine and spirits) and this policy covers obtaining, consuming, and supplying alcohol.
- 1.3 **Drugs and substances:** means controlled drugs and the paraphernalia of drugs or substances intended to resemble drugs, or "legal" drugs that can be obtained from a chemist shop, performance enhancing drugs, anabolic steroids, glue and other substances held or supplied in each case for purposes of misuse. This policy covers the possession, use and supply of such substances.

### 2. Policy

- 2.1 **Aims:** The central aims of this policy are:
- 2.1.1 to promote safety, welfare and good physical and mental health;
  - 2.1.2 to promote a mature and moderate approach to the use of alcohol;
  - 2.1.3 to reduce the risk of alcohol-induced misconduct in and out of School;
  - 2.1.4 to keep drugs out of the School.
- 2.2 **Education:** The School educates pupils by means of personal development courses, by example and by discussion, to understand the effect and risks associated with alcohol in relation to their health well-being, and the law, and that the use of illegal drugs is, or may be, a criminal offence and will be harmful to their health, integrity, independence, opportunities and careers, and will damage the society in which they live.
- 2.3 **Pastoral care:** We encourage pupils to discuss in confidence any anxieties they may have about use of alcohol or drugs and substance abuse with a member of staff or the School counsellor. Matters brought into counselling by a pupil or his parents, in circumstances that are genuine, will be "ring-fenced" from disciplinary sanctions, but a pupil who contravenes this policy will face disciplinary sanctions.
- 2.4 **School Rules:** The Rules forbid a pupil from:
- 2.4.1 any possession, use or supply of drugs and substances;
  - 2.4.2 bringing alcohol onto School premises or being in unsupervised possession of alcohol or obtaining or supplying alcohol to another, or being impaired by alcohol while on School premises or in the care of the School;
  - 2.4.3 bringing the School into disrepute for any reason associated with alcohol or drugs and substances, whether or not the pupil is in the care of the School at the time. Action will be taken when the welfare of any member of the School community or the reputation of the School is affected.
- 2.5 **Detection:** Every complaint, report, or observation in relation to alcohol or involvement with drugs and substances will be followed up and investigated. A pupil suspected of such involvement may be suspended pending the outcome of an investigation.

## 2.6 Sanctions:

- 2.6.1 **Alcohol:** Sanctions will be applied in accordance with the School's Behaviour and Discipline Policy. For a serious breach or persistent minor breaches, a pupil may be required to leave the School permanently.
- 2.6.2 **Drugs: Anyone supplying drugs must expect to be expelled immediately even if he is about to sit public examinations.** Anyone possessing or using drugs must also expect to be expelled but in exceptional cases, a supportive regime may be offered as an alternative to expulsion. The School is not obliged to offer a supportive regime.

## 3. Searches for Alcohol, Drugs, Tobacco and Substances

- 3.1 Searches for Alcohol, Drugs, Tobacco and Substances are carried out in accordance with Appendix 2.

## 4. Testing

- 4.1 **Biological sample:** A pupil suspected of unauthorised consumption of alcohol or involvement with drugs or substances may be asked to give a biological sample. The reason for this policy is:

- 4.1.1 to deter breaches of School discipline;
- 4.1.2 to identify users;
- 4.1.3 to absolve those who have been wrongly suspected.

Reason to suspect alcohol consumption or use of drugs or substances may arise as a result of information or a complaint received or because of a pupil's behaviour or demeanour.

- 4.2 **Informed consent:** The relevant consent to a test is that of the pupil rather than the parents, even if the pupil is under 16 years of age, provided he is of sufficient maturity and understanding and gives his informed consent in writing. The member of staff leading the investigation will determine whether the pupil is able to provide this consent and may request the additional opinion of a medically qualified member of staff.
- 4.3 **Notifying parents:** Reasonable endeavours will be made, before a biological sample is taken, to notify a parent, guardian or education guardian of the requirement for a urine sample and the reasons for that requirement.
- 4.4 **Testing for alcohol: Method of use:** Only members of staff who have received training will be authorised to administer the breath test. If a pupil refuses to provide a sample of breath, the pupil may be asked to supply, under medical supervision, a urine sample for analysis in accordance with the drug testing procedures
- 4.5 **Testing for Drugs and substances:** If there is reason to suspect that a pupil has been involved with drugs or substances, he may be asked to supply, under medical supervision, a urine sample for analysis. The urine sample will be taken under medical supervision. All due care will be taken to respect the pupil's privacy and human rights.  
**Refusal:** If a pupil refuses to provide a biological sample, he will be asked to say why he has refused. The School will be entitled to draw inferences from his response and general demeanour. If a parent's consent is required and they refuse to consent to their child providing a biological sample, the School may draw inferences from the pupil's general demeanour.



4.6 **Confidentiality and data protection:** Special category data about pupils is disclosed only on a "need to know" basis with careful attention to pupils' rights and needs.

## 5. **Subsequent Action**

5.1 **Procedure:** Although not infallible, the School will treat a positive test, as evidence that the pupil has consumed alcohol or been using drugs or substances, as appropriate. Where there is a positive test, or where the pupil refuses to provide a sample to be tested, a meeting will be arranged at which:

5.1.1 the pupil will be asked to attend a meeting with the Headmaster a Deputy Head with his parents or a member of the School staff chosen by him to assist him

5.1.2 all relevant evidence, including the positive test result where applicable, will be put to the pupil and he will be invited to respond;

5.1.3 his response will be heard and considered and further enquiries will be made if necessary.

When the investigation has been concluded, outside of the meeting if necessary, the Headmaster or Deputy Head will, on the civil standard of proof, namely, the "balance of probabilities", make a finding of fact based on the evidence and supported by reasons in accordance with this policy.

5.2 **Review:** If the pupil is expelled or removed, he and his parents have the right to request a Review of the decision. Any such review shall be governed by the **Complaints Procedure**.