

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

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This policy sets out the standards of behaviour required of pupils attending Hampton School (the 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. Pupils should be polite, helpful and considerate; they should behave sensibly and with sensitivity towards others. All pupils 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 pupils.

- New pupils – settling in at Hampton: there is a detailed induction programme for all pupils who join at the main entry points (11+ and 13+). This involves New Boys' events, which are held before they join (during which new pupils meet their Form Tutors and Form groups), and a trip to the New Forest (First Year) and a team building day (Third Year) to help pupils settle into their Form groups once term begins. The Form Tutor and Heads of Year ensure clear guidance is given to all new pupils about the expected standards of behaviour at the 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 and it is important that all pupils 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, pupils in the First, Second and Third Years have Sixth Form Mentors linked to their Form groups who can provide support and advice. A pupil 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 pupils to see if they so wish, and there are two School Nurses available to discuss health-related issues. See **Appendix 4** for Information on *Where to go to if you have a concern or need help*; this information can also be found on notice boards 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** (the School Code) is available to pupils electronically and a copy is sent to all parents at the start of each academic year. It can also be found on the School website. Pupils 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 pupils 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 apply 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.

- The Code of Conduct
- Anti-bullying Policy
- ESafety Policy
- Drugs Education Policy
- Pupil IT 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 to recognize and praise achievements of all different types through publications and assemblies. Examples of places where pupils 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 pupils in the First to Fifth Years. There are two types of merits that can be awarded:

- Academic merits, for example for an excellent piece of work, or for excellent effort on a piece of work, or for improved academic work
- Lion merits, for a praiseworthy act in any area of School life (see below)

Up to two merits may be awarded at any one time. Merit stickers are attached to a special sheet, which pupils place at the back of their yellow homework diaries (from First to Third Year ; Fourth and Fifth Years will have Merit cards). Once a pupil has collected 10 merits of either type (he will have completed his sheet at this point) he should take his completed sheet 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, pupils can exchange 10 merits for vouchers for School breakfast voucher; in the Third Year pupils can exchange 10 merits for a small item of confectionery. 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 pupils in each year group attaining the most merits are eligible for prizes at the annual Lower School, Third Year and Senior Prizegiving Evenings.

Lion Merits are rewards for pupils who demonstrate the following Hampton values, which are aligned with the School's *Ethos and Aims*:

<b>L</b>	Leadership
<b>I</b>	Inclusivity
<b>O</b>	Open to new opportunities and open-minded.
<b>N</b>	Navigating right versus wrong
<b>S</b>	Supporting those around you with kindness and respect

These rewards can be given by a pupil's Form Tutor, subject teacher, sports coach, co-curricular teacher, a member of Support Staff, or a lunchtime club leader. Lion Merits should reward the demonstration of the values above, they should not be used for academic excellence, or co-curricular achievement.

## Sixth Form Merits or "Panini Points"

'Panini points' can be awarded to Sixth Form pupils. 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. Pupils carry both an 'Academic Panini Card' and an 'Activities and Lion Panini Card', which should be signed by the relevant member of staff. Once a pupil 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 a free panini from the Sixth Form Common Room.

## 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 academic success. These prizes usually take the form of a voucher is then presented to the pupil at the Lower School, Third Year, Fourth Year or Senior Prizegiving events.

Prizes include:

- Form Prizes (decided by the Head of Year after discussion with Form Tutors)
- Lower School prizes for endeavour
- (I)GCSE subject prizes for Fifth Year one prize per subject), and also prizes for all those with very strong overall performance at (I)GCSE.
- A Level subject prizes
- A Level prizes for pupils gaining three or more 'A\*' grades
- Sixth Form Subject prizes nominated by Heads of Department
- Parents' Association Prizes for original work

## Academic Ties

Upper Sixth pupils are awarded navy blue Academic Ties via one of three-routes: they were awarded a Lower Sixth Subject prize at Senior Prizegiving; they are nominated by the Heads of Year or the Deputy Head (Academic) based on their all-round academic attainment and effort during the Sixth Form; they are nominated by departments for their overall approach to the subject during the Sixth Form.

The Headmaster or a member of the Senior Leadership Team presents Academic Ties during the Upper Sixth.

## School Service Ties

Senior pupils who have made a particular contribution to the wider life of the School are awarded a yellow Service Tie. Service Ties are presented by The Headmaster. Pupils who receive Service Ties are normally 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 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 the School. Older pupils are given a range of opportunities to take leadership roles in different areas of School life, such as: helping lead a co-curricular activities such as lunchtime clubs; assisting taking sport, music or drama activities for younger pupils; referring sports matches for younger pupils; leading roles in the Diversity and Equality Club or Pride Club; delivering elements of the PSHE programme to younger pupils. 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 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 the 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.

- **Work detentions**

These are given for work-related issues and take place immediately at the start of lunch once a week for each year group. 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 pupil 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 once a week for each year group. 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**

- **Sixth Form Work Detentions**

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 pupil be placed in the Sixth Form Work Detention. Sixth Form Work Detentions are 60 minutes in duration.

- **Sixth Form Conduct Detentions**

Sixth Form Conduct Detentions are issued for incidents of poor behaviour. Teachers can set Sixth Form Conduct Detentions for either 30 minutes or 60 minutes in duration. As a general rule, a 30-minute Conduct Detention would be an appropriate sanction for repeated incidences of relatively minor offences such as persistently having a shirt untucked, whereas a 60-minute Conduct Detention would be issued for a more significant behavioural offence, e.g. rudeness to another member of the School community. More serious behavioural issues might lead to a pupil receiving a Friday Head of Year detention, or a Saturday Headmaster's Detention, after a referral to the Deputy Head Pastoral (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 pupils 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) or the Assistant Head Pastoral (PAH) to the pupil'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 Pastoral (JOM) if he/she feels that an incident reported to them might warrant a Headmaster's Detention.

## **5. Suspension**

A pupil 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 detention 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 and other prejudiced-based and discriminatory behaviour, or persistent bullying (including cyber bullying).
- misconduct of a sexual nature; including sexting and/or the consensual or non-consensual sharing of nudes/semi-nudes; supply or possession of pornography; sexual violence and sexual harassment;
- possession or unauthorised use of firearms or other weapons
- vandalism
- computer hacking, or other technological interference with the smooth running of the School
- persistent attitudes or behaviour which are inconsistent with the School 's ethos and values
- malicious allegations against members of the School community; malicious capture, circulation or manipulation of footage or images of members of the School community
- 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 a 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 pupil(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 legal advice.

- **Complaints:** Investigation of a complaint or rumour about serious misconduct will normally be coordinated by one of the Deputy Heads, with the investigation being carried out by the Head of Year or another 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 it is considered 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 a 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/she 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/she considers are open to him/her. He/she will consider 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/her decision in writing, with reasons.
3. Leaving status: If the Headmaster/Deputy Head decides that the pupil must leave the School, he/she 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 pupil 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 pupil 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, 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, 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, or

his delegate, will discuss these and any other relevant matters of leaving status, with the parents and, where appropriate with the pupil, at the time of, or in advance of, the decision.

### **Governors' Review of expulsion or removal**

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 their 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.

### **Child-on-child abuse, including sexual harassment and sexual violence**

Some behaviour by a pupil towards another may be of such a nature that safeguarding concerns are raised. The School will adopt a zero tolerance approach in order to prevent harm to pupils. Safeguarding issues can manifest themselves via child-on-child abuse. This includes, but is not limited to:

- bullying (including cyber-bullying, prejudice and discriminatory- based bullying);
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (which may include an online element which facilitates, threatens and/or encourages physical abuse);
- sexual violence and sexual harassment (which may include an online element which encourages sexual violence);
- causing somebody to engage in sexual activity without consent;
- consensual and non-consensual sharing nude and semi-nude images and/or videos (also known as youth produced sexual imagery);
- upskirting and/or attempts to commit upskirting; and
- initiation / hazing type violence and rituals (which may include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element.

The School will take advice from children's social care on the investigation of allegations of child-on-child 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*).

## Suspected criminal behaviour

In cases of suspected criminal behaviour, the School will make an initial assessment of whether an incident should be reported to the police only by gathering enough information to establish the facts of the case. These initial investigations must be fully documented, and every effort will be made to preserve any relevant evidence. Once a decision is made to report the incident to police, the School will not usually take any further action until the police investigation has concluded. In agreement with the police, at the appropriate time the School may choose to continue its investigation and enforce its own sanctions. When making a report to the police, it will often be appropriate to make in tandem a report to local children's social care.

## Incidents relating to discrimination

Discrimination relates to the unjust or prejudicial treatment of different categories of people, for example on the grounds of ethnicity, age, sex or disability. Any incident of discrimination that is witnessed by, or comes to the attention of, a member of staff will always be challenged, recorded as secure notes and passed onto senior pastoral staff who will follow up as appropriate. Such incidents must never be dismissed as 'banter'.

## 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 (2024)*, 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

Searching can play a critical role in ensuring that schools are safe environments for all pupils and staff. It is a vital measure to safeguard and promote staff and pupil welfare, and to maintain high standards of behaviour through which pupils can learn and thrive. Headteachers and staff they authorise have a statutory power to search a pupil or their possessions where they have reasonable grounds to suspect that the pupil may have a prohibited item listed in **Appendix 2**.

Under common law, School staff have the power to search a pupil for any item if the pupil agrees. The member of staff should ensure the pupil understands the reason for the search and how it will be conducted so that their agreement is informed. Staff must consider the age and needs of pupils being searched or screened. This includes the individual needs or learning difficulties of pupils with Special Educational Needs (SEN) and making reasonable adjustments that may be required where a pupil has a disability.

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 (July 2022)*. 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 the network by the Deputy Head (Pastoral).

This document is written with regard to *Keeping Children Safe in Education (DfE, September 2024 (KCSIE))*, *Working Together to Safeguard Children 2023 Information Sharing Advice for Safeguarding Practitioners (DfE, July 2018)*, *Use of Reasonable Force (DfE, July 2013)*, *Searching, Screening and Confiscation: Advice in Schools and Colleges (DfE, January 2018)*, *Sexual violence and sexual harassment between children in schools and colleges (DfE, September 2021)*, *Mental Health and Behaviour in Schools (DfE, November 2018)*, *Relationships Education, Relationships in Schools (DfE, June 2019)* and *“Behaviour and Discipline in Schools (DfE, January 2022)”*.

## 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 as soon as is reasonably practical, 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 (July 2022)*.

Searching can play a critical role in ensuring that schools are safe environments for all pupils and staff. It is a vital measure to safeguard and promote staff and pupil welfare, and to maintain high standards of behaviour through which pupils can learn and thrive.

### Prohibited items

Headteachers and staff they authorise have a statutory power to search a pupil or their possessions where they have reasonable grounds to suspect that the pupil may have a prohibited item listed in paragraph 1.1 below:

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 and 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.

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).

When exercising their powers, staff will consider the age and needs of pupils being searched. This includes the individual needs or learning difficulties of pupils with Special Educational Needs (SEN) and making reasonable adjustments that may be required where a pupil has a disability. They must ensure that a culture of safe, proportionate and appropriate searching is maintained, which safeguards the welfare of all pupils and staff with support from the Designated Safeguarding Lead (DSL) (or Deputy). It is vital that all staff understand their rights and the rights of the pupil who is being searched.

The DSL (or Deputy) should be informed of any searching incidents where the member of staff had reasonable grounds to suspect a pupil was in possession of a prohibited item as listed in paragraph 1.1. The staff member should also involve the DSL (or Deputy) without delay if they believe that a search has revealed a safeguarding risk.

If the DSL (or Deputy) finds evidence that any child is at risk of harm, they should make a referral to children's social care services immediately (as set out in part 1 of Keeping Children Safe in Education – KCSiE (2024)). The DSL (or Deputy) should then consider the circumstances of the pupil who has been searched to assess the incident against potential wider safeguarding concerns.

### Before Searching:

- A search can be considered if the member of staff has reasonable grounds for suspecting that a pupil is in possession of a prohibited item or any item identified in the Code of Conduct for which a search can be made, or if the pupil has agreed.
- The staff member conducting the search should explain to the pupil why they are being searched, how and where the search is going to take place and give them the opportunity to ask any questions.
- The authorised member of staff should always seek the co-operation of the pupil before conducting a search. If the pupil is not willing to co-operate with the search, staff should consider why this is. Reasons might include that they:
  - are in possession of a prohibited item;
  - do not understand the instruction;
  - are unaware of what a search may involve; or
  - have had a previous distressing experience of being searched.
- If the pupil continues to refuse to co-operate, he may be sanctioned in line with the Behaviour, Rewards, Sanctions, Discipline and Exclusions Policy. Staff will ensure they are responding to misbehaviour consistently and fairly.
- If the pupil still refuses to co-operate, guidance from the Deputy Head will be taken. 'Use of Reasonable Force in Schools' July 2013 will be followed where necessary.

### During a Search

- An appropriate location should be found. Where possible, this will be away from other pupils. The search must only take place on the School premises or where the member of staff has lawful control or charge of the pupil, for example on a School trip.
- When pupils travel outside England 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 England.
- 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 limited exception to this is that a member of staff can search a pupil of the opposite sex and / or without a witness present **only**:
  - If the member of staff carrying out the search reasonably believes there is a 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 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.



- When a member of staff conducts a search without a witness they should immediately report this to Owen Morris (DSL) and ensure a record of the search is kept. See **Recording Searches** below.

### The extent of the search

- A member of staff may search a pupil's outer clothing, pockets, possessions, or lockers.
- The person conducting the search must not require the pupil to remove any clothing other than outer clothing. 'Outer clothing' means any item of clothing that is 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.
- 'Possessions' means any goods over which the pupil has or appears to have control - this includes bags.
- A member of staff is able to search lockers and desks or other personal spaces at the School for any item provided the pupil agrees. If the pupil withdraws their agreement to search, a search may be conducted both for the prohibited items listed in paragraph 1.1 above and any items identified in the School Code of Conduct for which a search can be made.
- 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.
- The member of staff's power to search outlined above does not enable them to conduct a strip search. While the decision to undertake a strip search itself and its conduct are police matters, School staff retain a duty of care to the pupil(s) involved and should advocate for pupil safety and wellbeing at all times.

Should a strip search be deemed necessary, guidance from Department for Education (DfE), *Searching, screening and confiscation (July 2022)* will be followed at all times.

### After a search

Whether or not any items have been found as a result of any search, staff should consider whether the reasons for the search, the search itself, or the outcome of the search give cause to suspect that the pupil is suffering, or is likely to suffer harm, and/or whether any specific support is needed. Where this may be the case, staff will follow the Safeguarding policy and speak to Owen Morris (DSL) who will consider if pastoral support, an early help intervention or a referral to children's social care is appropriate. If any prohibited items are found during the search, staff should follow the guidance set out below in **Confiscation** below.

If a pupil is found to be in possession of a prohibited item listed in paragraph 1.1 above, then the staff member should alert the DSL (or Deputy) and the pupil should be sanctioned in line with the School's behaviour policy to ensure consistency of approach.

### Recording searches

Any search by a member of staff for a **prohibited item** listed in paragraph 1.1 above and all searches conducted by police officers should be recorded under 'safeguarding' in CPOMS, including whether or not an item is found. This will allow the DSL (or Deputy) to identify possible risks and initiate a safeguarding response if required. The Headmaster may also decide that all searches for items listed as banned in the **School Code of Conduct** should be recorded. Staff members should follow the School policy in these cases.

The record of each search should include:

- 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; and
- what follow-up action was taken as a consequence of the search.

### **Informing parents**

The School aims to build and maintain positive relationships with parents. Parents should always be informed of any search for a prohibited item listed in paragraph 1 that has taken place, and the outcome of the search as soon as is practicable. Staff should inform the parents of what, if anything, has been confiscated and the resulting action taken, including any sanctions applied.

In some circumstances it might also be necessary to inform parents of a search for an item banned by the School Code of Conduct.

Any complaints about searching, screening or confiscation will be dealt with through the normal School complaints procedure.

### **Confiscation**

An authorised staff member carrying out a search can confiscate any item that they have reasonable grounds for suspecting:

- poses a risk to staff or pupils;
- is prohibited, or identified in the school Code of Conduct for which a search can be made (see paragraph 1.1); or
- is evidence in relation to an offence.

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

Controlled drugs, weapons or items which are evidence of a suspected offence must be delivered to the police as soon as possible. If there is good reason not to pass on controlled drugs, staff must safely dispose of them. Other substances which are not believed to be controlled should also be delivered to the police, or disposed of as above, if the member of staff believes they could be harmful. Items that have been (or are likely to be) used to commit an offence or to cause personal injury or damage to property should be delivered to the police as soon as reasonably practicable, returned to the owner, retained or disposed of. Where staff find alcohol, tobacco, cigarette papers or fireworks, they may retain or dispose of them as they think appropriate but should not return them to the pupil. Stolen items must be delivered to the police as soon as reasonably practicable. However, if there is good reason to do so, staff may also return the item to the owner, or retain or dispose of it if returning them to their owner is not practicable.

If staff find a pornographic image, they may dispose of the image unless they have reasonable grounds to suspect that its possession constitutes a specified offence (i.e. it is extreme or an indecent image of a child) in which case it must be delivered to the police as soon as reasonably practicable. Members of staff should never intentionally view any indecent image of a child (also sometimes known as nude or semi-nude images). Staff must never copy, print, share, store or save such images. See **Electronic Devices** below for further advice on searching electronic devices.

In determining whether there is a good reason to return, retain, pass to the police or dispose of any items, staff should take into account all relevant circumstances and use their professional judgement, seeking advice from the Deputy Head, Owen Morris, (DSL) and following guidance published by the Department for Education (DfE), *Searching, screening and confiscation (July 2022)*.

Electronic devices, including mobile phones, can contain files or data which relate to an offence, or which may cause harm to another person. This includes, but is not limited to, indecent images of children, pornography, abusive messages, images or videos, or evidence relating to suspected criminal behaviour.

As with all prohibited items, staff should first consider the appropriate safeguarding response if they find images, data or files on an electronic device that they reasonably suspect are likely to put a person at risk. Staff may examine any data or files on an electronic device they have confiscated as a result of a search, as defined in **Confiscation** (see above), if there is good reason to do so.

If the member of staff conducting the search suspects they may find an indecent image of a child (sometimes known as nude or semi-nude images), the member of staff should never intentionally view the image, and must never copy, print, share, store or save such images. When an incident might involve an indecent image of a child and/or video, the member of staff should confiscate the device, avoid looking at the device and refer the incident to the DSL (or deputy) as the most appropriate person to advise on the school's response. Handling such reports or concerns can be especially complicated and schools should follow the principles as set out in *Keeping Children Safe in Education (KCSiE 2024)*. The UK Council for Internet Safety also provides the following guidance to support school staff and designated safeguarding leads: *Sharing nudes and semi-nudes: advice for education settings working with children and young people*.

If a member of staff finds any image, data or file that they suspect might constitute a specified offence, then they must be delivered to the police as soon as is reasonably practicable. In exceptional circumstances members of staff may dispose of the image or data if there is a good reason to do so. In determining a 'good reason' to examine or erase the data or files, *Searching, screening and confiscation (July 2022)* guidance will be used.

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.

### **Confiscation as a disciplinary penalty**

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.

The School will take reasonable care of any items confiscated from pupils. The law protects members of staff from liability in any proceedings brought against them for any loss of, or damage to, any item they have confiscated, provided they acted lawfully. The School does not accept responsibility for loss or damage to property.

## Appendix 3 - Policy on Alcohol, Smoking, Vaping 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 **Smoking and vaping:** means all tobacco and nicotine products, or vaping equipment.
- 1.4 **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. Further information can be found in the School's **Drugs Education Policy** which is available to parents from the School Bursary.

### 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;
  - 2.1.5 to keep smoking and vaping paraphernalia out of School;
  - 2.1.6 to promote positive health and wellbeing within the School community
- 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 and smoking 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:** The School encourages pupils to discuss in confidence any anxieties they may have about use of alcohol, smoking or drugs and substance abuse with a member of staff or the School counsellor. Matters brought into counselling by a pupil or their 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 **The School Code of Conduct:** forbids a pupil from:
- 2.4.1 any possession, use or supply of drugs and substances (see 1.4);
  - 2.4.2 bringing alcohol, smoking or vaping equipment onto School premises or being in unsupervised possession of such items or obtaining or supplying them 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, smoking and vaping 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 **Smoking and vaping:** Sanctions will be applied in accordance with the School's Behaviour and Discipline Policy. Smoking or vaping on the School site, or during a School organised activity offsite, is likely to lead to a pupil being suspended
- 2.6.3 **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 consuming 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 they are of sufficient

maturity and understanding and gives 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, they may be asked to supply, under medical supervision, a urine sample for analysis.. All due care will be taken to respect the pupil's privacy and human rights.
- 4.6 **Refusal:** If a pupil refuses to provide a biological sample, they will be asked to say why they have refused. The School will be entitled to draw inferences from the pupil's 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.
- 4.7 **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 or a Deputy Head with their parents or a member of the School staff chosen to assist;
- 5.1.2 all relevant evidence, including the positive test result where applicable, will be put to the pupil and who will be invited to respond;
- 5.1.3 the pupil's 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 a 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, they and their parents have the right to request a review of the decision. Any such review shall be governed by the School's **Complaints Procedure.**

## Appendix 4 – ‘Where to go if you have a concern or need help’

Your **Form Tutor** will deal with the majority of pastoral issues. You may approach your Form Tutor (or any other member of staff) at any time for advice and guidance. There are two registrations per day, in the morning and afternoon, and these can be good opportunities for you to speak to your Form Tutor. You may also directly seek help from your **Head of Year**, although your Form Tutor will usually be your first point of contact.

First, Second and Third Year Forms also have **Mentors**, who are often a valuable source of help and advice. Mentors are Sixth Formers who have been chosen to help, support and advise a Form Group of younger Hamptonians.

The School has three **Counsellors**, who people see about a range of different issues. There is always at least one of them at School during the School Day. They can also be contacted via email: [counselling@hamptonschool.org.uk](mailto:counselling@hamptonschool.org.uk)

The **School Nurses** are available to discuss health-related issues. They can also be contacted via email: [nurse@hamptonschool.org.uk](mailto:nurse@hamptonschool.org.uk)

The **Headmaster** holds a weekly drop-in session for boys during Wednesday lunch break and you are welcome to see him about anything you wish. At other times during the week, you are welcome to make an appointment with Mr Knibbs by seeing his PA, Mrs Espley, who can also be contacted via email: [c.espley@hamptonschool.org.uk](mailto:c.espley@hamptonschool.org.uk)

You can raise a concern via **Tootoot** at [www.tootoot.co.uk/](http://www.tootoot.co.uk/)

You can put a written note in one of the **comments boxes**, which are found: in reception, outside G26, outside F68, in the Library, outside the medical room, outside the Counsellors’ office and on the ground floor of the Sixth Form Study Centre.

One of the functions of Hampton School’s Pride Society is to provide a safe, secure place to talk about LGBTQ+ issues without judgement. This group meets on a weekly basis and more information can be found on the Pride noticeboard in the Main Hall corridor.

**Form, Year and School Councils** provide useful consultative forums in which issues and ideas about Hampton life can be raised and discussed. You can also submit ideas to the School Council via email: [schoolcouncil@hamptonschool.org.uk](mailto:schoolcouncil@hamptonschool.org.uk)

**Safeguarding:** if you are concerned about your own or someone else’s wellbeing, please email [safeguarding@hamptonschool.org.uk](mailto:safeguarding@hamptonschool.org.uk)

### **National helplines:**

**0800 1111** - Childline is a free service that provides help and advice about a range of issues

**0800 136663** – the NSPCC dedicated helpline for young people who have experienced sexual harassment or abuse at school (or email [help@nspcc.org.uk](mailto:help@nspcc.org.uk))

**The Hampton School Designated Safeguarding Lead (DSL) is Mr Morris.  
The Deputy Designated Safeguarding Leads (DDSLs) are:  
Miss Message, Mr Nicholson, Miss Holmes and Miss Smith**