



MOWDEN HALL SCHOOL
BEHAVIOUR & DISCIPLINE POLICY

This policy is applicable to all pupils, including those in EYFS. Any information specific to a single department will be titled accordingly.

Rationale:

We foster each pupil's self-esteem and feeling of worth within the school community and we encourage the development of self-discipline, tolerance and respect for others, helping to prepare children to become responsible members of society. Pupils are encouraged to extend this responsible attitude to their work and to their behaviour inside and outside the school.

At Mowden, we ensure that any punishment is proportionate. In determining whether a punishment is reasonable, section 91 of the Education and Inspections Act 2006 says the penalty must be reasonable in all the circumstances and that account must be taken of the pupil's age, any special educational needs or disability they may have, and any religious requirements affecting them.

This policy is formed having regard to *DfE Behaviour and Discipline in Schools; Advice for Head teachers and School Staff, January 2016*.

Aims:

- To promote a caring and supportive school ethos that values and fosters the contributions of all.
- To develop self-esteem as a means of fostering self-discipline.
- To promote understanding of and respect for others' viewpoints.
- To have a consistency of approach by all adults working in the school.
- To promote the pupil's respect for their own, and other people's property and the environment.
- To foster positive values including honesty, trust, fairness, courtesy, tolerance and compassion.
- To promote pupil's spiritual, moral, social and cultural development throughout their school life.
- To help pupils develop a clear and acceptable view of what is right and wrong.
- To promote firm action against all forms of bullying.
- To handle misbehaviour quickly using a range of strategies, dealing with the pupils in a consistently fair, firm and caring way.

Behaviour Strategy and Teaching of Good Behaviour:

- In planning, delivering and evaluating the curriculum we recognise that the quality of its content and the teaching and learning methods through which it is delivered and differentiated are important influences on pupils' behaviour and values.
- Positive values should be reinforced throughout the curriculum and through Collective Worship, Assemblies and PSHEE.
- Self-esteem will be fostered through valuing each pupil, encouraging classroom success and developing relationships based on mutual respect.
- Pupils should be given increasing opportunities for responsibility within class and school.
- Pupils should be encouraged to feel responsible for their learning, capable of success, and to reflect on their progress.
- Children learn by example. Adults should present a consistent approach to children, one that is firm but calm, making clear expectations and avoiding conflict.
- Good behaviour is to be rewarded positively (and celebrated!)
- Parents and other agencies should be involved in active partnerships as an aid to promoting good behaviour.
- Parents and other agencies should be informed of good behaviour as well as bad.
- Children should be listened to. They should be encouraged to reflect upon their actions and possible alternatives.
- Bullying and harassment of any kind are totally unacceptable. All adults in school must be alert to signs of bullying and harassment and act promptly and firmly against them. Pupils should be encouraged to tell staff about cases of bullying and harassment of which they are aware. This will include physical, verbal and social actions. Pupils must be made aware that any such incident that causes distress will always be followed up by staff.
- All staff are responsible for the conduct of children anywhere on the school premises (and while supervising them out of school).

School Rules

These are kept to a minimum and are based on safety and common sense. It would not be possible to list all the rules here, but these are some of the important ones.

- Pupils are expected to respect each other, and every child has the right to expect to have a happy life at the School.
- Pupils are expected to respect other children's belongings. They are told not to borrow other children's property without express permission to do so.
- Pupils should be polite and courteous at all times. In particular, pupils in Year 3 and above are expected to stand up when a visitor enters the room and to open doors for adults. Also, pupils should remember to greet visitors cheerfully.
- There are special rules applying to various parts of the school (e.g. Swimming Pool, Science Lab etc). These are posted on the boards and pupils should read them carefully, as well as being verbally told by staff.

- The following items are prohibited in school:
 - knives or weapons
 - Alcohol
 - Illegal drugs
 - Stolen items
 - Tobacco and cigarette papers
 - Fireworks
 - Pornographic images
 - Any article that a member of staff reasonably suspects is likely to be used to commit an offence or to cause personal injury to, or damage to the property of, any person (including the pupil)
- Children should not bring in mobile phones, unauthorised laptops, electronic games or similar electronic devices that can be connected to the network or similar.
- Kindles (including Kindle Fires) may be brought into school, but the settings must be such that children can only read on these devices.
- Money should not be brought to School. If pupils receive any money they should hand it in to a member of staff or the Office for safe keeping. Pocket money may be needed for special occasions (Leavers' camp, trips out, charity events etc) but parents/ other agencies will be advised of this in advance.
- Pupils should not enter the swimming pool buildings unless a member of staff is present.
- Pupils should walk and not run in the School buildings.
- Sweets and 'tuck' must not be brought into School.
- Pupils should not visit a child in the sick bay, except with permission from a duty member of staff. Likewise, pupils should not go upstairs during the day except with permission from a duty member of staff.
- Pupils should remain within the School bounds at all times. The road behind the woods is out of bounds at all times.
- Pupils should only go to the music practice rooms at the rear of the Theatre for an official music lesson or music practice.

Support Systems for Pupils

Staff regularly monitor pupils to ensure support systems are in place. This is done in the following way:

- Staff Meetings
- Day Book
- Form Times
- Regular contact with parents or other agencies
- Assembly
- PSHEE lessons/Circle time

Staff will discuss and record any changes of behaviour any changes in behaviour of individual children, and look to discover the underlying reasons why. This will also ensure a consistent approach to behaviour management, which will benefit the pupils and the staff.

Rewards

PRE - PREP

- In the Pre-Prep each child belongs to a Castle. The children are awarded Castle points for good work, effort and exceptionally good behaviour, manners and kindness. Every fortnight children from the classes are awarded Castle certificates in Pre-Prep assembly and achievements are celebrated. Each child has an individual record of their termly castle point score. These are recorded by the class teacher.
- Each week a Superstar of the Week is chosen in each class for a piece of academic work.
- A Headteacher's award is given in the form of a badge for exceptional service to the school.
- A Year 3 cup is awarded for perseverance, kindness and courage and awarded at the end of Year production.

PREP SCHOOL

Outstanding academic work is regularly rewarded publically. The Prep School Assembly is the venue for awarding attainment and effort prizes. Regular presentations are made following every round of effort and attainment gradings. Speech Day prizes include many accolades for academic, sporting, extra-curricular merit and for contribution to School life.

Personal Record of Achievement Cards (PRAs)

This card is be carried around by all children with their pencil cases so they should have it on them at most times. House points, merits and debits are all signed directly into the child's card, along with a basic reason for the reward / sanction. This has many advantages: it allows the child to see how many merits and house points they have at any given time, why they have received them, and how many they need to reach a reward level.

Once a week the Form Taker records the number of merits, house points and debits onto a central database. These then appear on the child's end of term report.

Merits

These are awarded for good work in the classroom. A child who receives 10 Merits (and then 20 or 30) will receive a certificate from the Headmaster in Assembly. The child's parents will also be informed, by the Headmaster, of their child's success.

House Points

House Points can be awarded by any member of staff, academic or otherwise, for thoughtful or helpful behaviour. They are there to recognise when children act for the benefit of others. A child who receives 10 House Points (and then 20 or 30) will receive a certificate from the Headmaster in assembly. The child's parents will also be informed, by the Headmaster, of their child's success. At the end of term the ten children (or equivalent) in the School who have

received the most House Points, irrespective of House, will receive their House Colours in final assembly.

Mowden Acts of Kindness

This was originally a Boarding House initiative, but is now school wide. Staff can nominate any child who demonstrates kindness to another member of the School community. Periodically, all of the names go into a hat, and one child will be selected to have a 'name heart' added to the MAK frame.

In addition, the following rewards are also available:

Sports awards

Treat nights - for boarding children (result of receiving a high number of 'noughts' in the boarding house)

House Point Total Board

Colours

Final Assembly prizes

Annual Competitions

Academic Prizes

Headmaster's Commendation

This will be to acknowledge an outstanding achievement, for example receiving an excellent effort average.

Book of Excellence

This will be displayed in the front hall. Any child will be able to nominate themselves to have an entry in the Book. This can be for an outstanding achievement, and is not limited to events that happen within school.

Disciplinary Sanctions

Mowden Hall rejects the use of corporal punishment, or any punishment intended to cause pain, anxiety or humiliation.

Mowden Hall operates a staged referral system for all disciplinary matters. Low level indiscretions will be dealt with at an individual level by a teacher. These indiscretions may be recorded as in the 'Day Book'. This is available to all staff. Tutors use this book to monitor tutees and arrange follow up tutor meeting if necessary. If there is a pattern of repeated infractions showing that misbehaviour is persisting or if a misdemeanor is of a more serious nature the matter will be referred by the tutor to the Head of Year/Deputy Head/Head of Pre-Prep.

Pre-Prep Sanctions

- With a minor incident on the playground or in school, a TA or the class teacher will assess the situation and privileges will be removed as appropriate. This may be time taken away from the Free Choice time on Friday afternoons.
- For more serious incidents the class teacher will discuss sanctions with the Head of Pre-Prep and a sanction will be put in place. Parents will be informed and the incident and sanctions recorded in the Day Book.

Prep School Sanctions

Minor Debits will be given for minor issues, such as:

- Running in a corridor
- Excessive noise
- Poor table manners
- Inappropriate language
- Deliberate tardiness
- Poor standard of appearance
- Recalcitrant behaviour
- Being out of bounds
- Failure to do prep
- Untidiness in Changing Rooms
- Lack of cooperation
- Lack of courtesy
- Disrespectful behaviour
- Breaking safety rules

Major Debits will be given for more serious issues, such as:

- Overly physical behaviour
- Offensive language
- Repetition of minor infractions
- Bringing prohibited items into school
- Bullying (including cyber-bullying)
- Deliberately dishonest behaviour
- Disrespect for School property

Minor debits will be recorded in PRAs, but do not need to be worked off. This will allow staff to monitor patterns of behaviour and identify any problems at the earliest opportunity. Three Minor Debits will result in a Major Debit being awarded (the count will return to zero every half term).

Major Debits to be recorded in PRAs, and will need to be worked off. In addition, 3 Major Debits in one week or 5 Major Debits in three weeks will be referred to the Head of Year.

At this stage, the Head of Year will contact parents, and will implement a suitable sanction such as:

- Report card
- Detention
- Loss of privileges

Should the issue not be resolved, the child will then be referred to the Deputy Head.

It is important to note that certain serious incidents will go beyond this system, and these will be reported to the Head of Year/ Deputy Head immediately.

Report Cards

A pupil may be put on various forms of report card. There are a range of report cards in place, including departmental and behavioural. Tutors, Heads of Year and Head of Pre-Prep must be notified if a pupil is put on a report card.

Academic Catch Up

Pupils who need more time to work in a particular subject, have not produced prep, have produced work of an unsatisfactory standard owing to a lack of effort, have missed a deadline or have under-performed with their academic work in a similar way may be allocated to an 'Academic Catch Up' session, by a subject teacher.

Academic Catch Up is not looked upon as a punishment but more of a tool to ensure that each individual is fulfilling our expectations with regard to their academic studies. If a pupil accrues an unacceptable number of Academic Catch Ups then this may become a disciplinary issue.

Detentions

Lunchtime or break time detentions provide an immediate sanction for poor behaviour in lessons. It underpins our firm belief that no pupil has the right to disrupt the learning of others. Any detention must be recorded in the Day Book, and the Form Tutor/ Head of Year/ Head of Pre-Prep should be immediately informed.

Deputy Head/Head of Pre-Prep Detention

This is given for serious breaches of discipline, poor behaviour or repeated failure to fulfil academic responsibilities. This detention will only be given after discussion between staff, tutor, Head of Year, Head of Pre-Prep and the Deputy Head.

Formal Warning

Repeated poor or anti-social behaviour may result in parents or other agencies being asked to come into school. A Formal Warning may well be written following this. It is likely to warn that any further incidents may result in suspension or permanent exclusion. This will be issued only by the Head of Pre-Prep, Deputy Head or Headmaster.

Suspension

A suspension must be approved by the Headmaster. Ideally, a meeting with parents will take place and a formal letter written. This will be seen as the final step in the disciplinary process. There are times when the school may choose to suspend the pupil internally rather than sending them home. Repeated misbehaviour after a pupil has been suspended may lead to a pupil being required to leave Mowden Hall School.

The School will endeavour to involve parents/ other agencies in the disciplinary process when appropriate. It is essential that the School and parents or other agencies work together in partnership when addressing disciplinary concerns.

At all times in the disciplinary process the priority is to achieve the desired outcome with a pupil. In general terms the desired outcome is that a pupil will learn from the process so that the misbehaviour will not be repeated. Different pupils may need to be dealt with in different ways.

Any queries related to the disciplinary systems and policy at Mowden, should be directed towards the Deputy Head or Head of Pre-Prep.

Exclusion

The School would only consider excluding a child as a very last resort. Each case would be treated on its own individual circumstances and facts. Exclusion may occur as a result of a child

persistently repeating a serious offence, or as a result of one major serious offence. Please note that exclusion may also be imposed by the school as a sanction for a series of minor misdemeanors. The decision to exclude a child would be taken by the Headteacher in conjunction with other senior members of staff.

Appeals against exclusion

The school will always offer the right to appeal to any pupil excluded from the school. Any appeal against exclusion can be appealed by way of a complaint under the school's complaint procedure.

The school will accept the appeal decision as final.

Restraint of Children

Physical restraint of pupils by staff will only be used in exceptional circumstances, which may include the following:

- A child's actions endangering another
- A child's actions endangering themselves

Any such incidents will be recorded in the serious incident file. In addition, parents/ other agencies are to be informed on the same day or as soon as reasonably practical.

Searching, Screening and Confiscation

In line with government guidelines '*Advice for Headteachers, school staff and governing bodies February 2014*

Searching

- School staff can search a pupil for any item if the pupil agrees. The ability to give consent may be influenced by the child's age or other factors
- Headteachers and staff authorised by them have a statutory power to search pupils or their possessions, without consent, where they have reasonable grounds for suspecting that the pupil may have a prohibited item.
- Prohibited items are:
 - knives or weapons
 - alcohol
 - illegal drugs
 - stolen items
 - tobacco and cigarette papers
 - fireworks
 - pornographic images
 - any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of, any person (including the pupil).

Headteachers and authorised staff can also search for any item banned by the school rules which has been identified in the rules as an item which may be searched for.

Confiscation

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

Schools' obligations under the European Convention on Human Rights (ECHR)

- Under article 8 of the European Convention on Human Rights pupils have a right to respect for their private life. In the context of these particular powers, this means that pupils have the right to expect a reasonable level of personal privacy.
- The right under Article 8 is not absolute, it can be interfered with but any interference with this right by a school (or any public body) must be justified and proportionate.
- The powers to search in the Education Act 1996 are compatible with Article 8. A school exercising those powers lawfully should have no difficulty in demonstrating that it has also acted in accordance with Article 8. This advice will assist schools in deciding how to exercise the searching powers in a lawful way.

Screening

What the law allows:

- Schools can require pupils to undergo screening by a walk-through or hand-held metal detector (arch or wand) even if they do not suspect them of having a weapon and without the consent of the pupils.
- Schools' statutory power to make rules on pupil behaviour and their duty as an employer to manage the safety of staff, pupils and visitors enables them to impose a requirement that pupils undergo screening.
- Any member of school staff can screen pupils.
- If a pupil refuses to be screened, the school may refuse to have the pupil on the premises. Health and safety legislation requires a school to be managed in a way which does not expose pupils or staff to risks to their health and safety and this would include making reasonable rules as a condition of admittance.
- If a pupil fails to comply, and the school does not let the pupil in, the school has not excluded the pupil and the pupil's absence should be treated as unauthorised. The pupil should comply with the rules and attend.
- This type of screening, without physical contact, is not subject to the same conditions as apply to the powers to search without consent.

Searching

- The authorised member of staff conducting the search must be the same sex as the pupil being searched; and there must be a witness (also a staff member) and, if at all possible, they should be the same sex as the pupil being searched.
- There is a limited exception to this rule. You can carry out a search of a pupil of the opposite sex to you and without a witness present, but only where you reasonably believe that there is a risk that serious harm will be caused to a person if you do not conduct the search immediately and where it is not reasonably practicable to summon another member of staff.

Searching with consent

Schools' common law powers to search:

- School staff can search pupils with their consent for any item.

Also note:

- Schools are not required to have formal written consent from the pupil for this sort of search – it is enough for the teacher to ask the pupil to turn out his or her pockets or if the teacher can look in the pupil's bag or locker and for the pupil to agree.
- Schools should make clear in their school behaviour policy and in communications to parents and pupils what items are banned.
- If a member of staff suspects a pupil has a banned item in his/her possession, they can instruct the pupil to turn out his or her pockets or bag and if the pupil refuses, the teacher can apply an appropriate punishment as set out in the school's behaviour policy.
- A pupil refusing to co-operate with such a search raises the same kind of issues as where a pupil refuses to stay in a detention or refuses to stop any other unacceptable behaviour when instructed by a member of staff – in such circumstances, schools can apply an appropriate disciplinary penalty.

Searching without consent - what the law says:

What can be searched for?

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

During the search

Extent of the search – clothes, possessions, desks and lockers

What the law says:

- The person conducting the search may not require the pupil to remove any clothing other than outer clothing.
- 'Outer clothing' means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear but 'outer clothing' includes hats; shoes; boots; gloves and scarves.
- 'Possessions' means any goods over which the pupil has or appears to have control – this includes desks, lockers and bags.
- 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.

Also note:

- The power to search without consent enables a personal search, involving removal of outer clothing and searching of pockets; but not an intimate search going further than that, which only a person with more extensive powers (e.g. a police officer) can do.

Lockers and desks

- Under common law powers, schools are able to search lockers and desks for any item provided the pupil agrees. Schools can also make it a condition of having a locker or desk that the pupil consents to have these searched for any item whether or not the pupil is present.
- If a pupil does not consent to a search (or withdraws consent having signed a consent form) then it is possible to conduct a search without consent but only for the “prohibited items” listed above.

Use of force

- Members of staff can use such force as is reasonable given the circumstances when conducting a search for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm. Such force cannot be used to search for items banned under the school rules.

After the search

The power to seize and confiscate items – general

What the law allows:

- Schools’ general power to discipline, as set out in Section 91 of the Education and Inspections Act 2006, enables a member of staff to confiscate, retain or dispose of a pupil’s property as a disciplinary penalty, where reasonable to do so.
- The member of staff can use their discretion to confiscate, retain and/or destroy any item found as a result of a ‘with consent’ search so long as it is reasonable in the circumstances. Where any article is thought to be a weapon it must be passed to the police.
- Staff have a defence to any complaint or other action brought against them. 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.

Items found as a result of a ‘without consent’ search

What the law says:

- A person carrying out a search can seize anything they have reasonable grounds for suspecting is a prohibited item or is evidence in relation to an offence.
- Where a person conducting a search finds alcohol, they may retain or dispose of it. This means that schools can dispose of **alcohol** as they think appropriate but this should not include returning it to the pupil.

- Where they find **controlled drugs**, these must be delivered to the police as soon as possible but may be disposed of if the person thinks there is a good reason to do so.
- Where they find **other substances** which are not believed to be controlled drugs these can be confiscated where a teacher believes them to be harmful or detrimental to good order and discipline. This would include, for example, so called 'legal highs'. Where staff suspect a substance may be controlled they should treat them as controlled drugs as outlined above.
- Where they find **stolen items**, these must be delivered to the police as soon as reasonably practicable – but may be returned to the owner (or may be retained or disposed of if returning them to their owner is not practicable) if the person thinks that there is a good reason to do so.
- Where a member of staff finds **tobacco or cigarette papers** they may retain or dispose of them. As with alcohol, this means that schools can dispose of tobacco or cigarette papers as they think appropriate but this should not include returning them to the pupil.
- **Fireworks** found as a result of a search may be retained or disposed of but should not be returned to the pupil.
- If a member of staff finds a **pornographic image**, they may dispose of the image unless its possession constitutes a specified offence (i.e. it is extreme or child pornography) in which case it must be delivered to the police as soon as reasonably practicable. Images found on a mobile phone or other electronic device can be deleted unless it is necessary to pass them to the police.
- Where an **article that has been (or could be) used to commit an offence or to cause personal injury or damage to property** is found it may be delivered to the police or returned to the owner. It may also be retained or disposed of.
- Where a member of staff finds **an item which is banned under the school rules** they should take into account all relevant circumstances and use their professional judgement to decide whether to return it to its owner, retain it or dispose of it.
- Any **weapons or items which are evidence of an offence** must be passed to the police as soon as possible.

Statutory guidance on the disposal of controlled drugs and stolen items:

- It is up to teachers to decide whether there is a good reason not to deliver stolen items or controlled drugs to the police. In determining what is a “good reason” for not delivering controlled drugs or stolen items to the police the member of staff must have regard to the following guidance issued by the Secretary of State :
- **In determining what is a ‘good reason’ for not delivering controlled drugs or stolen items to the police, the member of staff should take into account all relevant circumstances and use their professional judgement to determine whether they can safely dispose of a seized article.**
- Where staff are unsure as to the legal status of a substance and have reason to believe it may be a controlled drug they should treat it as such.
- With regard to stolen items, it would not be reasonable or desirable to involve the police in dealing with low value items such as pencil cases. However, school staff may judge it appropriate to contact the police if the items are valuable (iPods/laptops) or illegal (alcohol/fireworks).

Statutory guidance for dealing with electronic devices

- Where the person conducting the search finds an electronic device they may examine any data or files on the device if they think there is a good reason to do so. Following an examination, if the person has decided to return the device to the owner, or to retain or dispose of it, they may erase any data or files, if they think there is a good reason to do so.
- The member of staff must have regard to the following guidance issued by the Secretary of State when determining what is a “good reason” for examining or erasing the contents of an electronic device:
- In determining a ‘good reason’ to examine or erase the data or files the staff member must reasonably suspect that the data or file on the device in question has been, or could be, used to cause harm, to disrupt teaching or break the school rules.

If inappropriate material is found on the device it is up to the teacher to decide whether they should delete that material, retain it as evidence (of a criminal offence or a breach of school discipline) or whether the material is of such seriousness that it requires the involvement of the police. Teachers should also take account of any additional guidance and procedures on the retention and disposal of items that have been put in place by the school.

Telling parents and dealing with complaints:

- Schools are not required to inform parents before a search takes place or to seek their consent to search their child.
- There is no legal requirement to make or keep a record of a search.
- Schools should inform the individual pupil’s parents or guardians where alcohol, illegal drugs or potentially harmful substances are found, though there is no legal requirement to do so.
- Complaints about screening or searching should be dealt with through the normal school complaints procedure.

Legislative links

- The Education Act 1996
- Education and Inspections Act 2006
- Education (Independent School Standards) (England) Regulations 2010
- The Schools (Specification and Disposal of Articles) Regulations 2012
- School Behaviour (Determination and Publicising of Measures in Academies) Regulations 2012
- Health and Safety at Work Act 1974

Certain serious incidents go beyond the Debit System and these, accordingly, should be reported back to the Head of Year, Deputy Head or Headmaster IMMEDIATELY.

