

# Fulford School

## Behaviour Policy - Managing Students Positively



<b>Last reviewed on:</b>	September 2025
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<b>Next review due by:</b>	September 2026
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<b>Responsible:</b>	Deputy Head Teacher, Pastoral
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POLICY SECTION	WHAT'S CHANGED?	WHY?	WHEN?
N/A	No Changes		Sept 25

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## 1. Introduction

Fulford School seeks to promote high standards of behaviour and safety and of educational achievement among all of its students. Fulford School has clear values in ensuring all its students have the best possible education through the positive ethos created. The Behaviour Policy promotes these values and promotes an environment that is conducive of learning and where all students can realise their potential and create the future.

Fulford School has structures in place for rewarding and sanctioning students. All of the processes revolve around the idea of Managing Students Positively.

The policy is based on following DfE documents:

- Exclusions for maintained schools, Academies and student referral units in England 2017;
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012;
- The Equality Act (2010)
- DfE and ACPO Drug Advice for Schools;
- Use of Reasonable Force in Schools;
- Behaviour and Discipline in Schools;
- Screening Searching and Confiscating;
- Ensuring Good Behaviour in Schools.

All of the above documents should be read in conjunction with this policy, as well as with other Fulford School policies:

- Child Protection and Safeguarding Policy
- Anti-Bullying Policy
- SEND Policy
- Inclusion Policy
- Drugs and Smoking Policy
- Exclusion Policy
- Attendance Policy
- Mobile Phone Policy

## 2. Aims

The aim of this policy is to ensure students have the opportunity to learn and develop into young people ready for life in modern Britain. We are committed to providing the best possible education for the students of Fulford and ensuring they have the opportunities needed for them to grow into impressive young adults.

Our core purpose is **'REALISING POTENTIAL – CREATING THE FUTURE'**.

This is underpinned by our **'HEART CORE VALUES'** of:

**HONESTY, EMPATHY, AMBITION, RESPECT and TOLERANCE**

### 3. Expectations

We view the setting of clear expectations and acceptable boundaries as crucial to the safety of students and staff, and personal and social development of students in our care and in the promotion of their welfare. These expectations will apply in addition to the normal school rules and expectations. In light of this, we expect:

- All members of our community to show respect and courtesy towards each other
- Parents encourage their child to show respect and to support the school's positive learning ethos
- Staff to consistently use the Managing Students Positively Policy and the appropriate behaviour strategies outlined in this to support student learning
- Students follow the instructions of members of staff first time, and without question
- All students and staff act in accordance with the agreed Code of Conduct and school rules

#### **The above expectations enable us:**

- To celebrate the skills, talents, and contributions of our students to the life of the school and wider community
- To create a positive learning environment, and allow effective learning for all
- To create an ethos of success and happiness
- To ensure consistency of approach from all staff
- To ensure the safety of students and staff

As staff, we are all accountable for the implementation and success of our agreed Behaviour Policy. Our actions affect each other. We all have the responsibility of maintaining good order in our school community. We implement this policy with due regard to individual student needs. This means no one should be treated unfairly because of

- appearance
- gender
- ability
- race
- beliefs
- accent
- or for any other reason

Fulford School aims to promote positive behaviours through use of careful monitoring, early intervention and the creative use of strategies to help students manage their own behaviour effectively.

Because of the need to treat each case of misbehaviour on the basis of its own particular circumstances, it is necessary that the Head Teacher should retain a wide measure of discretion when dealing with incidents. The Head Teacher will take due regard of both the law and educational guidelines when reaching his decisions and will ensure these are reasonable and proportionate.

The Managing Students Positively Policy is implemented daily by all staff. The policy celebrates the skills, talents, and contributions of our students to the life of the school through the system of positive comments and consistently applied sanctions. The document can be accessed by students, parents, teachers, support staff and governors. It is monitored throughout the year and reviewed monthly.

## 5. Roles and responsibilities

### 5.1 The local governing committee

The local governing committee is responsible for monitoring this behaviour policy's effectiveness and holding the headteacher to account for its implementation.

### 5.2 The headteacher

The headteacher is responsible for:

- Reviewing and approving this behaviour policy
- Ensuring that the school environment encourages positive behaviour
- Ensuring that staff deal effectively with poor behaviour
- Monitoring how staff implement this policy to ensure rewards and sanctions are applied consistently to all groups of students
- Ensuring that all staff understand the behavioural expectations and the importance of maintaining them
- Providing new staff with a clear induction into the school's behavioural culture to ensure they understand its rules and routines, and how best to support all students to participate fully
- Offering appropriate training in behaviour management, and the impact of special educational needs and disabilities (SEND) and mental health needs on behaviour, to any staff who require it, so they can fulfil their duties set out in this policy
- Ensuring this policy works alongside the safeguarding policy to offer students both sanctions and support when necessary
- Ensuring that the data from the behaviour log is reviewed regularly, to make sure that no groups of students are being disproportionately impacted by this policy (see section 13.1)

### 5.3 Staff

Staff are responsible for:

- Creating a calm and safe environment for students
- Establishing and maintaining clear boundaries of acceptable student behaviour
- Implementing the behaviour policy consistently
- Communicating the school's expectations, routines, values and standards through teaching behaviour and in every interaction with students
- Modelling expected behaviour and positive relationships
- Providing a personalised approach to the specific behavioural needs of particular students
- Considering the impact of their own behaviour on the school culture and how they can uphold school rules and expectations
- Recording behaviour incidents promptly (see appendix 3 for a behaviour log)
- Challenging students to meet the school's expectations

The senior leadership team (SLT) will support staff in responding to behaviour incidents.

#### **5.4 Parents and carers**

Parents and carers, where possible, should:

- Get to know the school's behaviour policy and reinforce it at home where appropriate
- Support their child in adhering to the school's behaviour policy
- Inform the school of any changes in circumstances that may affect their child's behaviour
- Discuss any behavioural concerns with the class teacher promptly
- Take part in any pastoral work following misbehaviour (for example, attending reviews of specific behaviour interventions)
- Raise any concerns about the management of behaviour with the school directly, while continuing to work in partnership with the school
- Take part in the life of the school and its culture

The school will endeavour to build a positive relationship with parents and carers by keeping them informed about developments in their child's behaviour and the school's policy, and working in collaboration with them to tackle behavioural issues.

#### **5.5 Students**

Students will be made aware of the following during their induction into the school:

- The expected standard of behaviour that they should be displaying at school
- That they have a duty to follow the behaviour policy
- The school's key rules and routines
- The rewards they can earn for meeting the behaviour standards, and the consequences they will face if they don't meet the standards
- The pastoral support that is available to them to help them meet the behaviour standards

Students will be supported to meet the behaviour standards and will be provided with repeated induction sessions wherever appropriate.

Students will be supported to develop an understanding of the school's behaviour policy and wider culture.

Students will be asked to give feedback on their experience of the behaviour culture to support the evaluation, improvement and implementation of the behaviour policy.

Extra support and induction will be provided for students who are mid-phase arrivals.

## **4. Learning Environment**

Students come to school to be able to be successful and learn effectively in their lessons. Students have the right to be taught in a well-ordered, healthy and clean environment. Positive behaviour is expected to enable effective teaching and learning to take place. Students should arrive to lesson ready to learn, with the proper equipment and with any homework completed.

## **5. ClassCharts – Rewards and Sanctions**

Fulford School prides itself on celebrating effort and achievement and recognising good behaviour. Outstanding progress which has been achieved through effort, hard work and resilience is rewarded regularly through our behaviour information software programme, ClassCharts. All students, parents and staff can access live information throughout the day. It is incredibly powerful, and ensures joint accountability and most importantly, that rewards can be recognised in an open and transparent way, allowing all to congratulate students for their hard work and efforts through awarding positives.

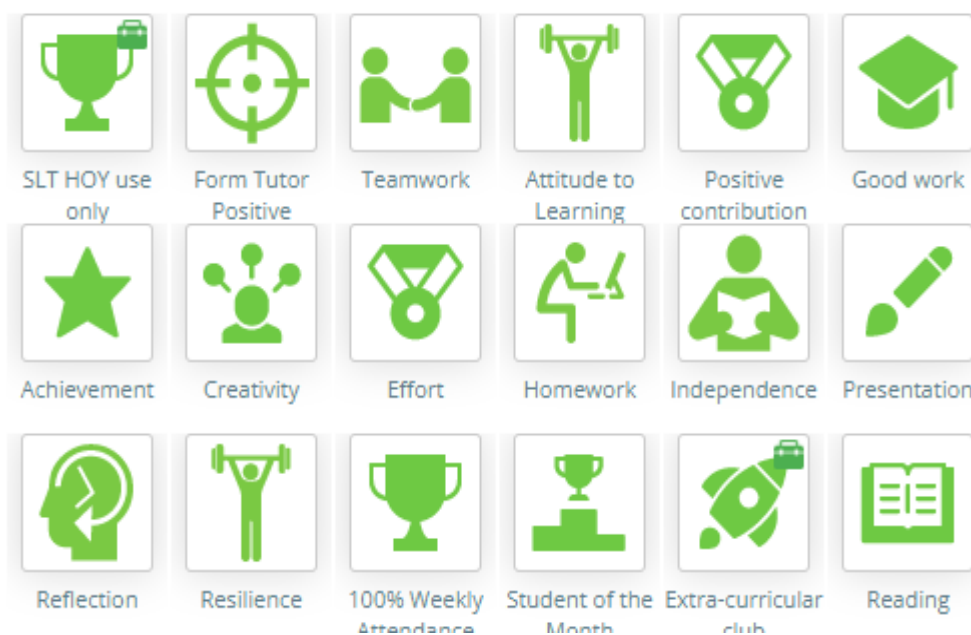
The flip side of the positive reinforcement is when students do not make the right choices and a negative may be recorded. We are very clear with staff that positives are much more powerful than negatives and seek to ensure that the balance of these remains over ten times more positives than negatives where at all possible. There are variations in this balance from student to student and there are many who only receive positives and never a negative, but as a school we strive to recognise where excellent effort or achievement have been shown.

## 6. Rewards

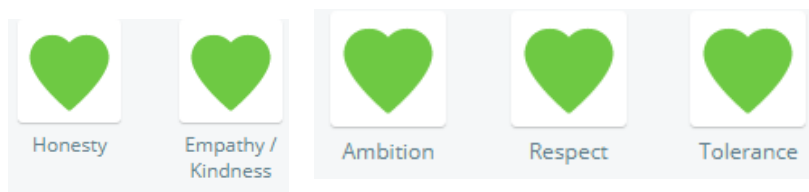
We recognise that students benefit from a reward system that reinforces their positive behaviour. We seek to enhance motivation and commitment to learning. This means that rewards matter. Verbal praise and encouragement is at the heart of the rewards system. The use of positive language is encouraged in everything we do, students deserve to be congratulated and spoken to in an encouraging way.

Positive comments are an important means of rewarding achievement, effort, participation and sustained improvement on an ongoing basis outside the formal end of year awards system. It is essential that the use of positives are a feature of every lesson and that they are used equitably across different Year Groups, ability sets, genders and that they are awarded evenly over the course of the academic year. Positives should be awarded regularly enough to encourage achievement, progress and participation yet sparingly enough to preserve their status and respect.

The positive comments available on Class Charts are:

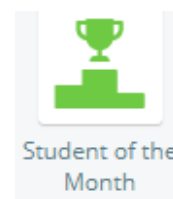


Students can also receive a positive comment for following the HEART core values.



A monthly student of the month competition is run with all year groups, and a positive can be added to Class charts to be included.

The use of positive comments should be based on the following guidelines:



- Award for particular effort/achievement in tests/work in class/homework.
- Award for excellent participation or contribution in the class, form group or in wider school activities.
- Award for sustained improvement over a period of time in a particular area.
- Only in very marked circumstances should positives be given to large groups or the entire class or should one student be able to gain several positives in a single lesson.
- Positives should **not** normally be given for behaviour which merely reflects the school and classroom code of conduct e.g. not shouting out or bringing the right equipment or ingredients. Students experiencing these difficulties will be supported through our pastoral structure.

Positive comments are followed up with certificates of recognition at key milestones. (100 Bronze Award, 200 Silver Award, 300 Gold Award, 400 Platinum Award, 500 Diamond Award)

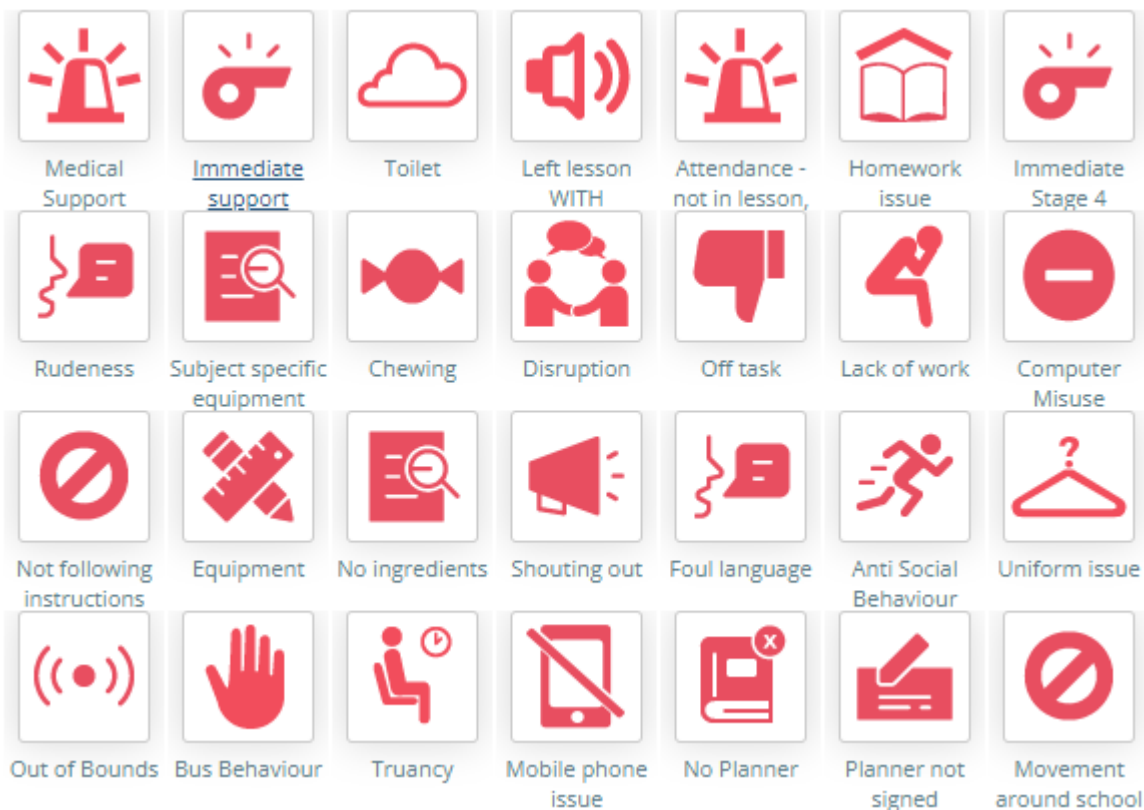
At Fulford School we recognise and celebrate students' successes through a weekly assemblies run by the Head of Year and Senior Leadership Team, and a rewards assembly for each year group on a half termly basis. The assemblies celebrate student's achievements in various categories including: sporting achievements, extracurricular involvement, high attendance record, achieving a high number of positives, as well as teacher nominated awards.

## 7. Sanctions

The school responds constructively to all negative behaviour. A number of systems are imposed as a means of ensuring the highest standards of behaviour are maintained at all times.

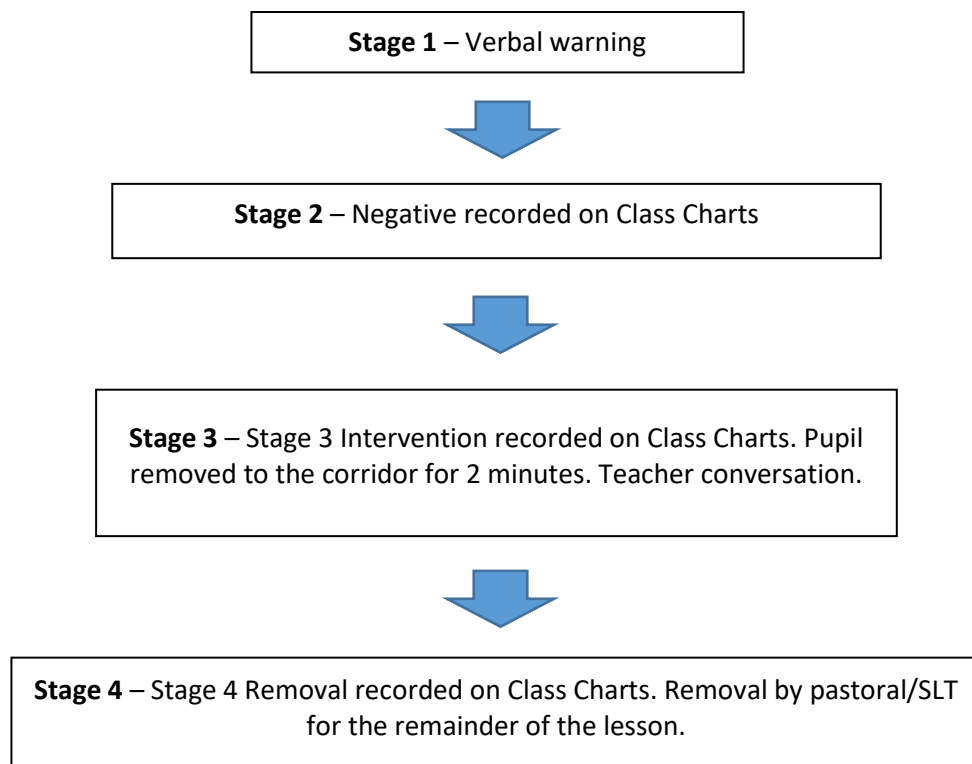
The school's behaviour systems are:

The Class Charts system allows staff to issue negative comments when behaviour is not in line with the core values of the school. It allows students, parents and other staff to see the full picture for each student, allowing sanctions and intervention to be provided effectively and efficiently. Negative comments can be given for:



The in-class sanction ladder. Most minor disruptions will cease due to teacher's skills. However, there will be occasions when a more formal response to disruptive behaviour is required and the sanction ladder will be used.

*At each stage please the student will be made aware they have moved to that level, and the misbehaviour they have shown.*



\*For stage 3 students and staff relate behaviour to the HEART Core Values and the Fulford Way. Students need to answer the questions to guide their behaviour to improve.

\* Following a stage 4 removal pastoral intervention takes place prior to returning to lessons.

\* If a student is removed due to Stage 4 on more than one occasion in a day further sanctions will be given.

\* For serious incidents Stage 4 can be used by staff without the need for any other stages.

An increasing number of negatives will result in sanctions being applied. These sanctions will be lunchtime detentions, after-school detentions and sessions in the reflection room.

The tariff for detentions is as follows:

- 3 negatives = Lunch Detention
- 6 negatives = After School Detention
- 9 negatives = Reflection

The following sanctions are also in place:

- No PE Kit = After School Detention
- Use of Mobile Phone = After School Detention (see Mobile Phone Policy for repeat usage)
- Truancy = After School Detention

The use of detentions operates as a sanction for misbehaviour. Parental consent is not required for detentions but in most cases, a courtesy of twenty-four-hour notice applies for after-school detentions.

Detention can also be issued for other behaviours at the discretion of the Head of Year & senior Leadership Team.

Lunchtime detentions will run for 20 minutes, allowing a further 25 minutes to eat, drink and use the toilet. Failure/refusal to attend a lunchtime detention will result in 40 minutes after-school detention from 3:20pm to 4:00pm. Failure/refusal to attend an after-school detention will result in the student spending the next available day in the reflection unit until 4:00pm.

When issuing detentions outside of school hours, the school will consider:

- Whether the detention is likely to put the student at risk.
- Whether the student is a young carer with identified responsibilities which would make detentions unreasonable.
- Whether suitable transport arrangements are in place between the parents/carers and the student. Reasonable adjustments with regard to the night the detention is served can be made with parents / carers where applicable.

Should the systems have no effect, and for serious incidents, the following stages will be used:

1. Serious incident form completed and referred to the Head of Year for intervention.
2. Intervention by the pastoral team or use of the reflection room.
3. First suspension – readmission meeting with the Head of Year that focuses on specific intervention to support reintegration.
4. Second suspension – readmission meeting with the Head of Year and the Assistant Head Teacher that focuses on specific intervention to support reintegration.
5. Third suspension – readmission meeting with the Head Teacher and the Assistant Headteacher

that focuses on specific intervention to support reintegration.

6. Fourth suspension – readmission meeting with Head Teacher, Assistant Teacher and Governor that focuses on specific targets to support reintegration.

At any stage in the process of managing behaviour of students who have been suspended or are at risk of further suspension Senior Leaders may initiate alternative strategies to try and prevent further negative behaviour impacting on the student, staff and all members of our school community, such strategies may be:

7. The Senior Leadership Team explores alternative provision with parental involvement.
8. Internal Alternative Provision within the Inclusion Centre – this will be for 1 day a week for a time limited period of time.
9. Off-site direction – when a governing board of a maintained school requires a student to attend another education setting temporarily, to improve their behaviour. All Fulford off-site directions are arranged with the City of York Council fair access protocols.
10. Managed move – when a student is transferred to another school on a permanent basis. All parties, including parents and the admission authority for the new school, should consent before a managed move occurs. All Fulford School managed moves are arranged in accordance with City of York council fair access protocols.
11. Permanent exclusion.

For one-off serious incidents, suspensions and representatives at readmission meetings may differ from the above stages in accordance with the seriousness of the incident.

Serious Incidents include, but not limited to:

- Escalating non-cooperation, including refusal to follow instructions.
- Persistent disruptive behaviour.
- Repeated breaches of the school rules,
- Assault on another student.
- Assault on an adult.
- Damage – property or the school premise.
- Fighting or instigating a fight.
- Theft.
- Verbal abuse towards another student.
- Verbal abuse – adult.
- Threatening behaviour.
- Truancy.
- Racist incident/comments.
- Prejudice incident/comments.
- Sexual Violence
- Sexual Harrassment
- Possession of any prohibited/banned items:
  - Knives or weapons
  - Alcohol
  - Illegal drugs
  - Stolen items
  - Tobacco and cigarette papers
  - E-cigarettes or vapes
  - Fireworks
  - Pornographic images

- Any article a staff member 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 student)

## 8. Suspension and Permanent Exclusion

Regrettably, the power to suspend students is essential in certain circumstances. Full details of suspension procedures are contained within the Exclusion Policy. Use of suspensions and exclusions will be subject to:

- Clear indications in any code of conduct laid down by the Head as to the class of offences suspension will normally be used for
- That the use of suspensions and exclusion will be reasonable and proportionate
- That the Head will devise strategies to minimise the use of suspension and exclusion (including, where appropriate, the use of alternate provision)
- That the support of the LA and the Behaviour and Attendance Partnership will be sought for students who are not making progress with their behaviour and whose school place is in jeopardy
- That the Head will proceed in accordance with the principles of natural justice in exercising the power to suspend or exclude

Suspension and exclusion will be used as a last resort at Fulford School and are at the Headteacher's discretion. The school will endeavor to use a range of alternative behaviour strategies to manage a student's behaviour prior to a suspension or Permanent exclusion.

## 9. External Alternative Provision and Direction Off-Site

Alternative Provision will be used to help students improve their motivation, self-confidence, attendance and engagement with education through the use of placements that meet their specific personal, social and academic needs. Any Alternative Provision that is used will:

- be included in the City of York Council's Alternative Provision Directory
- be suited to the student's capabilities and interests
- support good academic attainment, either through direct teaching or by developing skills that students need to overcome barriers to education that they are experiencing
- have clearly defined objectives
- be used over a defined period of time with regular review periods
- facilitate timely re-integration into full time mainstream education

Parents/ carers will be fully involved in decisions about their child accessing Alternative Provision and the review of this provision, however final decisions on what Alternative Provision students will access will rest with the school. Where a student has an EHCP the local authority will be informed of the decision to use Alternative Provision.

Whilst the school will always try to work in partnership with parents/ carers there may be times when parents/ carers do not agree that their child should access an Alternative Provision. On these occasions the Governing Body may use its power to direct students off site for their education (page 20 of Suspension guidance) [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including student movement - 2022](#). Where this is the case the school will ensure that all of the points detailed above are still met. Objectives and timeframes with appropriate monitoring will be set out at the time a direction is made.

Parents and Carers will be made aware of their right to request in writing that the Governing Body review the placement that their child has been directed to. When this happens the governing body will comply with this request as soon as is reasonably practicable, unless there has already been a review in the previous 10 weeks.

## 10. Safeguarding

The school recognises that changes in behaviour may be an indicator that a student is in need of help or protection.

We will consider whether a student's misbehaviour may be linked to them suffering, or being likely to suffer, significant harm.

Where this may be the case, we will follow our child protection and safeguarding policy, and consider whether pastoral support, an early help intervention or a referral to children's social care is appropriate.

Please refer to our [child protection and safeguarding policy](#) for more information

## 11. Special Educational Needs and Behavioural Problems

In managing behaviour difficulties of individual students the School should have regard to the Code of Practice for Children with SEN and will strive to ensure that failure to identify and meet the special learning needs of some students is not the cause of bad behaviour. Students identified as having special educational needs with regard to behaviour should be given support, and, where appropriate, provided with opportunities to improve through support from external agencies.

### 11.1 Recognising the impact of SEND on behaviour

The school recognises that students' behaviour may be impacted by a special educational need or disability (SEND).

When incidents of misbehaviour arise, we will consider them in relation to a student's SEND, although we recognise that not every incident of misbehaviour will be connected to their SEND. Decisions on whether a student's SEND had an impact on an incident of misbehaviour will be made on a case-by-case basis.

When dealing with misbehaviour from students with SEND, especially where their SEND affects their behaviour, the school will take its legal duties into account when making decisions about enforcing the behaviour policy. The legal duties include:

- Taking reasonable steps to avoid any substantial disadvantage to a disabled student being caused by the school's policies or practices ([Equality Act 2010](#))
- Using our best endeavours to meet the needs of students with SEND ([Children and Families Act 2014](#))
- If a student has an education, health and care (EHC) plan, the provisions set out in that plan must be secured and the school must co-operate with the local authority and other bodies

As part of meeting these duties, the school will anticipate, as far as possible, all likely triggers of misbehaviour, and put in place support to prevent these from occurring.

Any preventative measures will take into account the specific circumstances and requirements of the student concerned.

### **11.2 Adapting sanctions for students with SEND**

When considering a behavioural sanction for a student with SEND, the school will consider whether:

- The student was unable to understand the rule or instruction
- The student was unable to act differently at the time as a result of their SEND
- The student was likely to behave aggressively due to their particular SEND

If the answer to any of these is 'yes', the school will then assess whether it is appropriate to use a sanction and if so, whether any reasonable adjustments need to be made to the sanction.

### **11.3 Considering whether a student displaying challenging behaviour may have unidentified SEND**

The school's special educational needs co-ordinator (SENCO) may evaluate a student who exhibits challenging behaviour to determine whether they have any underlying needs that are not currently being met.

Where necessary, support and advice will also be sought from specialist teachers, an educational psychologist, medical practitioners and/or others, to identify or support specific needs.

When acute needs are identified in a student, we will liaise with external agencies and plan support programmes for that child. We will work with parents/carers to create the plan and review it on a regular basis.

### **11.4 Students with an education, health and care (EHC) plan**

The provisions set out in the EHC plan must be secured and the school will co-operate with the local authority and other bodies.

If the school has a concern about the behaviour of a student with an EHC plan, it will make contact with the local authority to discuss the matter. If appropriate, the school may request an emergency review of the EHC plan.

## **12. Student Conduct outside school**

The Head Teacher has a statutory power to discipline students for misbehaving outside of school premises. Section 89(5) of the Education and Inspections Act 2006 gives Head Teachers a specific statutory power to regulate students' behaviour in these circumstances "to such an extent as is reasonable." Fulford School's Behaviour Policy applies when the student is:

- Taking part in any school related activity
- Travelling to or from school
- Wearing school uniform
- In some other way is identifiable as a student of Fulford School

Or any misbehaviour at any time that:

- Could have repercussions for the orderly running of the school

- Poses a threat to another student or member of the public
- Could adversely affect the reputation of the school.

### 13. Online Misbehaviour

The school can issue behaviour sanctions to students for online misbehaviour when:

- It poses a threat or causes harm to another student
- It could have repercussions for the orderly running of the school
- It adversely affects the reputation of the school
- The student is identifiable as a member of the school

Sanctions will only be given out on school premises or elsewhere when the student is under the lawful control of a staff member.

### 14. Bullying

**Bullying** is defined as the repetitive, intentional harming of 1 person or group by another person or group, where the relationship involves an imbalance of power.

Bullying is, therefore:

- Deliberately hurtful
- Repeated, often over a period of time
- Difficult to defend against

Bullying can include:

TYPE OF BULLYING	DEFINITION
Emotional	Being unfriendly, excluding, tormenting
Physical	Hitting, kicking, pushing, taking another’s belongings, any use of violence
Prejudice-based and discriminatory, including: <ul style="list-style-type: none"> <li>• Racial</li> <li>• Faith-based</li> <li>• Gendered (sexist)</li> <li>• Homophobic/biphobic</li> <li>• Transphobic</li> <li>• Disability-based</li> </ul>	Taunts, gestures, graffiti or physical abuse focused on a particular characteristic (e.g. gender, race, sexuality)
Sexual	Explicit sexual remarks, display of sexual material, sexual gestures, unwanted physical attention, comments about sexual reputation or performance, or inappropriate touching
Direct or indirect verbal	Name-calling, sarcasm, spreading rumours, teasing
Cyber-bullying	Bullying that takes place online, such as through social networking sites, messaging apps, gaming sites, devices or via images, audio, video, or written content generated by artificial intelligence (AI)

- Please see the [Fulford School Bullying & Discrimination Policy](#)

## 15. Harmful Sexual Behaviour

The school prohibits all forms of sexual discrimination including harmful sexual behaviour, gender-based bullying and sexual violence. Types of conduct that are prohibited in the school and may constitute sexual harassment under this policy include, but are not limited to, the following:

- Unwelcome sexual flirtations or propositions, invitations or requests for sexual activity
- Sexual comments, such as making lewd comments or sexual remarks about clothing and appearance, and calling someone sexualised names
- Sexual “jokes” or taunting, threats, verbal abuse, derogatory comments or sexually degrading descriptions
- Unwelcome communication that is sexually suggestive, degrading or implies sexual intentions, including written, verbal, online, etc.
- Physical behaviour, such as deliberately brushing against, grabbing, massaging or stroking an individual’s body
- Taking, displaying, or pressuring individuals into taking photos of a sexual nature
- Exposing, or causing exposure of, underclothing, genitalia, or other body parts that are normally covered by an individual, through means including, but not limited to, mooning, streaking, “up skirting”, “down blousing”, or flashing
- Purposefully cornering or hindering an individual’s normal movements
- Online sexual harassment. It may include: consensual and non-consensual sharing of nude and semi-nude images and/or videos; sharing of explicit content; up skirting (which is a criminal offence); sexualised online bullying; unwanted sexual comments and message including, on social media; sexual exploitation; coercion and threats.

The school will respond robustly, promptly and appropriately to any harmful sexual behaviour complaints in line with the Child Protection and Safeguarding Policy; appropriate steps will be taken to stop the harassment and prevent any reoccurrence. Discipline for incidents of harmful sexual behaviour will be determined based on the nature of the case, the ages of those involved and any previous related incidents.

## 16. Suspected criminal behaviour

If a student is suspected of criminal behaviour, the school will make an initial assessment of whether to report the incident to the police.

When establishing the facts, the school will endeavour to preserve any relevant evidence to hand over to the police.

If a decision is made to report the matter to the police, the headteacher / member of the senior leadership team / pastoral lead will make the report.

The school will not interfere with any police action taken. However, the school may continue to follow its own investigation procedure and enforce sanctions, as long as it does not conflict with police action.

If a report to the police is made, the designated safeguarding lead (DSL) will make a tandem report to children’s social care, if appropriate.

## 17. Zero-tolerance approach to sexual harassment and sexual violence

The school will ensure that all incidents of sexual harassment and/or violence are met with a suitable response, and never ignored.

Students are encouraged to report anything that makes them uncomfortable, no matter how 'small' they feel it might be.

The school's response will be:

- Proportionate
- Considered
- Supportive
- Decided on a case-by-case basis

The school has procedures in place to respond to any allegations or concerns regarding a child's safety or wellbeing. These include clear processes for:

- Responding to a report
- Carrying out risk assessments, where appropriate, to help determine whether to:
  - Manage the incident internally
  - Refer to early help
  - Refer to children's social care
  - Report to the police

Please refer to our [child protection and safeguarding policy](#) for more information.

## 18. Malicious allegations

Where a student makes an allegation against a member of staff and that allegation is shown to have been deliberately invented or malicious, the school will consider whether to discipline the student in accordance with this policy.

Where a student makes an allegation of sexual violence or sexual harassment against another student and that allegation is shown to have been deliberately invented or malicious, the school will consider whether to discipline the student in accordance with this policy.

In all cases where an allegation is determined to be unsubstantiated, unfounded, false or malicious, the school (in collaboration with the local authority designated officer (LADO), where relevant) will consider whether the student who made the allegation is in need of help, or the allegation may have been a cry for help. If so, a referral to children's social care may be appropriate.

The school will also consider the pastoral needs of staff and students accused of misconduct.

Please refer to our [child protection and safeguarding](#) for more information on responding to allegations of abuse against staff or other students.

## 19. Positive Handling- The Use of Reasonable Force

Staff have the power to use reasonable force to prevent students committing an offence, injuring themselves or others, or damaging property and to maintain good order and discipline in the classroom. Fulford School has identified staff who have received training in Team Teach methods that encourage

de-escalation of challenging behaviours. Members of the Senior Leadership team can be called on, where possible, to provide positive handling for any student or to advise on alternative next steps.

Incidents of reasonable force must:

- Always be used as a last resort
- Be applied using the minimum amount of force and for the minimum amount of time possible
- Be used in a way that maintains the safety and dignity of all concerned
- Never be used as a form of punishment
- Be recorded and reported to parents/carers

When considering using reasonable force, staff should, in considering the risks, carefully recognise any specific vulnerabilities of the student, including SEND, mental health needs or medical conditions.

## 20. Searching and Confiscation Protocols

Fulford School fully recognises the responsibility it has under section 157 of the Education Act 2002 to have arrangements in place to safeguard and promote the welfare of student. These protocols have been written using advice taken from Education and Inspections Act 2006, and [Searching, Screening and Confiscation: Advice for Schools DfE 2022](#). Please see Appendix 1 for the full protocols for search and confiscation.

## 21. Monitoring and reviewing

The policy will be under constant monitoring with an evaluation of its effectiveness undertaken by the Senior Leadership team of the school.

## 22. Conclusion: remember what we are trying to achieve

If these practices are employed consistently across the school then everyone should truly be able to fully enjoy the learning experiences available at Fulford School and have the chance to 'realise their potential and create the future'.

## 23. Appendices

1. Searching and Confiscation Protocols
2. Stage 3 Intervention Sheet

## APPENDIX 1 - Searching and Confiscation Protocols

Searching, screening and confiscation is conducted in line with the DfE's [latest guidance on searching, screening and confiscation](#).

### Confiscation

Any prohibited items (listed in section 7) found in a student's possession as a result of a search will be confiscated. These items will not be returned to the student.

We will also confiscate any item that is harmful or detrimental to school discipline. These items may be returned to students after discussion with senior leaders and parents/carers, if appropriate.

## Establishing grounds for a search

- Staff can only undertake a search without consent if they have reasonable grounds for suspecting that a student may have in his or her possession a prohibited item. The identified member of staff must decide in each particular case what constitutes reasonable grounds for suspicion. For example, they may have heard other students talking about the item or they might notice a student behaving in a way that causes them to be suspicious. The Head Teacher or Deputy Head Teacher must be consulted before any search performed without consent.
- In the exceptional circumstances when it is necessary to conduct a search of a student of the opposite sex or in the absence of a witness, the member of staff conducting the search should bear in mind that a student's expectation of privacy increases as they get older.
- The powers allow school staff to search regardless of whether the student is found after the search, to have that item. This includes circumstances where staff suspect a student of having items such as illegal drugs or stolen property which are later found not to be illegal or stolen.
- Authorised school staff can view CCTV footage in order to make a decision as to whether to conduct a search for an item.
- Searches without consent can only be carried out on the school premises or, if elsewhere, where the member of staff has lawful control or charge of the student, for example on school trips or in training settings.

## Searching a student

Searches will only be carried out by a member of staff who has been authorised to do so by the headteacher, or by the headteacher themselves.

Subject to the exception below, the authorised member of staff carrying out the search will be of the same sex as the student, and there will be another member of staff present as a witness to the search.

An authorised member of staff of a different sex to the student can carry out a search without another member of staff as a witness if:

- The authorised member of staff carrying out the search reasonably believes there is risk that serious harm will be caused to a person if the search is not carried out as a matter of urgency; **and**
- In the time available, it is not reasonably practicable for the search to be carried out by a member of staff who is the same sex as the student; **or**
- It is not reasonably practicable for the search to be carried out in the presence of another member of staff

When an authorised member of staff conducts a search without a witness, they should immediately report this to another member of staff, and make sure a written record of the search is kept.

If the authorised member of staff considers a search to be necessary, but not required urgently, they will seek the advice of the headteacher, designated safeguarding lead (or deputy) or pastoral member of staff who may have more information about the student. During this time the student will be supervised and kept away from other students.

A search can be carried out if the authorised member of staff has reasonable grounds for suspecting that the student is in possession of a prohibited item or any item identified in the school rules for which a search can be made, or if the student has agreed.

An appropriate location for the search will be found. Where possible, this will be away from other students. The search will only take place on the school premises or where the member of staff has lawful control or charge of the student, for example on a school trip.

Before carrying out a search the authorised member of staff will:

- Assess whether there is an urgent need for a search
- Assess whether not doing the search would put other students or staff at risk
- Consider whether the search would pose a safeguarding risk to the student
- Explain to the student why they are being searched
- Explain to the student what a search entails – e.g. “I will ask you to turn out your pockets and remove your scarf”
- Explain how and where the search will be carried out
- Give the student the opportunity to ask questions
- Seek the student’s co-operation

If the student refuses to agree to a search, the member of staff can give an appropriate behaviour sanction.

If they still refuse to co-operate, the member of staff will contact the Deputy/Assistant Headteacher (Pastoral) / designated safeguarding lead (or deputy) /other member of SLT to try to determine why the student is refusing to comply.

The authorised member of staff will then decide whether to use reasonable force to search the student. This decision will be made on a case-by-case basis, taking into consideration whether conducting the search will prevent the student harming themselves or others, damaging property or causing disorder.

The authorised member of staff can use reasonable force to search for any prohibited items identified in section 3, but not to search for items that are only identified in the school rules.

The authorised member of staff may use a metal detector to assist with the search.

An authorised member of staff may search a student’s outer clothing, pockets, possessions, desk or locker.

‘Outer clothing’ includes:

- Any item of clothing that isn't worn wholly next to the skin or immediately over underwear (e.g. a jumper or jacket being worn over a t-shirt)
- Hats, scarves, gloves, shoes or boots

### **Searching students’ possessions**

Possessions means any items that the student has or appears to have control of, including:

- Desks
- Lockers
- Bags

A student’s possessions can be searched for any item if the student agrees to the search. If the student does not agree to the search, staff can still carry out a search for prohibited items (listed in section 7) and items identified in the school rules.

An authorised member of staff can search a student's possessions when the student and another member of staff are present.

If there is a serious risk of harm if the search is not conducted immediately, or it is not reasonably practicable to summon another member of staff, the search can be carried out by a single authorised member of staff.

### **Informing the designated safeguarding lead (DSL)**

The staff member who carried out the search should inform the DSL without delay:

- Of any incidents where the member of staff had reasonable grounds to suspect a student was in possession of a prohibited item as listed in section 7
- If they believe that a search has revealed a safeguarding risk

All searches for prohibited items (listed in section 7), including incidents where no items were found, will be recorded in the school's safeguarding system.

### **Informing parents/carers**

Parents/carers will always be informed of any search for a prohibited item (listed in section 7). A member of staff will tell the parents/carers as soon as is reasonably practicable:

- What happened
- What was found, if anything
- What has been confiscated, if anything
- What action the school has taken, including any sanctions that have been applied to their child

### **Support after a search**

Irrespective of whether any items are found as the result of any search, the school will consider whether the student may be suffering or likely to suffer harm and whether any specific support is needed (due to the reasons for the search, the search itself, or the outcome of the search).

If this is the case, staff will follow the school's safeguarding policy and speak to the designated safeguarding lead (DSL). The DSL will consider whether pastoral support, an early help intervention or a referral to children's social care is appropriate.

### **Strip searches**

The authorised member of staff's power to search outlined above does not enable them to conduct a strip search (removing more than the outer clothing) and strip searches on school premises shall only be carried out by police officers in accordance with the Police and Criminal Evidence Act 1984 (PACE) Code C.

Before calling the police into school, staff will assess and balance the risk of a potential strip search on the student's mental and physical wellbeing and the risk of not recovering the suspected item.

Staff will consider whether introducing the potential for a strip search through police involvement is absolutely necessary, and will always ensure that other appropriate, less invasive approaches have been exhausted first.

Once the police are on school premises, the decision on whether to conduct a strip search lies solely with them. The school will advocate for the safety and wellbeing of the student(s) involved. Staff retain a duty of care to the student involved and should advocate for student wellbeing at all times.

### **Communication and record-keeping**

Where reasonably possible and unless there is an immediate risk of harm, before the strip search takes place, staff will contact at least 1 of the student's parents/carers to inform them that the police are going to strip search the student, and ask them whether they would like to come into school to act as the student's appropriate adult. If the school can't get in touch with the parents/carers, or they aren't able to come into

school to act as the appropriate adult, a member of staff can act as the appropriate adult (see below for information about the role of the appropriate adult).

The student's parents/carers will always be informed by a staff member once a strip search has taken place. The school will keep records of strip searches that have been conducted on school premises, and monitor them for any trends that emerge.

### **Who will be present**

For any strip search that involves exposure of intimate body parts, there will be at least 2 people present other than the student, except in urgent cases where there is risk of serious harm to the student or others.

One of these must be the appropriate adult, except if:

- The student explicitly states in the presence of an appropriate adult that they do not want an appropriate adult to be present during the search, **and**
- The appropriate adult agrees

If this is the case, a record will be made of the student's decision and it will be signed by the appropriate adult.

No more than 2 people other than the student and appropriate adult will be present, except in the most exceptional circumstances.

The appropriate adult will:

- Act to safeguard the rights, entitlements and welfare of the student
- Not be a police officer or otherwise associated with the police
- Not be the headteacher
- Be of the same sex as the student, unless the student specifically requests an adult who is not of the same sex

Except for an appropriate adult of a different sex if the student specifically requests it, no one of a different sex will be permitted to be present and the search will not be carried out anywhere where the student could be seen by anyone else.

### **Care after a strip search**

After any strip search, the student will be given appropriate support, irrespective of whether any suspected item is found. The student will also be given the opportunity to express their views about the strip search and the events surrounding it.

As with other searches, the school will consider whether the student may be suffering or likely to suffer harm and whether any further specific support is needed (due to the reasons for the search, the search itself, or the outcome of the search).

Staff will follow the school's safeguarding policy and speak to the designated safeguarding lead (DSL). The DSL will consider whether, in addition to pastoral support, an early help intervention or a referral to children's social care is appropriate.

Any student(s) who have been strip searched more than once and/or groups of students who may be more likely to be subject to strip searching will be given particular consideration, and staff will consider any preventative approaches that can be taken.

### **Dealing with Electronic Devices**

- Where an identified member of staff conducting the search find 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. Any deletion is completed by the Head Teacher or Deputy Head Teacher

- The Head Teacher or Deputy Head Teacher 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 to go against the expectation in the school’s Behaviour Policy.
- If inappropriate material is found on the device it is up to the Head Teacher or Deputy Head 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.

## APPENDIX 2 – Stage 3 Intervention Sheet

To support the teacher conversation for stage 3 intervention it will be guided by the HEART core values.

# Following the Fulford Way



You need to be in lessons **learning** and **achieving**. If you are not:

1. **What** happened?
2. **Why** did it happen?
3. How has this affected **you**?
4. How has this affected **others**?
5. How can **we** put it right?
6. Does it follow the **HEART** core values

Honesty Empathy Ambition Respect Tolerance