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# THE LATYMER SCHOOL

Founded 1624

## BEHAVIOUR POLICY

**The Behaviour Policy Includes The 'Exclusion Policy and Governor's  
Behaviour Written Statement'**

### STATUTORY

Policy presented to Governing Body	Pupils and Personnel July 2024 Full Governing Body Meeting July 2024
Policy circulated	July 2024
Review policy	July 2025

## Introduction: Behaviour for Learning

*At The Latymer School, we strongly believe in maintaining a positive learning environment in which every student makes the most of their education. Our mission is to develop lively, inquiring minds and to aid young people to reach their full potential. At the Latymer School, we aim to continue our tradition of academic excellence and aspire to send all young people into the increasingly interconnected world with the relevant knowledge and wide range of skills necessary to succeed. The purpose of this policy is to support the school's mission: to provide students with a first class, liberal education, and to produce young people who are confident in their abilities, and considerate in their attitude. We welcome and actively seek the support of parents/carers in educating students to conduct themselves in a manner that they can be proud of, as we believe that good discipline is essential to learning.*

*We have carefully considered and analysed the impact of the following behaviour policy and procedures on equality and the possible implications for students with protected characteristics, as part of our commitment to meet the Public Sector Equality Duty (PSED) requirement to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations.*

### 1. The Behaviour Curriculum

**The Behaviour Curriculum aims to develop a student's:**

- Responsibility (for learning and their own actions)
- Emotional resilience and positive mental health
- Confidence and self-esteem
- Understanding of the importance of healthy relationships
- Understanding of what unacceptable behaviour is (including bullying and discrimination)
- Understanding of how to stay safe

Our behaviour system is based on the need for good choices to be made by students within the school environment and in the wider community. Students are expected to:

- **Be Respectful:** Use appropriate language, engage in appropriate interactions with others and be considerate of the learning and emotions of other members of the community
- **Be Responsible:** Direct and take control of their learning and their relationships with others
- **Be Safe:** In the choices that they make, both for themselves and those which impact on other members of the community (make healthy choices)

**This can be demonstrated by students:**

- Behaving in an orderly and self-disciplined way
- Always showing respect and consideration towards all members of the school community
- Developing positive relationships with all members of the school community
- Avoiding the use of discriminatory language (prejudicial and derogatory words)
- Demonstrating positive learning habits in lessons which enable all students in the class to learn
- Moving quietly around the school
- Treating the school buildings and school property with respect

- Wearing the correct uniform at all times
- Accepting sanctions when given
- Refraining from behaving in a way that brings the school into disrepute, including when outside school
- Respecting the feelings and rights of others both on and offline, in and out of school. This includes not producing, participating in, or passing on explicit, offensive, harmful or hurtful videos/content and/or posts/messages on social media of students and staff
- Developing resilience and strategies to prevent, manage and respond to risk online
- Taking responsibility for keeping themselves and others safe online

Where appropriate and reasonable, adjustments may be made to routines within the curriculum to ensure all students can meet behavioural expectations in the curriculum.

## 2. Legislation and Statutory Requirements

This policy is based on legislation and advice from the Department for Education (DfE) on:

- Behaviour and discipline in schools: advice for headteachers and school staff, 2016
- Behaviour in schools: advice for headteachers and school staff 2022
- Searching, screening and confiscation at school 2018
- Searching, screening and confiscation: advice for schools 2022
- The Equality Act 2010
- Keeping Children Safe in Education
- Exclusion from maintained schools, academies and student referral units in England 2017
- Suspension and permanent exclusion from maintained schools, academies and student referral units in England, including student movement - 2022
- Use of reasonable force in schools
- Supporting students with medical conditions at school
- Special Educational Needs and Disability (SEND) Code of Practice.

In addition, this policy is based on:

- Section 175 of the [Education Act 2002](#), which outlines a school's duty to safeguard and promote the welfare of its students
- Sections 88 to 94 of the [Education and Inspections Act 2006](#), which requires schools to regulate students' behaviour and publish a behaviour policy and written statement of behaviour principles, and give schools the authority to confiscate students' property
- [DfE guidance](#) explaining that maintained schools must publish their behaviour policy online

### Promoting good behaviour and discipline

#### The Legal Framework

We are guided by our statutory powers set out in the Education and Inspections Act 2006. In applying the policy and particularly the sanctions of detention there is an expectation that staff adopt an approach that is both reasonable and appropriate to the circumstances.

## **What the law allows:**

Teachers can sanction students whose conduct falls below the standard which could reasonably be expected of them. This means that if a student misbehaves, breaks a rule or fails to follow a reasonable instruction, the teacher can apply a sanction on that student.<sup>1</sup>

Staff can issue sanctions any time students are in school or elsewhere under the charge of a member of staff, including on school visits. This also applies in certain circumstances when a student's misbehaviour occurs outside of school.

## **A sanction will be lawful if it satisfies the following three conditions:**

- a) The decision to sanction a student is made by a paid member of school staff (but not one who the headteacher has decided should not do so) or an unpaid member of staff authorised by the headteacher
- b) The decision to sanction the student and the sanction itself are made on the school premises or while the student is under the lawful charge of the member of staff; and
- c) It does not breach any other legislation (for example in respect of equality, special educational needs and human rights) and it is reasonable in all the circumstances.<sup>2</sup>

In considering whether a sanction is reasonable in all circumstances, one must consider whether it is proportionate in the circumstances of the case and consider any special circumstances relevant to its imposition including the student's age, any special educational needs or disability they may have, and any religious requirements affecting them.<sup>3</sup>

The headteacher may limit the power to apply particular sanctions, or to sanction particular students or types of students, to certain staff and/or extend the power to discipline to adult volunteers, for example to parents who have volunteered to help on a school trip.

## **3. Roles and Responsibilities**

### **Roles and responsibilities of the school, students, and parents in ensuring an orderly climate for learning:**

We aim to encourage appropriate and positive behaviour by the acceptance of all adults, students and parents involved in the school of a common responsibility for maintaining good discipline and promoting and implementing the school's 'Code of Conduct'<sup>4</sup> and 'Home School Agreement'<sup>5</sup>. The Code of Conduct is the guiding document for establishing good behaviour in the school. The Home School Agreement is the basis for the establishment of a three-way partnership between student, parent and school. All students starting in Year 7 (and at any other time) and their parents will be asked to read and sign the Home School

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<sup>1</sup> Section 91(3) of the Education and Inspections Act 2006.

<sup>2</sup> Section 91 of the Education and Inspections Act 2006.

<sup>3</sup> Section 91(6)(b) of the Education and Inspections Act 2006.

<sup>4</sup> Appendix 6: The Latymer Code of Conduct

<sup>5</sup> Appendix 7: Home School Agreement

Agreement. All students will be reminded of this agreement at the start of each year together with the Student Acceptable Use Agreement<sup>6</sup>.

### **The Governing Body:**

The governing body is responsible for reviewing this behaviour policy in conjunction with the headteacher. They will monitor the policy's effectiveness, holding the headteacher to account for its implementation.

The governing body is also responsible for reviewing and approving the written statement of behaviour principles.

### **The Headteacher:**

The headteacher is responsible for reviewing this behaviour policy in conjunction with the Governing Body, giving due consideration to the school's statement of behaviour principles. The Headteacher will also approve this policy.

The Headteacher will ensure that the school environment encourages positive behaviour and that staff deal effectively with poor behaviour.

### **The Senior Leadership Team (SLT)**

- Monitoring that the policy (rewards and sanctions) is implemented by staff consistently with 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

### **The Latymer school 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

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<sup>6</sup> Appendix 8: Student Acceptable Use Agreement

- Considering their own behaviour on the school culture and how they can uphold school rules and expectations
- Recording behaviour incidents promptly
- Challenging students to meet the school's expectations
- The Senior Leadership Team (SLT) will support staff in responding to behaviour incidents.

### **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, whilst 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.

### **Students:**

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

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

Students will be supported to meet the behaviour standards and will be provided with repeated induction sessions wherever appropriate. At the Latymer school, we aim to support students in developing 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.

## 4. Rewarding Positive Behaviour

At The Latymer School, we believe that a comprehensive system of recognition and reward of positive behaviour, effort and contribution to school life is a pre-requisite for achieving outstanding behaviour. Similarly, students who consistently demonstrate the ability to apply the aims of the school<sup>1</sup> should receive positive referrals which would contribute to a more significant reward. There is currently a wide range of rewards that include the following:

- Verbal praise
- Written praise on work
- Notes in planners
- Positive referrals via Edulink
- Merits
- Subject or Year Postcards sent home from individual teachers/Heads of Learning
- Telephone and letters home to parents and carers
- Special responsibilities/privileges
- Invite to special events/trips Head of Year Awards
- Jack Petchey Award
- Head teacher's Commendations
- Acknowledgement at Year Celebration Assemblies (certificates and awards)
- Whole School Awards Assembly (once a term)
- Annual School Awards Evening

## 5. Behaviour for learning

At the Latymer School, we believe that every student has the right to learn and no student has the right to prevent others from learning. All staff, parents and students have a role to play maintaining excellent behaviour.

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<sup>1</sup> Appendix 1: Aims and Goals of the Latymer School

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### Behaviour categories and responsibility

We categorise behaviour incidents in four ways:

1. Behaviour in the classroom
2. Social behaviour
3. Trends of misbehaviour
4. Serious misbehaviour

### Responsibility:

Behaviour in the classroom	Subject teacher, Head of Department
Social behaviour	All staff
Trends of misbehaviour across subjects	Head of Learning, Head of Department
Serious misbehaviour	Head of Learning, Head of Department, SLT

### Behaviour in the classroom

Everyone has the right to learn but no one has the right to stop others from learning. If a student is disrupting the learning of others, then their behaviour should be addressed by the member of staff.

Misbehaviour in the classroom is categorised into three levels:

- Level 1: Low level disruption
  - Late arrival to lesson
  - Failure to bring equipment
  - Minimal effort in class
  - Talking/distracting others
  - Chewing gum
  - Eating in class
  - Incomplete or no homework (see above – go straight to consequence 2/3 depending on length of homework)
- Level 2: Persistent disruption
- Level 3: Failure to respond to level 1 and 2

Class teachers are encouraged to respond to behaviour incidents as they happen by using our consequence ladder<sup>7</sup>:

Behaviour incidents	Examples of sanctions
Level 1	<ul style="list-style-type: none"> <li>• Warning and Edulink referral</li> <li>• Breaktime detention</li> <li>• Lunchtime detention</li> </ul>

<sup>7</sup> Appendix 17: The Latymer School Consequence Ladder



Level 2	<ul style="list-style-type: none"> <li>• Removal from lesson</li> <li>• Subject report (1 week)</li> <li>• After school detention (30 minutes)</li> </ul>
Level 3	<ul style="list-style-type: none"> <li>• Meeting with parent</li> <li>• Subject report (2 weeks)</li> <li>• After school detention (45 minutes)</li> </ul>

Class teachers will ensure that their classroom is a positive learning environment that has clear routines and expectations. Teachers are encouraged to:

- Use the consequence ladder when dealing with any challenging behaviour (Appendix 4)
- Deal with an issue as it occurs.
- Take account of individual needs, age, understanding and circumstance.
- Log the incident on Edulink One if appropriate, ensuring that the student is aware of the action and why it is being recorded.
- Make clear they are sanctioning behaviour, rather than making a judgement about the person.
- Avoid early escalation to severe sanctions, reserving these for the most serious or persistent misbehaviour.
- Avoid whole group sanctions that punish the innocent as well as the guilty.
- Never issue a sanction that is purposefully humiliating or degrading.
- Use sanctions in a calm and controlled manner.

## Social Behaviour

Social behaviour applies to:

- Behaviour before school
- Behaviour between lessons
- Behaviour during morning break and during lunchtime
- Behaviour after school
- Behaviour on the way to school and on the way home from school

Poor behaviour during any of these times will be challenged and an appropriate sanction will be issued in line with our consequence ladder. We believe that all staff have a responsibility to ensure that our school's behaviour policy is consistently applied.

Any of the following sanctions may be used in school as appropriate for misbehaviour outside the classroom (this list is not exhaustive):

- Research/essay or equivalent to address misconceptions/reflect
- Imposition of a task
- Community Service to the school
- Loss of privileges
- Withhold participation in School Trips (SLT)
- Mobile Phone: confiscation and Mobile Phone detention (30 or 60 minutes after school)
- Uniform detention (30 or 60 minute after school)
- Lanyard & ID Card detention (30 or 60 minute after school)
- SLT supervision

Students on their way to school or on their way home from school, as well as during school trips, are ambassadors of the school. We believe that students are always representing the school and are always therefore responsible for the reputation of the school.

### **Trends of misbehaviour across subjects**

Students who are not adhering to our expectations across subjects, once they have been challenged by their class teacher and Head of Department, will be challenged Head of Learning. In order to maintain excellent behaviour, Heads of Learning will work closely with the Assistant Headteacher (Behaviour) to sanction the student in a manner that takes the following into account:

- Individual needs of a student
- Age
- Previous incidents
- Student's attitude
- Circumstance

Any of the following may be used as appropriate by Heads of Learning for trends of misbehaviour across subjects (this list is not exhaustive):

- Target setting
- Subject report
- Head of Learning report
- Head of Learning detention
- Meeting with parents
- Removal from lesson for one week
- Withhold participation from school trips

### **Serious misbehaviour**

At the Latymer School, we have very high expectations of behaviour for learning, and serious misbehaviour will be dealt with appropriately by the students' Head of Learning and members of SLT. Serious misbehaviour is defined as the below (the list is not exhaustive):

- Repeated breaches of the school rules
- Any form of bullying
- Sexual violence or assault (intentional sexual touching without consent)
- Sexual harassment, meaning unwanted conduct of a sexual nature, such as:
  - Sexual comments
  - Sexual jokes or taunting
  - Physical behaviour like interfering with clothes
  - Online sexual harassment
- Vandalism
- Theft
- Fighting

- Smoking
- Racist, sexist, homophobic or discriminatory behaviour
- Possession of any prohibited items. These are:
  - Knives or weapons
  - Alcohol
  - Illegal drugs
  - Stolen items
  - Tobacco and cigarette papers
  - E-cigarettes
  - Products containing nicotine
  - 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)

Any of the following sanctions may be used in school as appropriate for serious behaviour breaches (this list is not exhaustive):

- Research/essay or equivalent to address misconceptions/reflect
- Imposition of a task
- Assistant Headteacher Report and Monitoring
- Withhold participation in School Trips (SLT)
- Internal Supervision
- Suspension
- Permanent Exclusion

## **Sanctions of repeated misbehaviour and serious breaches of conduct**

Sanctions are essential for students who consistently behave inappropriately and choose not to follow the school's expectations. We believe that it is our responsibility to both sanction and support those students so that they can make better choices in the future. As such, Latymer staff and students are expected to use the consequence ladder to address and/or resolve the issues that have led to the inappropriate behaviour. On deciding the appropriate sanction, the school needs to:

- Take account of all sides in issues between students
- Carry out an appropriate investigation, taking statements when necessary
- Consider any mitigating factors/reasonable adjustments which the student or member of staff believes need to be made
- Act on the balance of probabilities as to what has happened
- Apply the principles of restorative justice where possible and appropriate
- Apply what the school believes to be the most appropriate sanction to obtain the desired outcome
- Recognise the need to make adjustments based on specific needs and circumstances of an individual when deciding the most appropriate sanction.

Examples of sanctions used for repeated misbehaviour and serious behavioural breaches (the list is not exhaustive and other sanctions may be used, taking into account the individual's needs and circumstances):

### **Detentions**

This policy makes it clear that The Latymer School will use detentions as a sanction. Detentions will take place during the school day (at break or lunchtime), after school (during the summer months when it is light outside) or during an evening school event. For break and lunchtime detentions staff should allow reasonable time for the student to eat, drink and use the toilet.

Any member of staff may give a detention in which students are set extra work/made to reflect on poor behaviour/lack of application etc.

When detentions are set, parents are informed via Edulink/SIMS so arrangements can be made for the child.

### **Withhold participation in School Trips**

Latymer is an inclusive school and all reasonable adjustments will be made to enable students to access educational trips and visits. There is, however, a clear distinction between different types of trips and therefore the reasonable adjustments made by the school would depend on whether they were essential to the curriculum.

The school has the right to withhold from students their participation in a school trip or any other activity or event that is not an essential part of the curriculum. This action can be taken if the student repeatedly displays poor standards of behaviour in school and it is considered that this behaviour would pose a serious Health and Safety risk on other children, young people, or staff supervising/leading the trip.

Should the school trip or sports event be an essential part of the curriculum, an alternative means of fulfilling the relevant curriculum requirements will be offered by the school.

Where the school withholds a student's participation in a trip after deposits for trips have been made and the school has incurred unrecoverable expenses, the school reserves the right to retain the deposit paid.

### **Internal Supervision**

In serious cases of disruption, unacceptable behaviour, or persistent breaches of school rules, it is possible to withdraw a student from some lessons; or to exclude a student from all lessons for all or part of a school day (the time a student spends in Internal Supervision is used constructively - work is set and provision is made for the student to eat and use the toilet).

This sanction will only ever be arranged by the Assistant Headteacher (Behaviour, Attendance and Enrichment), a Deputy, or the Headteacher. In these cases, parents will be contacted and given reasons for the withdrawal from lessons, and a reintegration meeting will be held with the Head of Learning once the sanction has been completed.

### **Suspensions and Permanent Exclusions**

The school can use suspension and permanent exclusion in response to serious incidents or in response to persistent poor behaviour. Only the headteacher of a school can suspend or permanently exclude a

student on disciplinary grounds<sup>8</sup>. A student may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or permanently excluded.

A student's behaviour outside school can be considered grounds for a suspension or permanent exclusion. Any decision of a headteacher, including suspension or permanent exclusion, must be made in line with the principles of administrative law, i.e., that it is: lawful (with respect to the legislation relating directly to suspensions and permanent exclusions and a school's wider legal duties); reasonable; fair; and proportionate.

When establishing the facts in relation to a suspension or permanent exclusion decision the headteacher must apply the civil standard of proof, i.e., 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt.' This means that the headteacher should accept that something happened if it is more likely that it happened than that it did not happen.

The headteacher must take account of their legal duty of care when sending a student home following an exclusion. Headteachers should also take the student's views into account, considering these in light of their age and understanding, before deciding to exclude, unless it would not be appropriate to do so.

### **Duty to inform parents about a suspension or a permanent exclusion:**

The Headteacher will inform parent/carers in writing and without delay of:

- the reason(s) for the suspension or permanent exclusion
- the period of a suspension or, for a permanent exclusion, the fact that it is permanent
- parents' right to make representations about the suspension or permanent exclusion to the governing board and how the student may be involved in this
- how any representations should be made
- where there is a legal requirement for the governing board to consider the suspension or permanent exclusion, that parents or a student if they are 18 years old have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend
- the days on which they must ensure that the student is not present in a public place at any time during school hours (these days are the first five school days of a suspension or permanent exclusion (or until the start date of any full-time alternative provision or the end of the suspension where this is earlier). Any parent who fails to comply with this duty without reasonable justification commits an offence and may be given a fixed penalty notice or be prosecuted.

### **Informing social workers and Virtual School Heads about a suspension or a permanent exclusion:**

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<sup>8</sup> Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement Guidance for maintained schools, academies, and pupil referral units in England (September 2022)

If the student has a social worker or is a looked-after child, the Headteacher will also inform their social worker or Virtual School Head, as applicable.

### **Informing the governing body about a suspension or a permanent exclusion:**

The headteacher will, without delay, notify the governing body of:

- any permanent exclusion (including where a suspension is followed by a decision to permanently exclude the student)
- any suspension or permanent exclusion which would result in the student being suspended or permanently excluded for a total of more than five school days (or more than ten lunchtimes) in a term
- and any suspension or permanent exclusion which would result in the student missing a public examination or national curriculum test.

The Headteacher will report suspensions and exclusions to the full Governing Body on at least a termly basis.

### **The governing board's duty to consider a suspension or a permanent exclusion:**

For a suspension of 5 days or less in a term if the parent/carer submits representations, the Governing Body must consider them. The Governing Body can agree to a meeting if the parent/carer wants to meet but no meeting is required.

For a suspension of 6-15 days in a term, if the parent/carer makes representations and requests a meeting, a panel of governors will meet to consider representations within 50 school days after receiving notice of the suspension.

For suspensions of more than 15 days in a term, a hearing of a panel of governors will be called. The parents (and, where requested, a representative or friend) and the student (if over the age of 18) will be invited to attend the hearing and will be allowed to make representations or share information.

Parents/carers can request that a meeting be held via the use of remote access (carried out by electronic means, e.g. live video link).

Meetings can also be remote in unforeseen or extraordinary circumstances.

For example, school closure due to:

- Floods
- Fire
- Infectious illness / disease

Where these extraordinary circumstances don't apply and parent/carers don't request a remote meeting, then the meeting must be held in person.

Social workers and virtual school heads (VSHs) can join the meeting remotely, even if the meeting is held in person, as long as they can contribute effectively.

The following parties must be invited to a meeting of the governing board and allowed to make representations or share information:

- parents (and, where requested, a representative or friend);
- the pupil if they are 18 years or older;
- the headteacher;
- a representative of the local authority (in the case of a maintained school or PRU);
- the child's social worker if the pupil has one; and
- the VSH if the child is LAC.

## Suspensions

All suspensions from School will follow the guidelines and procedures laid down by the DfE in their Suspension and Permanent Exclusion from Maintained Schools guidelines (September 2023) and will adhere to the Equality Act 2010.

A suspension is where a student is temporarily removed from the school. A suspension can also be for parts of the school day. For example, if a pupil's behaviour at lunchtime is disruptive, they may be suspended from the school premises for the duration of the lunchtime period. Lunchtime suspensions are counted as half a school day.

A student may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year). A suspension does not have to be for a continuous period.

A suspension may be used to provide a clear signal of what is unacceptable behaviour as part of the school's behaviour policy and show a pupil that their current behaviour is putting them at risk of permanent exclusion.

Where suspensions are becoming a regular occurrence for a pupil, headteachers and schools should consider whether suspension alone is an effective sanction for the pupil and whether additional strategies need to be put in place to address behaviour.

Work is set for the student during the period of exclusion. On return the student will meet with their Head of Learning for a reintegration meeting. The student will be offered whatever support may be needed to help him/her thrive within the school community. This will then be shared with the parent/carer.

Examples of actions that could lead to suspension:

As a school we hold that the most important right is to be safe and secure at all times. Behaviour likely to undermine that right is consequently regarded as a serious breach of discipline. A student may be suspended after being involved in a single or 'one off' incident that is a serious breach of the behaviour policy. The list below is not exhaustive but indicative of the type of actions/incidents/behaviours that may warrant a suspension or permanent exclusion:

Category (listed alphabetically)	Examples
Abuse relating to disability	<ul style="list-style-type: none"> <li>• Derogatory statements or swearing about a disability</li> <li>• Bullying related to disability</li> <li>• Disability related graffiti,</li> <li>• Disability related taunting and harassment</li> </ul>
Abuse against sexual orientation and gender identity	<ul style="list-style-type: none"> <li>• Derogatory statements about sexual orientation (e.g. heterosexual, lesbian, gay,</li> </ul>

	<ul style="list-style-type: none"> <li>bisexual) and gender identity (e.g. transgender)</li> <li>• Homophobic, bi-phobic and transphobic bullying</li> <li>• LGBTQI+ graffiti</li> <li>• LGBTQI+ taunting and harassment</li> <li>• Swearing that can be attributed to LGBTQI+ characteristics</li> </ul>
Bullying	<ul style="list-style-type: none"> <li>• Verbal</li> <li>• Physical</li> <li>• Cyber bullying or threatening behaviour online</li> <li>• Racist bullying</li> <li>• Sexual bullying</li> <li>• Homophobic</li> <li>• Bi-phobic and transphobic bullying</li> <li>• Bullying related to disability</li> </ul>
Drug and alcohol related	<ul style="list-style-type: none"> <li>• Possession of illegal drugs or substances</li> <li>• Inappropriate use of prescribed drugs</li> <li>• Drug dealing</li> <li>• Smoking or vaping</li> <li>• Alcohol abuse</li> <li>• Substance abuse</li> </ul>
Disruptive behaviour (Persistent)	<ul style="list-style-type: none"> <li>• Challenging behaviour</li> <li>• Persistent breaches of school rules</li> <li>• Persistent disobedience</li> <li>• Persistent disruption of the learning environment</li> </ul>
Damage to property	<ul style="list-style-type: none"> <li>• Damage includes damage to school, private or personal property belonging to any member of the school or wider community</li> <li>• Vandalism</li> <li>• Arson</li> <li>• Graffiti</li> </ul>
Inappropriate use of social media or online technology	<ul style="list-style-type: none"> <li>• Sharing of inappropriate images (of adult or student)</li> <li>• Cyber bullying or threatening behaviour online</li> <li>• Organising or facilitating criminal behaviour using social media</li> </ul>
Physical assault against adult	<ul style="list-style-type: none"> <li>• Violent behaviour</li> <li>• Wounding</li> <li>• Obstruction and jostling</li> </ul>
Physical assault against a student	<ul style="list-style-type: none"> <li>• Fighting</li> <li>• Violent behaviour</li> <li>• Wounding</li> <li>• Obstruction and jostling</li> </ul>
Racist abuse	<ul style="list-style-type: none"> <li>• Racist taunting and harassment</li> <li>• Derogatory racist statements</li> </ul>



	<ul style="list-style-type: none"> <li>• Swearing that can be attributed to racist characteristics</li> <li>• Racist bullying</li> <li>• Racist graffiti</li> </ul>
Sexual misconduct	<ul style="list-style-type: none"> <li>• Sexual abuse</li> <li>• Sexual assault</li> <li>• Sexual harassment</li> <li>• Lewd behaviour</li> <li>• Sexual bullying</li> <li>• Sexual graffiti</li> </ul>
Theft	<ul style="list-style-type: none"> <li>• Stealing property</li> <li>• Stealing personal property (student or adult)</li> <li>• Stealing when wearing school uniform</li> <li>• Stealing from local shops on a school outing</li> <li>• Selling and dealing in stolen property</li> </ul>
Use or threat of an offensive weapon or prohibited item	<ul style="list-style-type: none"> <li>• Carrying or bringing onto the school site an offensive weapon / prohibited item such as knives, sharp instruments and BB guns</li> <li>• Carrying any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property</li> <li>• Use of an offensive weapon</li> </ul>
Verbal abuse / threatening behaviour against an adult	<ul style="list-style-type: none"> <li>• Threatened violence</li> <li>• Aggressive behaviour</li> <li>• Swearing</li> <li>• Verbal intimidation</li> <li>• Homophobic abuse and harassment</li> <li>• Carrying an offensive weapon</li> </ul>
Verbal abuse / threatening behaviour against a student	<ul style="list-style-type: none"> <li>• Threatened violence</li> <li>• Aggressive behaviour</li> <li>• Swearing</li> <li>• Verbal intimidation</li> <li>• Homophobic abuse and harassment</li> <li>• Carrying an offensive weapon</li> </ul>

### **Reintegration meeting (following an Internal Supervision or a suspension):**

A reintegration meeting will be held with parents/carers and student in attendance on the first morning that the student returns to school (following an Internal Supervision or a suspension). The student will be asked to reflect upon the incident and the Internal Supervision or suspension, and the views/attitude of the parents/carers will be sought. The meeting will be used to establish whether the student is ready to return to school and accept the students Code of Conduct and adhere to the school's behaviour policy. The student will be asked to make a commitment to future positive behaviour and be made aware of the possibility of more severe consequences (suspension, increased number of days of suspension and permanent exclusion) if the behaviour is repeated. The meeting will explore the possibility of action to address any support which the student may require to help them behave better in the future (internal options as well as external agencies). The student will be placed on a daily report to their Head of Learning to monitor behaviour after the exclusion. The reintegration form covering the points raised at the meeting will be circulated to parents/carers and staff as appropriate.

The information above will also relate to reintegrating students whose suspensions have ended or been cancelled and students whose permanent exclusions have been cancelled.

### **Permanent Exclusion**

A permanent exclusion is when a student is no longer allowed to attend a school (unless the student is reinstated). The decision to exclude a student permanently is a serious one and the strongest sanction available to a school.

The decision to exclude a student permanently<sup>9</sup> should only be taken:

- in response to a serious breach or persistent breaches of the school's behaviour policy; and
- where allowing the student to remain in school would seriously harm the education or welfare of the student or others such as staff or students in the school

Permanent Exclusion is often the final stage in a process of dealing with disciplinary incidents after a range of other strategies have been tried without success. There will however be exceptional circumstances where in the Headteacher's judgement, it is appropriate to exclude a student for a 'one off' or first offence.

### **Examples of actions that could lead to a Permanent Exclusion:**

This list is not exhaustive but indicative of the type of actions/incidents/behaviours that could lead to a Permanent Exclusion (other actions/incidents/behaviours could lead to a Permanent Exclusion).

- sexual violence, sexual harassment, or other harmful sexual behaviours
- serious actual or threatened violence against another student or a member of staff
- carrying an offensive weapon; or in any other way seriously endangering the health, safety or wellbeing of a member (or members) of the School community
- a drug related incidents (see Appendix 16: The Management of Drugs Incidents and Substance Misuse)
- persistent bullying including emotional, physical, racial, sexual, bullying based on sexual orientation and gender identity or cyber (persistent as recorded in the sanctions system)
- posting offensive material on a website/social media/text message/email (towards staff or students)
- actions that put the health and safety of any other member of the school community at serious risk
- persistent and malicious disruptive behaviour, including open defiance or refusal to conform with agreed school policies

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<sup>9</sup> Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement Guidance for maintained schools, academies, and pupil referral units in England (September 2022)

- repeated breaches of the school code of conduct. These should be documented through the sanctions system and are likely to be after the student has been on a Pastoral Support Programme and there has been no improvement.

## **Cancelling exclusions**

The headteacher can cancel any exclusion that has already begun (or one that has not yet begun), but this can only happen when the governing board has not yet met to consider whether the pupil should be reinstated. Where an exclusion is cancelled:

- The headteacher must notify the parents/carers, the governing board, the LA and the pupil's social worker and VSH as applicable, without delay<sup>10</sup>. The notification must also provide the reason for the cancellation
- The governing board's duty to consider reinstatement ceases, and there is no requirement to hold a meeting to consider reinstatement
- Parents (or the excluded pupil if they are 18 years or older) should be offered the opportunity to meet the headteacher to discuss the circumstances that led to the exclusion being cancelled which should be arranged without delay
- The pupil must be allowed back into the school from which they were excluded without delay
- Any days spent out of school as a result of any exclusion, prior to the cancellation will count towards the maximum of 45 school days permitted in any school year.

A permanent exclusion cannot be cancelled if the pupil has already been excluded for more than 45 school days in a school year or if they will have been so by the time the cancellation takes effect.

## **Responding to misbehaviour from students with SEND**

### **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 balance their legal duties when making decisions about enforcing the behaviour policy. The legal duties include:

- Taking reasonable steps to avoid causing any substantial disadvantage to a disabled student 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)

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<sup>10</sup> Written notification of the cancellation and reason for the cancellation can be provided by delivering it directly to the recipient, leaving it at their usual or last known home address, or posting it to that address. A notification to a parent can only be given electronically (e.g. by text message or e-mail) if it is sent to a number or address that the parent has agreed can be used for notifications of this kind.

- 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.

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

When considering a behavioural sanction for a student with SEND, the school will take into account:

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

If the answer to any of these questions is yes, it may be unlawful for the school to sanction the student for the behaviour.

The school will then assess if it is appropriate to use a sanction and if so, whether any reasonable adjustments need to be made to the sanction.

### **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 to create the plan and review it on a regular basis.

### **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 issue. If appropriate, the school may request an emergency review of the EHC plan.

## **Confiscation and searches**

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

### **Confiscation**

Any prohibited items (see Section 8: Definitions) 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 will be returned to students after discussion with senior leaders and parents, if appropriate.

To be lawful, confiscation must be a reasonable sanction in the circumstances of the particular case. Decisions about retention and disposal of confiscated property must also be reasonable in the circumstances of the particular case. The Education and Inspections Act 2006 includes a specific statutory defence for school staff who have reasonably confiscated students' property<sup>11</sup>.

## **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 ensure a written record of the search is kept.

If the authorised member of staff considers a search to be necessary, but is 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

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<sup>11</sup> Appendix 2: Searching, screening and Confiscation

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 Assistant Headteacher (Care, Guidance and Support), or another member of SLT if not available, to try and 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 from causing disorder.

The authorised member of staff can use reasonable force to search for any prohibited items identified in section 5, 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, desks or lockers.

Outer clothing includes:

- Any item of clothing that is not worn immediately over a garment that is being worn wholly next to the skin or being worn as underwear (e.g. a jumper or jacket being worn over a t-shirt)
- Hats, scarves, gloves, shoes, 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 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
- If they believe that a search has revealed a safeguarding risk

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

## **Informing parents**

Parents will always be informed of any search for a prohibited item. A member of staff will tell the parents 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 if 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, staff will contact at least 1 of the student's parents to inform them that the police are going to strip search the student before strip search takes place, and ask them if 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, 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 the role of the appropriate adult).

The student's parents 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, entitlement 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 if, 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.



## **E-Safety**

### **Online misbehaviour**

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

- It poses a threat or causes harm to another student or member of staff
- 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.

### **Mobile Phone and Personal Electronic Devices**

Students must **not** take photographs, videos or record audios of a fellow student or a member of staff on the school premises, unless given specific permission by a member of staff for educational purposes.

Electronic devices can be used for educational purposes during a lesson or a study period (as a resource to complement existing learning materials and pedagogy) when given specific permission and/or instruction by a member of staff, on the provision that their music cannot be heard by other students or staff and that they are not disturbing others.

All students can check their mobile phones for messages or communication from parents before 8.35am in the Small Hall but not in any other area of the school (including the playground and form rooms). Students are permitted to check their mobile phone in any area of the school grounds (with the exception of classrooms) at the end of the school day for travel updates or for messages/communication from parents (but for no other purpose).

For all students in Years 7-11, mobile phones, smart watches, MP3 players, other electronic devices and the headphones for the use of any such device should not be seen, heard or used in the school grounds or buildings (unless given specific permission by a member of staff for educational purposes) between 8.35am and the end of the school day.

Students in the Sixth Form can use their mobile phones for making telephone calls when not in lessons, provided they are in one of the designated areas (please see Appendix 9). Mobile phones, MP3 players and other electronic devices can be used for academic purposes only in the following areas (headphones must be worn if listening to audio or music and must not be able to be heard by others):

- Sixth Form Common Room
- Sixth Form Study Room
- Small Hall
- Learning Resources Room
- School Library

Sixth Form students should not use mobile phones, MP3 players, other electronic devices and the headphones in any other areas of the school, including corridors. The Latymer School Mobile Phone and Personal Electronic Devices Policy<sup>12</sup> can be viewed in Appendix 8.

### **Misuse of school technology (devices, systems, networks or platforms) and social media incidents**

The Student Acceptable Use Agreement outlines the school rules and procedures relating to use of school networks, connections, internet connectivity and devices, cloud platforms and social media (both when on school site and outside of school).

The following Appendix outline what actions will be taken if students contravene these rules:

- Appendix 9 - THE LATYMER SCHOOL MOBILE PHONE AND PERSONAL ELECTRONIC DEVICES POLICY
- Appendix 10 - ONLINE SAFETY INFRINGEMENT
- Appendix 11 – ROUTINES AND PROCEDURES SCHOOL RULES

Where staff contravene these rules, action will be taken as outlined in the Model Code of Conduct (Enfield Council).

Further to these steps, the school reserves the right to withdraw – temporarily or permanently – any or all access to such technology, or the right to bring devices onto school property.

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<sup>12</sup> Appendix 9: The Latymer School Mobile Phone and Personal Electronic Devices Policy