

Behaviour and Discipline Policy

Withington Girls' School

September 2021

1 Policy aims

- 1.1 This is the Behaviour and Discipline Policy of Withington Girls' School (**School**). The aims of this policy are:
- 1.1.1 to enable the Headmistress to carry out her responsibilities of maintaining order and good discipline in the School;
 - 1.1.2 to actively promote good behaviour and support positive behaviour modification;
 - 1.1.3 to actively promote and safeguard the welfare of the pupils at the School and to protect all who come into contact with the School from harm;
 - 1.1.4 to ensure, so far as possible, that every pupil in this School is able to benefit from and make her full contribution to the life of the School, consistent always with the needs of the school community;
 - 1.1.5 to set out a clear and fair process for the proper investigation of allegations of poor behaviour and/or breaches of discipline;
 - 1.1.6 to encourage pupils to accept responsibility for their behaviour;
 - 1.1.7 to set out the sanctions available to the School in the event of pupil misbehaviour;
 - 1.1.8 to authorise the Protocol for Behaviour, the School Rules and any procedures necessary for implementing them; and
 - 1.1.9 to help to promote a whole school culture of safety, equality and protection.
- 1.2 This policy forms part of the School's whole school approach to promoting child safeguarding and wellbeing, which seeks to ensure that the best interests of pupils underpins and is at the heart of all decisions, systems, processes and policies.

2 Ethos and Protocol for Behaviour at Withington Girls' School

- 2.1 Withington Girls' School aims to provide a caring, friendly and supportive environment in which every member of the School community is well known, well supported and encouraged to achieve their full potential.
- 2.2 The Withington ethos is based upon the 'three Rs' of Respect for self, Respect for others and acceptance of Responsibility for personal actions. At all times pupils are expected to follow the instructions of their teachers, enable high-quality teaching and learning to proceed and work individually and in teams in order to achieve their potential, both within and outside the classroom.
- 2.3 Pupils are expected to show consideration for others, for property and the school environment at all times. Expectations regarding personal responsibility, behaviour and discipline and details of the different people to whom a pupil can turn if they have any concerns during their time at the School are given in the pupil planners, in the Staff Handbook and in the relevant school policies:
- 2.3.1 Acceptable Use Policy for Pupils;
 - 2.3.2 Anti-Bullying;
 - 2.3.4 Safeguarding and Child Protection and Safeguarding Policy and Procedures;
 - 2.3.5 E-Safety;

- 2.3.5 Expulsion and Removal: Review Policy;
- 2.3.6 Risk Assessment Policy for Pupil Welfare;
- 2.3.7 Special Educational Needs and Learning Difficulties Policy;
- 2.3.9 Staff Code of Conduct; 2.3.11 Relationships education and relationships and sex education policy;
- 2.3.12 Equal Opportunities policy for Pupils; and

These principles and policies will be reinforced in assemblies, in form time, the School's PSHCE curriculum, in our daily interactions and at all possible opportunities.

2.4 Parents are expected to support and reinforce these principles with their daughters.

3 Scope, application and availability

- 3.1 This policy (together with the School Rules and all School policies on behaviour and discipline and the rewards and sanctions provided in them) apply to all pupils at the School and at all times when a pupil is:
 - 3.1.1 in or at School (to include any period of remote provision);
 - 3.1.2 representing the School or wearing School uniform;
 - 3.1.3 travelling to or from School;
 - 3.1.4 on School-organised trips; or
 - 3.1.5 associated with the School at any time.
- 3.2 This policy shall apply to pupils at all times and places including out of school hours and off-school premises in circumstances where failing to apply this policy may:
 - 3.2.1 affect the health, safety or welfare of a member or members of the School community or a member of the public;
 - 3.2.2 have repercussions for the orderly running of the School; or
 - 3.2.3 bring the School into disrepute.
- 3.3 This policy is published on the School website and is available in hard copy on request. A copy of the policy is available for inspection from the Deputy Head during the School day.
- 3.4 This policy and the School Rules can be made available in large print or other accessible format if required.
- 3.5 This policy has been prepared to meet the School's responsibilities under:
 - 3.5.1 Education (Independent School Standards) Regulations 2014;
 - 3.5.2 Education and Skills Act 2008;
 - 3.5.3 Data Protection Act 2018 and UK General Data Protection Regulation (UK GDPR); and
 - 3.5.4 Equality Act 2010

- 3.6 This policy has regard to the following guidance and advice:
- 3.6.1 [Keeping children safe in education 2021](#) (DfE, updated September 2021) (KCSIE);
 - 3.6.2 [Working together to safeguard children 2018](#) (DfE, updated in December 2020);
 - 3.6.1 [Information sharing advice for safeguarding practitioners](#) (HM Government, July 2018);
 - 3.6.2 [Behaviour and discipline in schools](#) (DfE, January 2016);
 - 3.6.3 [Use of reasonable force](#) (DfE, July 2013);
 - 3.6.4 [Searching, screening and confiscation: advice for schools](#) (DfE, January 2018);
 - 3.6.5 [Sexual violence and sexual harassment between children in schools and colleges](#) (DfE, September 2021);
 - 3.6.6 [Sharing nudes and semi-nudes: advice for education settings working with children and young people](#) (UKCIS, December 2020);
 - 3.6.1 [Mental health and behaviour in schools](#) (DfE, November 2018); and
 - 3.6.2 [Relationships education, relationships and sex education and health education](#) (DfE, June 2019).

4 School rules

- 4.1 All Pupils are expected to respect and obey the few School Rules which are:
- not absenting themselves from lessons without permission from either their Form Tutor, Head of Year or Subject Teacher or the School Nurse;
 - following all the School policies;
 - coming directly to School from buses or cars and not going out of school without permission and without signing out; and
 - Following regulations on school uniform, smoking, alcohol, illegal substances, food and drinks in school, use of ICT, mobile phones or other devices, and photography in school.
- 4.4 In addition, Senior School pupils are expected to know and understand the Senior School Rules and to read them through with their parents. The School Rules will be amended from time to time and reinforced in assemblies and on other appropriate occasions. In the Junior School the emphasis is also on respect and responsibility as set out in the Junior School statement on Behaviour Management.

5 Promoting good behaviour

- 5.1 Pupils are educated about good behaviour through the operation of the School's curriculum, PSHCE, relationships education and relationships and sex education programmes and the School's pastoral support systems. Pupils are encouraged to act responsibly and, through the operation of this policy, to accept responsibility for their behaviour.
- 5.2 The School understands that rewards can be more effective than punishment in motivating pupils. The ways in which the School may reward good behaviour are set out in Appendix 1.
- 5.3 The School recognises that where challenging behaviour is related to a pupil's special educational need or disability, use of positive discipline and reward methods may enable the School to manage the pupil's behaviour more effectively and improve their educational outcomes.

6 Breaches of school discipline

- 6.1 The School adopts a culture of openness and transparency and, where there are any concerns regarding breaches of discipline, contact should be made with the School at the earliest opportunity. All concerns are taken seriously including scenarios where suspicions or breaches of discipline appear minor.
- 6.2 The School has pastoral support systems in place to assist pupils in managing their behaviour. A range of sanctions are available for those who breach the School rules and policies for behaviour and discipline.
- 6.3 The Headmistress may prescribe and authorise the use of any sanctions as comply with good education practice and promote good behaviour and compliance with the School rules. Examples of sanctions used at the School are set out in Appendix 1. A more serious sanction may be imposed if it is considered appropriate to do so, e.g. where there are persistent breaches of discipline by a pupil.

6.4 Minor breaches of discipline

- 6.5 Allegations, complaints or rumours of minor breaches of discipline are dealt with by staff as they occur. Staff may carry out informal investigations and/or interviews with the pupils involved. Low level sanctions may be given following such processes (see Appendix 1 for details of possible sanctions).
- 6.6 A minor breach of discipline may be referred to a senior member of staff and external agencies (where appropriate) prior to, during or following an informal investigation.
- 6.7 When considering the appropriate sanction, the risks posed to pupil welfare by an individual's behaviour will be assessed. This may include consideration of how any action taken, sanctions applied or inaction may affect that individual's welfare and, where appropriate, how it may affect other pupils' welfare and/or the School community as a whole.
- 6.8 The Headmistress must be consulted in cases of breaches of discipline where there may be special circumstances which should be taken into consideration (see also paragraph 7 below).

6.9 Serious breaches of discipline

- 6.9.1 Allegations, complaints or rumours of serious breaches of discipline should be referred to the Headmistress.
- 6.9.2 The main categories of misconduct which are likely to be considered to be serious breaches of discipline and which may therefore result in expulsion or a requirement to leave the School include but are not limited to:
- (a) supply which means providing or sharing (whether or not for money or other consideration) or facilitation of supply e.g. sale, exchange or sharing (which includes promotion/ advertisement or facilitating supply) supply) / possession / use of drugs and solvents or their paraphernalia or substances intended to resemble them, or alcohol or tobacco as prohibited by the school policy on smoking drugs and substances;
 - (b) Actual or attempted theft, blackmail, intimidation, cyber-based bullying, prejudice-based bullying, discriminatory based bullying or other potentially criminal offences including being an accessory or conspirator;
 - (c) physical violence and / or abuse (which may include but is not limited to hitting, kicking, shaking, biting and hair pulling)

- (d) physical or emotional abuse or harassment (to include behaviour that may be categorised as “banter”, “just having a laugh” or “part of growing up”);
- (e) initiation / hazing type violence and rituals (which may include but is not limited to activities involving harassment, abuse or humiliation used as a way of initiating a person into a group);
- (f) abuse in intimate personal relationships between peers;
- (g) sexual violence, sexual harassment and upskirting and other harmful/inappropriate sexual behaviour;
- (h) consensual and non-consensual sharing of nudes and semi-nude images and / or videos;
- (i) behaviour in contravention of the School's policies on the acceptable use of technologies or online safety;
- (j) supply or possession of pornography;
- (k) behaviour which may constitute a criminal offence, such as:
 - (i) possession or use of firearms, knives or other weapons;
 - (ii) vandalism, defacement and/or destruction of school property;
- (l) persistent minor breaches of discipline or attitudes or behaviour which are inconsistent with the School's ethos;
- (m) other serious misconduct which affects the welfare of a member or members of the School community or which brings the School into disrepute (single or repeated episodes) on or off School premises;
- (n) other misconduct specifically provided for in the School's parent contract and School rules.

6.9.3 The range of sanctions for serious breaches of discipline include:

- (a) **Suspension:** A pupil may be sent or released home for a limited period as a disciplinary sanction.
- (b) **Removal:** The Headmistress may require Removal of a pupil from the School permanently if, after consultation with one or more the parents and if appropriate the pupil, the Headmistress is of the opinion that:
 - (i) the pupil has committed a breach or breaches of School rules or discipline for which Removal is the appropriate sanction; or
 - (ii) by reason of the pupil's conduct or, behaviour , the pupil is unwilling or unable to benefit sufficiently from the educational opportunities and/or the community life offered by the School; or
 - (iii) one or more of the Parents have treated the School, members of its staff or any member of the School community unreasonably; then

in these circumstances, and at the sole discretion of the Headmistress, Withdrawal of the Pupil by the Parents may be permitted as an alternative to Removal being required.

- (c) **Expulsion:** The Pupil may be expelled from the School for a serious breach of discipline as defined in 6.9.2, suspected criminal offences and for the avoidance of doubt, for persistent lower level breaches. Expulsion is reserved for the most serious breaches.
- 6.9.4 An allegation, complaint or rumour of a serious breach of discipline will be investigated in accordance with the procedures set out in Appendix 2.
- 6.9.5 Complainants will be taken seriously and the School will carefully discharge its duty of care to both complainants and those pupil(s) accused. Reporting concerns is encouraged by the School. A complainant is not creating a problem by reporting an allegation, complaint or rumour and should not feel ashamed or embarrassed for making a report.
- 6.9.6 If the findings of the investigation, on the balance of probabilities, support the allegation, complaint or rumour of a serious breach of discipline, a disciplinary meeting will be held in accordance with the procedures set out in Appendix 3.
- 6.9.7 The School will act fairly and in accordance with the principles of natural justice and will ensure that where a pupil's place at the School is at risk, the Parents and the pupil are provided with sufficient information about the allegations to understand them and the factual findings made in the investigation; and will have an opportunity to make representations about:
 - (a) the factual findings made;
 - (b) whether or not they constitute serious misconduct; and
 - (c) the sanctions under consideration.
- 6.9.8 Sanctions imposed will be fair and proportionate to the breach.
- 6.9.9 If a pupil is withdrawn from the School before the conclusion of disciplinary procedures, the School reserves the right to complete the procedures, in the absence of the pupil and the Parents if necessary, and to make appropriate findings. The School reserves the right to reporting these findings to regulatory and/or local authorities/ policy and/or refer to disciplinary procedures and findings in references provided for the pupil.

6.10 **Parent involvement**

- 6.10.1 The School seeks to work in partnership with parents over matters of discipline, and it is part of parents' obligations to the School to support the School convention and rules and this policy.
- 6.10.2 Parents will normally be informed as soon as reasonably practicable of any suspicion that their child has been involved in serious misconduct but may be prevented from doing so immediately e.g. by the police if they are involved.
- 6.10.3 All Parents will be notified of any pending disciplinary hearing in accordance with paragraph 6.9.6.
- 6.10.4 Parents will be notified of disciplinary sanctions:
 - (a) imposed for significant minor breaches of discipline (i.e. gating or more serious sanctions or persistent minor breaches such as demerits); and those
 - (b) imposed for serious breaches of discipline and any rights of review;as required and/or within School reports.

- 6.10.5 Parents will be consulted about the child's conduct and the application of this policy to their child where the School considers, in its professional judgement, that these give rise to significant concern about pupil welfare.

7 Additional Needs

- 7.1 In respect of a pupil with a disability as defined by the Equality Act 2010, the School will make such adjustments to this policy and its implementation as it is reasonable to have to make to avoid substantial disadvantage to pupil. In making such adjustments and considering the action to be taken under this policy (as adjusted), the School will have regard to the following :
- 7.1.1 Whether reasonable steps have been taken to understand and address the pupil's educational and or other needs or vulnerabilities.
- 7.1.2 Whether all reasonable adjustments have been made to try to manage the behaviour(s) which are under consideration.
- 7.1.3 Whether in the light of your conclusions in respect of 7.1.1 and 7.1.2 above the action to be taken under this policy is a proportionate means of achieving one or more of the School's legitimate aims, which include :-
- (a) ensuring that education, benefits, facilities and services are targeted at those who most need them;
 - (b) the fair exercise of powers;
 - (c) ensuring the health and safety of pupils and staff, in light of clearly identified risks (with due attention to the potential need to refer concerns arising externally as required under the School's child protection and safeguarding policy and procedures);
 - (d) maintaining academic and behaviour standards; and
 - (e) ensuring the wellbeing and dignity of pupils.
- 7.2 If there is a concern that a pupil's behaviour is as a result of unmet educational or other needs, advice should be sought from the Head of Learning Support and further action in accordance with the School's Policy on Special Educational Needs will be considered.

8 Safeguarding and peer on peer abuse

- 8.1 Some behaviour by a pupil towards another may be of such a nature that safeguarding concerns are raised. The School will adopt a zero tolerance approach to abuse in order to prevent harm to pupils. Safeguarding issues can manifest themselves via peer on peer abuse. This includes, but is not limited to:
- 8.1.1 bullying (including cyber-bullying and prejudice-based and discriminatory-based bullying);
- 8.1.2 physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (which may include an online element which facilitates, threatens and/or encourages physical abuse);
- 8.1.3 causing somebody to engage in sexual activity without consent;
- 8.1.4 sexual violence and sexual harassment (which may include an online element which encourages sexual violence);

- 8.1.5 upskirting and/or attempts to commit upskirting;
 - 8.1.6 consensual and non-consensual sharing nudes and semi nudes images and or videos (also known as sexting or youth produced sexual imagery); and
 - 8.1.7 initiation / hazing type violence and rituals(which may include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element).
- 8.2 Peer on peer abuse can occur both inside and outside of School and may be taking place whilst not being reported. A one size fits all approach is not appropriate for all pupils, and a contextualised approach for more vulnerable pupils, victims of abuse and pupils with special educational needs and disabilities may be required. Certain behaviours, for example dismissing sexual harassment as “just banter”, “just having a laugh”, “part of growing up” or “boys being boys” can lead to a culture of unacceptable behaviours and create an unsafe environment for pupils. In worst case scenarios, dismissing sexual harassment can led to a culture that normalises abuse and pupils accepting it as normal and not coming forward to report it.
- 8.3 Technology is a significant component in many safeguarding and wellbeing issues. Pupils are at risk of abuse online as well as face to face. This can take the form of abusive, harassing, and misogynistic messages, the non-consensual sharing of indecent images, especially around chat groups, and the sharing of abusive images and pornography.
- 8.4 In line with the School's aims and culture of openness and encouragement to report, the School's policy and procedures with regard to peer on peer abuse are set out in the School's Safeguarding and Child protection Policy and Procedures. Where behavioural issues give rise to a safeguarding concern, either in relation to the alleged victim(s) or perpetrator(s) or, more widely, in relation to ensuring the safety and welfare of pupils and/or staff the procedures in the School's Safeguarding and Child Protection Policy and Procedures will take priority.

9 Malicious allegations

- 9.1 Where a pupil makes an allegation which is determined to unsubstantiated, unfounded, false or malicious, the DSL will consider whether the pupil is in need of help or may have been abused by someone else and this is a cry for help. A referral to external agencies may be appropriate in these circumstances. The Headmistress will also consider whether to take disciplinary action against the pupil in accordance with this policy.
- 9.2 Where a Parent has made a deliberately invented or malicious allegation, the Headmistress will consider whether to require that Parent to remove their child or children from the School on the basis that they have treated the School or a member of staff unreasonably and compromised the requirement for mutual trust and confidence.
- 9.3 The School will consider a malicious allegation to be one where there is sufficient evidence on the balance of probabilities to disprove the allegation and that, by the same test, there is sufficient evidence that there has been a deliberate act to deceive.

10 Use of reasonable force

- 10.1 Any use of force by staff will be reasonable, proportionate and lawful. Reasonable force will be used in accordance with the DfE guidance *Use of Reasonable Force* (July 2013) and as set out in Appendix 4. More detailed guidance about the use of reasonable force is provided to staff in the Code of Conduct.
- 10.2 **Corporal punishment:** Corporal punishment is not used at Withington Girls' School and force is never used as a form of punishment.

11 Searching pupils

- 11.1 **Informed consent:** The School staff may search a pupil or her possessions with their consent for any item. If a member of staff suspects that a pupil has a banned item in her possession, they can instruct the pupil to turn out her pockets or bag. If the pupil refuses, sanctions will be applied in accordance with this policy.
- 11.2 **Searches without consent:** the Headmistress, and staff authorised by the Headmistress, may search a pupil or a pupil's possessions, without their consent, where they have reasonable grounds for suspecting that a pupil has a prohibited item in their possession. Please see the School's separate policy on searching and confiscation and the definition of prohibited items. Such action will be taken in accordance with the DfE guidance *Searching, screening and confiscation* (January 2018).

12 Training

- 12.1 The School ensures that regular guidance and training is arranged on induction and at regular intervals thereafter so that staff and volunteers understand what is expected of them by this policy and have the necessary knowledge and skills to carry out their roles.
- 12.2 The level and frequency of training depends on the role of the individual member of staff.
- 12.3 The School maintains written records of all staff training.

13 Risk assessment

- 13.1 Where a concern about a pupil's welfare is identified, the risks to that pupil's welfare will be assessed and appropriate action will be taken to reduce the risks identified.
- 13.2 The format of risk assessment may vary and may be included as part of the School's overall response to a welfare issue, including the use of individual pupil welfare plans . Regardless of the form used, the School's approach to promoting pupil welfare will be systematic and pupil focused.
- 13.3 The Headmistress has overall responsibility for ensuring that matters which affect pupil welfare are adequately risk assessed and for ensuring that the relevant findings are implemented, monitored and evaluated.
- 13.4 Day to day responsibility to carry out risk assessments under this policy will be delegated to staff who have been properly trained in, and tasked with, carrying out the particular assessment.

14 Records

- 14.1 All records created in accordance with this policy are managed in accordance with the School's policies that apply to the retention and destruction of records.
- 14.2 The School will keep a separate record for:
- 14.2.1 Allegations and concerns reported in respect of:
- (a) Sexual harassment or sexual violence
 - (b) bullying, discriminatory and prejudiced behaviour, either directly or indirectly, including racist, sexist, disability and homophobic/biphobic/transphobic bullying, use of derogatory language and racist incidents.
- 14.3 In the Senior School sanctions are recorded by Heads of Year on the School Information Management System. This will include:

- 14.3.1 with the name of the pupil concerned;
 - 14.3.2 the nature and date of the offence;
 - 14.3.3 the sanction imposed and reason for it;
 - 14.3.4 and the name of the person administering the sanction.
- 14.4 In the Junior School the Head of Junior School records this information in the pupil's personal log kept in the form file.
- 14.5 Administration of sanctions for serious misbehaviour (Suspension, Removal and Expulsion) are recorded by the Headmistress in the Serious Incidents File, including the name of the pupil concerned, the reason for the sanction including relevant dates, and the name of the person administering the sanction. This log is reviewed regularly by the Headmistress and Deputy Head so that patterns in behaviour can be identified and managed appropriately.
- 14.6 The records created in accordance with this policy may contain personal data. The School has a number of privacy notices which explain how the School will use personal data about pupils and parents. The privacy notices are published on the School's website. In addition, staff must ensure that they follow the School's data protection policies and procedures when handling personal data created in connection with this policy. This includes the School's data protection policy and information security policy.

15 Review

- 15.1 A pupil or her parents may request a Governors' Review of the Headmistress's decision to Expel or Remove a pupil from the School, or where a decision has been made to suspend a pupil for eleven School days or more, or where Suspension would prevent the pupil from taking a public examination. The form of application for a Governors' Review and the review procedures will be supplied to parents on request at the time of the original decision. See the School's separate Expulsion and Removal: Review Policy.
- 15.2 There will be no right to a Governors' Review of other sanctions but a pupil who feels aggrieved may ask the Headmistress or Deputy Head to take up her concerns with the member of staff who imposed the sanction.

16 Version control

Date of last review of this policy	Summer 2021
Date for next review of this policy	Summer 2022
Policy owners (School and Board of Governors)	Jen Baylis and Jane Allred

Appendix 1 Rewards and sanctions

Rewards

Pupils' personal achievements in terms of being aware of, and sensitive to the needs of others, of being helpful in and out of school, of showing initiative, of acting as positive ambassadors for the School are recognised within Form Tutor sessions, Year group assemblies and in weekly and end-of-term whole-school assemblies. In line with the School's philosophy of not offering academic prizes, but encouraging the joy of learning to be its own reward, acts of kindness are acknowledged but also expected to be the norm.

Sanctions

The Subject Teacher is responsible for the management of their pupils during lessons and ensuring that work is done as required. Pupils who persistently misbehave will be discussed with the Form Tutor, Head of Department or Head of Year as appropriate and will be given support to enable them to behave appropriately. Sanctions might include specific seating plans, being put on report, reporting to a Teacher at break or lunchtime.

If a pupil is failing to produce work of an adequate standard through lack of effort, sanctions which support and encourage them will be applied, for example, the use of homework reports and one-to-one support. For pupils experiencing specific difficulties with aspects of their work, additional learning support will be offered.

Out of lessons, individual members of staff deal with minor transgressions as appropriate, for example, challenging breaches of uniform rules. Repeated transgressions or more serious problems are referred to the Form Tutor or Head of Year, who may involve the Deputy Head, Director of Studies, Head of Junior School or Headmistress as necessary.

In the case of persistent concerns, the Deputy Head, Director of Studies, Head of Junior School or Headmistress will be informed, and parents will also be contacted and usually invited into school to discuss the situation.

The Headmistress may prescribe and authorise the use of any other sanctions as comply with good education practice and promote good behaviour and compliance with the School rules.

Appendix 2 Investigations into serious breaches of discipline

- 1 The Headmistress will appoint the Deputy Head or other senior member of staff to carry out an investigation of an allegation, complaint or rumour of serious breaches of discipline but if appropriate, the Headmistress may investigate matters themselves or instruct a third party to undertake the investigation. The purpose of such an investigation is to make findings on the balance of probabilities, where possible, as to what happened. The investigatory should not have had any prior involvement in the management of any of the matters under investigation.
- 2 If the pupil is to be interviewed as part of the investigation, consideration will be given as to whether the pupil should be accompanied by a Parent or member of staff and in any event a note of the interview will be made by the interviewing member of staff.
- 3 Arrangements may be made for a pupil to be taught outside of their normal cohort¹ or a pupil may be suspended from the School as a neutral act pending the outcome of a disciplinary process. Should a suspension continue for a period of more than five School days, the School will take reasonable steps to put in place arrangements to ensure the continuing education of the pupil and will keep the terms of the suspension under regular review. Parents should note that there may be a delay in providing work whilst teaching staff are given the opportunity to determine what work should be set. Alternatively, and at the discretion of the Headmistress the pupil may be placed under a segregated regime on School premises.
- 4 A pupil's space or following appropriate risk assessment belongings may be searched during the course of the investigation. See the School's separate policy on searching and confiscation of banned items.
- 5 It may be necessary to delay the School's investigation, for example where external agencies such as the police or social services are involved and have recommended this. A decision to suspend an investigation will take into account advice from appropriate external agencies and will be subject to periodic review. In relation to alleged sexual violence or sexual harassment, the School will have regard to the DfE guidance [Sexual violence and sexual harassment between children in schools and colleges \(May 2018\)](#) and the School's designated safeguarding lead (or a deputy) will take a leading role on decisions.
- 6 If considered necessary, the School may make arrangements for legal representation for the pupil to be funded entirely at the parents' expense. Regardless of delays caused by a police or other external agency investigation, the School will provide appropriate pastoral and other support for all pupils affected by the allegations under investigation while they remain on the school roll.
- 7 The outcome of the investigation, where delegated to a member of staff or other third party, will be reported to the Headmistress. If the findings of the investigation support the allegation, complaint or rumour, a disciplinary meeting will then be convened in accordance with Appendix 3 of this policy.

¹ This course of action is applicable following allegations or reports of sexual violence/harm whilst matters are being investigated. The Sexual violence and sexual harassment between children in schools and colleges guidance, safeguarding and child protection policy and risk assessment for pupil welfare will inform the correct approach to take when investigating allegations and reports of this nature.

Appendix 3 Disciplinary meeting with the Headmistress

- 1 Where the findings of the investigation into an allegation, complaint or rumour of a serious breach of discipline appear to support the allegation, complaint or rumour, a disciplinary meeting with the Headmistress will take place. The Chair of Governors will be informed of the meeting.
- 2 **Attendance**
 - 2.1 The pupil and her Parents (if available) will be invited to attend the disciplinary meeting with the Headmistress. Where the complaint concerns the behaviour of the Parents, the pupil will not generally be entitled to attend the meeting and this procedure applies to the Parents only.
 - 2.2 Deputy Head will be in attendance to explain the circumstances of the complaint, his / her investigation and findings and an additional member of staff will be present to minute the meeting.
 - 2.3 If the Parents or the pupil have any special needs or disability which call for additional facilities or adjustments (e.g. parking or the provision of documents in large print or other accessible format) those requirements should be made known to the Headmistress as soon as reasonably practicable so that appropriate arrangements can be made.
 - 2.4 If a Parent is unable to attend because of, for example, travel and working commitments, the School will make reasonable alternative arrangements to ensure the Parent can be involved, remotely if necessary, with the disciplinary process and their child's education.
- 3 **Meeting**
 - 3.1 Documents available at the disciplinary meeting with the Headmistress may include:
 - 3.1.1 a statement setting out the allegations regarding the pupil or, where applicable, the Parents;
 - 3.1.2 written statements and notes of the evidence relevant to the allegations, and any relevant correspondence;
 - 3.1.3 the investigation report;
 - 3.1.4 the pupil's school file and (if separate) conduct record;
 - 3.1.5 the relevant School policies and procedures.
 - 3.2 The Headmistress will inform the pupil and her parents of the range of disciplinary sanctions which the Headmistress considers are open to them.
 - 3.3 The pupil and her Parents will have an opportunity to make representations on:
 - 3.3.1 the investigator's findings;
 - 3.3.2 whether they constitute serious misconduct;
 - 3.3.3 the appropriate sanctions to be imposed.
 - 3.4 Unless the Headmistress considers that further investigation is needed, she will close the meeting and inform the pupil and the Parents that they will be notified of her decision in writing or verbally inform them.
- 4 **Decision**

- 4.1 The Headmistress will consider whether the allegation, complaint or rumour has been sufficiently proved. The standard of proof shall be the civil standard, i.e. the balance of probabilities, whether the findings constitute serious misconduct and the appropriate sanction to be imposed (and the pupil's disciplinary record will be taken into account where the complaint concerns the conduct of the pupil).
- 4.2 The Headmistress may expel or remove a pupil or impose any other sanction she considers to be appropriate in accordance with this policy.
- 4.3 The Headmistress will notify the Parents of her decision in writing, with reasons, within three working days of the disciplinary meeting.
- 4.4 A decision to expel or remove a pupil shall take effect within seven working days of the date of the Headmistress's letter confirming her decision. Until then, the pupil may remain suspended and away from School premises.

5 Review

- 5.1 The Parents or the pupil may request a Review of the Headmistress's decision to Expel or Remove a pupil from the School or where the pupil is suspended from the School for 11 working days or more or where a suspension would result in the pupil missing a public examination. The request must be made within five working days of the date of the Headmistress's letter confirming her decision.
- 5.2 If such a request is made, the pupil shall remain suspended until the Review has taken place and either the sanction is upheld or a reconsidered decision made.
- 5.3 See the Expulsion and Removal: Review policy for further information about requesting a Review and the detail of the procedure.

6 Leaving status

- 6.1 If a pupil is expelled or removed, her leaving status will be one of the following: expelled, removed or, if the offer is made by the Headmistress and accepted by the Parents, withdrawn by parents.
- 6.2 Additional points of leaving status to be considered may include:
 - 6.2.1 the form of letter which will be written to the Parents and the form of announcement in the School;
 - 6.2.2 the form of reference which will be supplied for the pupil;
 - 6.2.3 the entry which will be made on the School record and the pupil's status as a leaver;
 - 6.2.4 arrangements for transfer of any course and project work to the pupil, her Parents or another school;
 - 6.2.5 whether (if relevant) the pupil will be permitted to return to School premises to sit public examinations;
 - 6.2.6 whether (if relevant) the School can offer assistance in finding an alternative placement for the pupil;
 - 6.2.7 whether the pupil will be entitled to leavers' privileges;
 - 6.2.8 the conditions under which the pupil may re-enter School premises in the future; and
 - 6.2.9 **financial aspects:** payment of any outstanding fees and extras; whether the deposit will be returned or credited; refund of prepaid fees.

Appendix 4 Use of reasonable force

- 7 There are circumstances when it is appropriate for staff to use reasonable force to safeguard pupils. Any use of reasonable force will be in accordance with the DfE guidance [Use of reasonable force \(DfE, July 2013\)](#).
- 8 Reasonable force may be used to prevent a pupil from doing or continuing to do any of the following:
 - 8.1 committing a criminal offence;
 - 8.2 injuring themselves or others;
 - 8.3 causing damage to property, including their own;
 - 8.4 engaging in any behaviour prejudicial to good order and discipline at the School or among any of its pupils, whether that behaviour occurs in a classroom or elsewhere.
- 9 In these circumstances, force will be used for two main purposes: to control pupils or to restrain them. Reasonable force may be used, for example, to restrain a pupil at risk of harming themselves or another individual or to prevent a pupil leaving a classroom where allowing her to do so would risk her safety or lead to behaviour that disrupts the behaviour of others.
- 10 In addition, reasonable force may be used to conduct a search for certain "prohibited items" (see the School's separate policy on Searching and Confiscation of banned items).
- 11 In these circumstances, 'reasonable' means using no more force than is needed.
- 12 In deciding whether reasonable force is required, the needs and particular vulnerabilities of individual pupils will be considered and reasonable adjustments will be made for pupils with special educational needs or disabilities. The School will establish proactive and positive behaviour support strategies for pupils with particular needs, in consultation with their parents, to reduce the occurrence of challenging behaviour and the need to use reasonable force.
- 13 Where reasonable force is used by a member of staff, the Deputy Head must be informed of the incident and it will be recorded in writing. The pupil's parents will be informed about serious incidents involving the use of force.