

St Francis of Assisi Catholic College

'Nil satis optimum'



Conduct Policy

Control Sheet

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Associated documents:	
College Policies: <ul style="list-style-type: none"> • Safeguarding • Staff Code of Conduct • Equality, Diversity and Inclusion • Health and Safety 	
Links to:	
Statutory Guidance: <ul style="list-style-type: none"> • Gov.uk Keeping Children Safe in Education • DfE Exclusion from maintained schools, Academies and pupil referral units in England 2012 (updated September 2017) • Gov.uk The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 • DfE Behaviour and Discipline in Schools Non-Statutory Guidance: <ul style="list-style-type: none"> • DfE Preventing and Tackling Bullying. Advice for Headteachers, staff and governing bodies • DfE and ACPO Drug Advice for Schools • DfE Use of Reasonable Force • DfE Searching, Screening and Confiscation • DfE Ensuring Good Behaviour in Schools • DfE Allegations of abuse against teachers and non-teaching staff • DfE Mental health and behaviour in schools 	

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1. Statement of intent

St Francis of Assisi Catholic College (referred to forthwith as ‘the College’) has and embraces an ethos of inclusivity. We wish to see success for all young people and recognise the uniqueness of each individual created in the image of God. This Policy is unique to our College and is the result of the constant ongoing review and evaluation of the College processes for managing student conduct. We believe it ensures that expectations remain high whilst also understanding that one size does not fit all and that some young people require both adjustment and significant wrap-around care. We aspire to work extremely closely with parents, local authorities and other partners to remove the barriers to meeting expectations that some young people face. The Policy also defines our expectations for the strong relationships and mutual respect between individuals that permeate the College.

High standards of conduct are vital in ensuring that teachers can teach and children can learn. Having high expectations is also pivotal in ensuring that young people feel safe in College. Attention to small details such as uniform allow conversations to be focused upon learning. Our approach is progressive, fair and aims to remind students of the need to focus on learning and ensures that they are rewarded when they do so. Likewise, it ensures that students understand that negative conduct, if repeated, will result in a sanction.

We expect teachers to apply the Policy consistently and fairly. There are, however, a very small minority of students for whom this Policy may not be enough in itself to engage them in learning and for whom we will make reasonable adjustment and try alternative approaches. There may, for example, be issues related to SEND that rightly need adjustment to be made and significant intervention. There may also be issues of mental health which will sometimes require a different approach as part of a wider pastoral support plan.

Where appropriate the College will put in place a bespoke plan tailored to each child with the ultimate aim of giving them the care they need and the ambition to keep them where they belong - in mainstream education. Wherever possible we will avoid the use of permanent exclusion.

This Policy and its implementation will work in tandem with our vulnerable students’ register and SEND provision map to allow the College to take a holistic approach to supporting all young people in line with our vision of ‘*Nil satis optimum*’ for our students.

2. General expectations of students

The general expectations are as follows:

- Students must arrive in the College and at lessons punctually and be prepared to learn.

- Students must bring appropriate equipment such as: Pen, pencil, ruler, calculator, PE kit and any other necessary equipment, a suitable bag to carry books and any equipment needed during the College day.
- Students must wear the College uniform correctly - see Appendix 1. Noticeable make-up is not allowed. Any make-up must be discrete. The decision as what qualifies as discrete rests with the Head Teacher. Jewellery, other than a watch, is not allowed. Smart watches should only function as a watch due to the requirement for any other linked mobile device to be switched off; the use of and other electronic devices is not allowed.
- All students are expected to be polite, courteous, respectful to everyone on the College site and to comply with reasonable requests or instructions made by staff on the first time of asking.
- Students are expected to have regard for their own safety and that of others.
- The College provides a secure and safe environment for students who are expected to remain on site throughout the day and leave promptly at the end of it, unless they are engaged in enrichment activities.
- The Governing Body believes that students should be encouraged to adopt conduct that supports learning and promotes good relations. Poor conduct and low level disruption threaten the rights of young people to an effective education and can lead to people feeling unsafe, bullied, intimidated, or threatened.
- This Policy seeks to encourage young people to make positive choices and re-enforces those choices through praise and rewards. The Governing Body recognises that even when encouraged to make the right choice, some students will occasionally make choices that threaten their own learning or that of others. A series of strategies will then need to be used to bring about changes to these whose aim is to encourage students to comply with the College rules and re-engage with learning.

In some circumstances, the Governing Body and Head Teacher will need to act to ensure that the conduct of a minority does not undermine the education of the majority or threaten the well-being of others, the College or its community; this may result in students being given time to reflect in our 'Emmaus Room' or, as a last resort, by issuing a fixed term exclusion. Decisions regarding the introduction of any sanctions as a consequence for not adhering to the Policy will be taken to ensure that students' readiness for each layer of the Policy is considered prior to any subsequent introduction of additional sanctions.

It should be noted that the term Head Teacher used in this Policy may also include any Nominated Officer acting on their behalf and with their full delegated authority.

3. College Rewards

The College recognises the importance of the use of rewards to motivate students and as recognition of students whose effort meets our expectations. There are many ways students are praised and rewarded. We believe that children are encouraged by genuine praise, reward and celebration of achievement. For example, through verbal praise, the award of Golden Tickets, Achievement points for Value behaviours, termly celebration assemblies and our annual awards evening.

4. Managing student conduct

The Policy is designed to give students choices. Its principle role is to support learning, whilst also tackling and dealing with low level disruptive conduct (i.e. conduct that undermines the student's own learning or that of others). If unchecked this sort of conduct disrupts lessons and undermines the authority of the teacher. It is not a replacement for good classroom management techniques and will not compensate for poor teaching and/or unstructured lessons. Refer to Appendix 2.

5. Fixed term exclusion

'Good discipline in schools is essential to ensure that all pupils can benefit from the opportunities provided by education. The Government supports head teachers in using exclusion as a sanction where it is warranted.'

(DfE 'Exclusion from maintained schools, Academies and pupil referral units in England 2017)

All decisions to exclude are serious and only taken as a last resort where the breach of the College rules is serious. The following are examples where fixed term exclusion may be considered:

- Failure to comply with a reasonable request from a senior member of staff.
- Failure to wear College uniform which has been provided for a student who is in incorrect uniform is regarded as failure to comply with a reasonable request.
- Breaches of health and safety rules.
- Verbal abuse of staff, other adults or students.
- Possession of drugs and/or alcohol related offences.
- Failure to comply with the processes for managing student conduct- see section 4 above.
- Threatening a member of staff or student.
- Willful damage to property.
- Homophobic, discriminatory or racist bullying.
- Bullying, including online/cyber bullying
- Sexual misconduct.
- Theft.
- Making a false allegation against a member of staff.
- Conduct which calls into question the good name of the College.
- Persistent defiance or disruption.
- Minor assaults or fighting that is not premeditated or planned.
- Other serious breaches of College rules.

6. Permanent exclusion

'A decision to exclude a pupil permanently should only be taken in response to serious or persistent breaches of the school's behaviour policy; and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupils or others in the school'.

(DfE 'Exclusion from maintained schools, Academies and pupil referral units in England 2017)

The Head Teacher will make the judgement, in exceptional circumstances, where it is appropriate to permanently exclude a child for a first or 'one-off' offence. These offences might include:

- a) serious actual or threatened physical assault against another student or a member of staff.
- b) sexual abuse or assault.
- c) supplying an illegal drug.
- d) possession of an illegal drug with intent to supply.
- e) carrying an offensive weapon.
- f) making a malicious serious false allegation against a member of staff.
- g) potentially placing students, staff and members of the public in significant danger or at risk of significant harm.

The instances above are not exhaustive, but indicate the severity of such offences and the fact that such behaviour can affect the discipline and well-being of the College community.

The Head Teacher may also permanently exclude a student for:

- a) one of the above offences.
- b) persistent disruption and defiance including bullying (which would include racist or homophobic bullying) or repeated possession and/or use of an illegal drug or drug paraphernalia on College premises.
- c) an offence which is not listed but is, in the opinion of the Head Teacher, so serious that it will have a detrimental effect on the discipline and well-being of the College community.

The College has determined that, in addition to legislative guidance, any knife, irrespective of length, constitutes an offensive weapon and should not be brought into the College. In addition to knives, axes, BB guns, air guns, GATT guns, catapults, slings, etc. will also be deemed to be offensive weapons. Other types of offensive weapons will include lengths of pipe, bats, other blunt instruments, or items judged by the Head Teacher or Governing Body to be carried with the intention to inflict injury on another individual – this includes blades removed from pencil sharpeners, etc.

In addition, the Governing Body also considers the following to be serious incidents which may result in the permanent exclusion of a student:

- a) Deliberate activation of the fire alarm without good intent.
- b) Repeated or serious misuse of the College computers by hacking or other activities that compromise the integrity of the computer network.
- c) Repeated verbal abuse of staff.
- d) Persistent disruption and defiance that may or may not be directly linked to this Policy or with the processes for managing student conduct in section 4 above.

7. Partial timetable

As an alternative to exclusion the Head Teacher may, in limited circumstances, make use of a partial timetable to support a student. If a partial timetable is to be used a meeting will be held with the parent/carers to stipulate the conditions of this timetable and a date for review. A risk

assessment will also be undertaken to ensure the student is safe at times they are not on the College site, although it is recognised that a key component of this risk assessment will be the fact that at these times the student is the responsibility of their parent/carer.

8. Provision of education for students excluded for a period exceeding 5 days

The College recognises the need to keep fixed term exclusions short wherever possible. It is therefore anticipated that in most cases exclusions would not exceed 5 days fixed term. Where it is necessary to exclude a student for a longer period, the College will ensure that provision is offered to the student from the 6th day onwards.

9. Searching, screening and confiscation

The College has taken due account the DfE guidance '*Screening, Searching and Confiscation. Advice for head teachers, staff and governing bodies*'. In addition to the practice identified in the DfE guidance, the College also bans the following items and as a result are able to search students for them:

- Any item brought into the College with the intention of the item being sold or passed on to other students which, in the Head Teacher's opinion, will cause disruption to the College or be detrimental to College practice.

Confiscation

- College staff can seize any prohibited item found as a result of a search. They can also seize any item, however found, which they consider harmful or detrimental to College conduct.
- Staff should hand the confiscated item to the relevant member of staff as soon as possible and complete the necessary information to identify the item, the date it was confiscated, the name of the student, their name and that of the member of staff to whom they handed the item. Staff must not give the confiscated item to another student to hand in and must not leave the item in an unsecure area at any time.
- Any item which staff consider to be dangerous or criminal i.e. drugs must be brought to the attention of a senior member of staff immediately.
- Items confiscated by the College can be collected by parent/carers except where the it has chosen to dispose of the confiscated items, e.g. cigarettes, alcohol, lighters.
- Refer to Appendix 4 for the procedures that will be followed when a mobile device has been confiscated.
- The College's general power to discipline, as set out in Section 91 of the Education and Inspections Act 2006, enables a member of staff to confiscate, retain or dispose of a student's property as a disciplinary penalty, where reasonable to do so.
- The Head Teacher will use their discretion to confiscate, retain and/or destroy any item found as a result.
- Electronic equipment, jewellery and other expensive items will be confiscated and held by the College for a reasonable period. If, at the end of the year, the item has not been reclaimed then the College reserves the right to destroy it.
- Where alcohol has been confiscated the College will retain or dispose of it. This means that it can dispose of alcohol as they think appropriate (or return it to a parent/carer but this should not include returning it to the student).

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

10. CCTV

The College may use CCTV for the purpose of maintaining a safe and secure environment and managing health and safety. A separate policy exists which covers the use of CCTV.

11. Use of reasonable force

The College has taken due account the DfE guidance '*Use of reasonable force. Advice for head teachers, staff and governing bodies*'.

All members of College staff have a legal power to use reasonable force. This power applies to

any member of staff at the College. It can also apply to people whom the Head Teacher has temporarily put in charge of students such as unpaid volunteers, cover staff or parents/carers accompanying students on a College organised visit.

12. Discipline beyond the College gate

Parents/carers are encouraged to report, as soon as possible, criminal behaviour, anti-social behaviour and serious bullying incidents that occur anywhere off the College premises which pose a threat to a member of the public or a student.

If a member of the public, College staff, parent/carer or student reports criminal behaviour, anti-social behaviour or a serious bullying incident to a member of staff the Head Teacher or Deputy Head Teacher must be informed; if they consider that the misconduct is linked to a child suffering or being likely to suffer significant harm the College Safeguarding Policy will be followed.

For health and safety reasons, very high standards of conduct are expected on residential and day trips. The College will use the same sanctions that are applied to incidents of misconduct that occur on the College site as outlined earlier in this Policy.

Where poor or inappropriate conduct occurs when a student is travelling to and from the College, it reserves the right to issue a sanction or a fixed term or permanent exclusion, particularly in relation to violent conduct e.g. a physical assault or bullying incidents.

Students are encouraged to wear their College uniform correctly when travelling to and from College and must not be involved in behaviour that could adversely affect its reputation.

13. Governors' Pupil Discipline Committee

DfE Guidance

Under DfE Guidance *'Exclusion from maintained schools, Academies and pupil referral units in England'*, a meeting of the College Pupil Discipline Committee must be convened by a behaviour panel with delegated authority from the Governing Body when:

- a student has received over 15 days' exclusion in one term;
- recommendation of permanent exclusion is made by the Head Teacher for a one-off incident, or through repeated poor behaviour under this Policy.

The Pupil Discipline Committee will comprise of 3 governors who can hear the case impartially. If a member has a connection with the student, or knowledge of the incident that led to the exclusion, which could affect their ability to act impartially, they should step down.

The Committee can uphold an exclusion or direct the student's reinstatement, either immediately or on a particular date. The Committee may also use their powers under Section 29A of the Education Act 2002/The Education (Education Provision for Improving Behaviour) Regulations 2010 to direct a student to off site, alternative provision for the purposes of improving their behaviour. This may be needed in situations where fixed term exclusions are high

and the decision to exclude is upheld and the Committee believe that the likelihood of further exclusions in the near future is high.

If any fixed term exclusion means that a student will miss a national examination the Committee must meet (or the Chair should consider it alone if there is insufficient time to convene a meeting).

The meeting must be convened before 15th school day after the date of receipt of notice to consider the exclusion. The Clerk will circulate the paperwork for the meeting to all parties invited to attend at least 5 days in advance of the meeting.

The parent/carer has the right to attend the meeting, and/or make written representations. This should be submitted to the Clerk as soon as possible before the meeting. The parent/carer may bring a friend if they wish. The Head Teacher, a member of the Senior Leadership Team and other appropriate staff with responsibility for managing the student's behaviour may also be invited to attend the meeting. Parents/carers have the right to invite the Local Authority to attend the meeting.

Within three school days of the meeting, a letter will be sent detailing the decision of the Committee. Following a permanent exclusion, the letter will also detail the procedure for appeal, which will be heard by an Independent Review Panel. The parent/carer has 15 school days after the day on which notice in writing was given of the Committee's decision, if delivered directly. If the notice in writing is posted first class, two additional days are added for postage. The legal time frame for an application to appeal to the independent panel is set out in the DfE guidance.

If a student is deemed by the College to be at risk of permanent exclusion, an Internal Behaviour Committee meeting **may** be convened. The panel may consist of any members of the Governing Body or members of staff.

14. Police

The College will involve the police in all matters where criminal activity has taken place or is suspected of having taken place. In addition, it will inform them of any intelligence which may support the prevention or tackling of criminal activity.

A student and their family have the right to contact the police if they feel that a criminal offence has been committed.

15. Policy review

The implementation and impact of this Policy will be reviewed every year by the Governing Body; this may occur earlier should there be a change in legislation, statutory guidance or an event or incident in the College which makes this necessary. The recognised trade unions will be included in this process.

Appendix 1 - College uniform

Appendix 2 – Managing student conduct

