

# Policy for Good Discipline

August 2024

## Table of Contents

<b>1 Introduction</b>	<b>3</b>
<b>2 Definitions</b>	<b>3</b>
<b>3 Policy Aims</b>	<b>4</b>
<b>4 Related Policies</b>	<b>4</b>
<b>5 Promoting Positive Behaviour</b>	<b>5</b>
<b>6 Responsibility for Good Discipline</b>	<b>6</b>
<b>7 Rewards</b>	<b>6</b>
<b>8 Sanctions</b>	<b>7</b>
<b>9 Serious Breaches of Discipline</b>	<b>9</b>
<b>10 Parental Involvement</b>	<b>11</b>
<b>11 Safeguarding</b>	<b>11</b>
<b>12 Corporal Punishment and Use of Force</b>	<b>12</b>
<b>13 Search Procedures</b>	<b>13</b>
<b>14 Malicious Allegations Against Staff</b>	<b>14</b>
<b>15 Recordkeeping</b>	<b>14</b>
<b>16 Risk Assessment</b>	<b>15</b>
<b>17 Complaints and Governors' Review</b>	<b>15</b>
<b>18 Version Control</b>	<b>16</b>
<b>Appendix 1 – Investigations into serious breaches of discipline</b>	<b>17</b>
<b>Appendix 2 – Disciplinary meeting with the Head</b>	<b>19</b>

## 1 Introduction

- 1.1. This is the *Policy for Good Discipline* for King's College School (the 'School'). It has been authorised by the School Governors (the 'Governors'), is published on the School Portal and public website and is available upon request from the School Office. This policy can be made available in large print or other accessible format, if required. It is a whole-school policy including the Early Years Foundation Stage (EYFS) setting as well as the School's boarding provision.
- 1.2. This policy is intended to set out the standards required to promote good behaviour amongst pupils and to set out the sanctions to be adopted in the event of pupils' misbehaviour. This policy seeks to set a structure of respect within the School community. It has been prepared with regard to *Keeping Children Safe in Education* (DfE, September 2024 (KCSIE)), *Working Together to Safeguard Children 2018* (DfE, December 2020), *Information Sharing Advice for Safeguarding Practitioners* (DfE, July 2018), *Use of Reasonable Force* (DfE, July 2013), *Searching, Screening and Confiscation: Advice in Schools and Colleges* (DfE, July 2022), *Sexual violence and sexual harassment between children in schools and colleges* (DfE, September 2021), *Mental Health and Behaviour in Schools* (DfE, November 2018), *Relationships Education, Relationships in Schools* (DfE, July 2020) and *Behaviour and Discipline in Schools* (DfE, July 2022). The School appreciates that pupils mature at different rates and expectations must be tempered by an appreciation of their individual maturity.
- 1.3. This policy applies to all pupils at the School and at all times when a pupil is:
- in or at School (whether working remotely or on site);
  - representing the School or wearing school uniform;
  - travelling to or from School;
  - on school-organised educational visits;
  - staying in the Boarding House;
  - associated with the School at any time.
- 1.4. This policy shall also apply to pupils at all times, places and circumstances where failing to apply this policy may:
- affect the health, safety or wellbeing of a member of the School community or a member of the public;
  - have repercussions for the orderly running of the School; or
  - bring the School into disrepute.

## 2 Definitions

- 2.1 References to **working days** mean Monday to Friday, when the School is open during term time, and includes weekends when boarders are in residence. Term dates are published on the School's website. In the event that the application of this definition is likely to introduce excessive delays, due to intervening school holidays, the School's

approach is to take sensible and reasonable steps so as to minimise any hardship or unfairness arising from such delays.

2.2 References to the **Governors' Review** are to the review by the Governors' Panel of a decision by the Head in accordance with the School's *Expulsion and Removal - Review Policy and Procedure*.

### 3 Policy Aims

3.1 To enable the Head to carry out the responsibilities of promoting good behaviour, maintaining order and good discipline in the School, and setting a range of appropriate sanctions to be adopted in the event of pupil misbehaviour;

3.2 To encourage pupils to accept responsibility for their behaviour and to ensure, so far as possible, that every pupil in the School is able to benefit from and make their full contribution to the life of the School, consistent with the needs of the School community;

3.3 To protect all who come into contact with the School from harm and to help create a culture of safety, equality and protection;

3.4 To set out a clear and fair process for the investigation of allegations of poor behaviour and / or breaches of discipline; and

3.5 To actively promote and safeguard the welfare of pupils at the School including boarders.

3.6 This policy forms part of the School's whole school approach to promoting child safeguarding and wellbeing, which seeks to ensure that the best interest of pupils underpins and is at the heart of all decisions, systems, processes, and policies.

### 4 Related Policies

4.1 The School has the following related policies:

- *Anti-Bullying Policy*
- *Expulsion and Removal - Review Policy and Procedure*
- *Acceptable Use of ICT for Pupils Policy*
- *Online Safety Policy*
- *Equal Opportunities Policy*
- *Safeguarding and Child Protection Policy*
- *Risk Assessment for Pupil Welfare Policy*
- *Special Educational Needs and Disabilities (SEND) Policy*
- *Statement of Boarding Principles and Practice & Boarding House Handbook*

## 5 Promoting Positive Behaviour

5.1 Pupils of the School are expected to act with responsibility and show consideration at all times. They must adhere to the School's values and are expected to:

5.1.1 act with honesty and integrity and treat all members of the School community and the public with respect, courtesy and kindness both in person and in online interactions;

5.1.2 contribute positively to the School community;

5.1.3 contribute to the high quality of learning by ensuring that they:

- arrive calmly, punctually and correctly equipped for each lesson;
- listen carefully and use their time in class appropriately and effectively;
- do not disturb teaching, or the learning of others; and
- write down any homework to be undertaken, complete it and hand it in on time.

5.1.4 take responsibility for their own safety and that of others to the best of their ability and commensurate with their age and maturity. Behave calmly and sensibly when moving round the School, when waiting for lessons and when not directly supervised;

5.1.5 take care of the School environment, ensuring that everybody's property is respected and safeguarded; and

5.1.6 take pride in their appearance, wearing uniform correctly and smartly.

5.2 Parents are expected to work with the School to ensure that their children understand (in an age appropriate manner) this policy which will be reinforced by all staff throughout the School day in form time, class time, at assemblies, in the Boarding House where relevant, and at other times as deemed necessary by the Head, Deputy Heads, and Housemaster.

5.3 The School's expectations about behaviour will be brought to pupils' attention throughout their time at the School. Pupils are educated about good behaviour through the operation of the School's curriculum, PSHE and assembly programme and the School's pastoral support systems.

5.4 The Boarding House is home to a number of pupils. Whilst school procedures do apply, as do high expectations of behaviour, there are a separate set of rewards and sanctions for boarders as detailed in the Boarding House Handbook, as would be the case when day pupils are at home. The Housemaster and Boarding House staff coordinate pastoral support in conjunction with Form Tutors and relevant teaching staff.

5.5 High expectations of pupils are set by the Head and are necessary:

- for the safety and wellbeing of everyone at the School;
- for the reputation of the School community; and
- for the protection of School property and the wider environment.

## 6 Responsibility for Good Discipline and Behaviour

6.1 The Governors have delegated the responsibility for maintaining good order and discipline within the School to the Head.

6.2 The day-to-day management of behaviour issues is the responsibility of all staff supported by the Deputy Heads, the Senior Pastoral Team, and the Housemaster, where appropriate.

6.3 The Head and Deputy Heads provide guidance to other staff and can access expert advice if ordinary management methods are ineffective with a particular pupil.

## 7 Rewards

7.1 The School understands that positive reinforcement can be more effective than sanctions in encouraging pupils. The School is committed to promoting and rewarding good behaviour and motivating pupils and may do so in the following ways:

7.1.1 *Merits:* Merits may be awarded by teachers as a means of recognising pupils' academic endeavour, exemplary behaviour, individual or shared success, or their contribution to school life. Merits for pupils in Years 5-8 are recorded in pupils' prep diaries so that Form Tutors may access and check on pupils' progress; for pupils in Years 3 and 4 merits are recorded on iSAMS. Pupils in Pre-Prep receive physical merit tokens which they place in a House jar. Pupils are keen to earn merits, both for their own sense of achievement and because they contribute to the overall House totals. Details of House merit totals and individuals who have achieved high levels of merits are announced at assemblies on a termly basis. The House with the highest level of merits is awarded a Merit Party at the end of the term.

7.1.2 *Head's Commendation:* Pupils in Reception through Year 8 who have completed an outstanding piece of work may be recommended for a Head's Commendation which is presented in assembly.

7.1.3 *Citizens Awards:* Pupils in Pre-Prep and Juniors can be rewarded for acts of good citizenship, such as holding open a door without being asked or helping a teacher in class. Citizens Awards are totaled weekly and the pupil in each form with the most points is identified as 'Citizen of the Week' with their name displayed on the noticeboard inside St. Martins.

7.1.4 *PACE Prize and Sports Prizes:* 'PACE' Prizes are awarded termly by Form Tutors for those pupils in Years 3-8 who, through their work and conduct, have displayed the best combination of the following qualities: Performance

and Progress, Application and Attitude, Contribution and Commitment, Endeavour and Effort. Sports Prizes are awarded termly to pupils in Years 3-8 by the Games staff.

7.1.5 *Awarding of Half and Full Colours:* Pupils may be awarded Half or Full Colours for exceptional contribution, consistency and high achievement in certain departments.

7.1.6 *End of Year Prize Giving:* At the end of the Easter Term, End of Year Prizes are awarded to Year 3-7 pupils for Academic Attainment and Academic Endeavour, as well as for their achievements in Art and Design and Music. Year 8 pupils are awarded prizes for their attainment and endeavour in specific subject areas.

7.1.7 Special awards are made for exceptional conduct, kindness and generosity of spirit.

## 8 Sanctions

8.1 The School believes that high quality teaching minimises pupil misconduct. However, where misbehaviour does occur, the School aims to correct it in a positive and constructive way.

The following procedures should be used with pupils in Pre-Prep:

- The teacher should ensure the child understands why the behaviour is unacceptable, giving a clear explanation and a chance for the child to ask questions. The teacher should ensure there is no misunderstanding.
- The teacher should discipline the child using standard behaviour strategies; for each subsequent incident, the child's name should be added to the board with a sad face next to it. If a child receives three sad faces within a lesson, the child will meet with the Head of Pre-Prep at the beginning of the next playtime. The child will then report back to the Head of Pre-Prep at the end of the next lesson to ensure behaviour has improved.
- If poor behaviour has been repeated, a note will be sent to parents from the Head of Pre-Prep. The teacher will contact parents to discuss the behaviour and methods to improve it.
- If there is no improvement, a meeting is arranged with the teacher, Head of Pre-Prep, and parents to discuss strategies.

The School has adopted a three-stage process to deal with pupil misbehaviour in Years 3-8:

- **Stage 1:** A quiet warning: The teacher will state what the misbehaviour is and assert the type of behaviour that is expected;

- **Stage 2:** A quiet warning outside the classroom: The teacher will quietly ask the pupil to leave the classroom. Outside the classroom, the teacher will repeat the quiet warning and explain the consequences of not improving their behaviour. The teacher will give the pupil an opportunity to ask questions to ensure they understand.

Following a Stage 2 warning, Pupils in Years 3 and 4 are expected to remain in the lesson, however, they may be sent to the Head of Juniors if this is deemed necessary.

For pupils in Years 5-8:

- **Stage 3:** Exit and conduct: The teacher will quietly ask the pupil to leave the classroom and go to the designated 'exit room' with a piece of work. The pupil will be allocated a conduct, which will be input in iSAMS, and the pupil's Form Tutor, Head of Year, Deputy Heads and Housemaster, if appropriate, will automatically be notified.

Pupils in Years 5-8 will then be expected to attend a 25-minute detention with a Deputy Head during the first half of the next available lunch time. The Form Tutor will inform parents before the end of the school day.

Following the lunch time detention, the Form Tutor will meet with the pupil encouraging them to reflect on what can be learned from the incident.

8.2 If a pupil in Year 5-8 is 'exited' on more than one occasion per week, the Head of Year will inform their parents that they will attend a 30-minute after-school detention on the next available Friday (1630-1700).

8.3 Outside of lessons, staff will follow a similar three-stage strategy: a quiet warning; a second quiet warning and an explanation of the consequences of not heeding that warning; and, finally, an exit to a Deputy Head's office.

8.4 In the event of a more serious misconduct (such as physical or verbal abuse of a pupil or member of staff, including the use of racist or homophobic language, bullying and malicious damage of School property or that of another pupil), Stages 1 and 2 will be bypassed. The Form Tutor, Head of Year, a Deputy Head and the Housemaster (if relevant) will also be contacted immediately, in order to ensure that the appropriate actions are taken.

8.5 All sanctions for serious misbehaviour will be recorded on iSAMS and include the name of the pupil, the reason for the sanction including relevant dates and the name of the person administering the sanction. The database is reviewed regularly so that patterns in behaviour can be identified and managed appropriately.

8.6 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 the 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:

- Whether reasonable steps have been taken to understand and address the pupil's educational and / or other needs or vulnerabilities;
- Whether all reasonable adjustments have been made to try to manage the behaviour(s) which are under consideration.

8.7 Where a pupil displays persistent disruptive behaviour and there is a concern about that pupil's needs, the School will liaise with parents and / or local agencies to assess those needs in accordance with the School's *Special Educational Needs and Disabilities (SEND) Policy* and the *Safeguarding and Child Protection Policy*.

## 9 Serious Breaches of Discipline

9.1 The following are considered to be serious breaches of School discipline (not exhaustive):

- Supply, sale or sharing of illegal drugs, alcohol or tobacco as prohibited by the School's *Drugs and Substance Misuse Policy*.
- Actual or attempted theft, blackmail, physical violence, intimidation, discriminatory-based bullying, prejudice-based bullying, cyber-bullying or other potentially criminal offences including being an accessory or conspirator;
- Physical or emotional abuse or harassment (to include behaviour that may be categorised as 'banter', 'just having a laugh', or 'part of growing up');
- 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);
- Abuse in intimate personal relationships between peers;
- Sexual violence, sexual harassment, upskirting and other harmful and inappropriate sexual behaviours;
- Consensual and non-consensual sharing of nude and semi-nude images and / or videos.
- Behaviour in contravention of the School's *Acceptable Use of ICT for Pupils Policy* and *Online Safety Policy*;
- Supply or possession of pornography;
- Behaviour which may constitute a criminal offence, such as possession or use of an unauthorised firearm, knife or other weapon, or vandalism, computer hacking or serious misuse of the School's IT network and / or destruction of the School's property;
- Persistent minor breaches of discipline or attitudes or behaviours which are inconsistent with the School's ethos;
- Other misconduct which affects the welfare of a member or members of the School community or which brings the School into disrepute on or off the School premises;

- Any form of abuse or unlawful discrimination on the grounds of sex, race, religion / belief, disability, special educational needs, sexual orientation and gender reassignment etc.; and
- Deliberate contravention or disregard of School procedures regarding health and safety.

9.2 The Governors have authorised the following sanctions for serious breaches of discipline:

9.2.1 *Expulsion:* A pupil may be expelled from the School if it is proved on the balance of probabilities that they have committed a grave breach of School discipline or a serious criminal offence. Expulsion is reserved for the most serious breaches. For the avoidance of doubt, a pupil may also be expelled from the School for persistent lower-level breaches.

9.2.2 *Removal:* The parents may be required to remove a pupil permanently from the School if, after consultation with the parents and the pupil, if appropriate, the Head is of the opinion that:

- the pupil has committed a breach or breaches of School discipline for which removal is the appropriate sanction; or
- by reason of the pupil's conduct, behaviour or progress, the pupil is unwilling or unable to benefit sufficiently from the educational opportunities and / or community life offered by the School; or
- one or both of the parents have treated the School or members of its staff or any member of the school community unreasonably.

Subject to payment of all outstanding fees, which remain payable, the pupil will be given reasonable assistance in making a fresh start at another school.

9.2.3 *Exclusion:* A pupil may be excluded as a neutral act while a complaint is investigated and for up to a further ten school days as a disciplinary sanction in its own right.

9.2.4 Further details on the procedures regarding serious breaches of discipline may be found in the School's *Expulsion and Removal - Review Policy and Procedure*.

9.2.5 The School's aim is to deal with disciplinary matters sensitively and with due respect for the privacy of the individuals involved. Pupils and their parents must treat as confidential any information communicated to them in connection with an investigation or disciplinary matter. A pupil and / or their parents must not make electronic recordings of any meeting conducted under this procedure and doing so may be treated as a separate disciplinary matter. The School may take steps to protect the identity of witnesses if it believes their identity should remain confidential.

## **10 Parental Involvement**

- 10.1 The School seeks to work in partnership with parents over matters of discipline and expects parents to support the School's value and aims.
- 10.2 Parents will be informed as soon as reasonably practicable after it becomes clear that the pupil may face disciplinary action for a serious breach of discipline, unless the School is prevented from doing so by the police, social care or children's services, if they are involved.
- 10.3 Parents will also be notified of disciplinary sanctions for minor breaches of discipline and may be contacted to discuss the matter if it is considered appropriate to do so.

## **11 Safeguarding and Child-on-Child Abuse**

- 11.1 Some behaviour by a pupil towards another pupil may be of such a nature that safeguarding concerns are raised. The School will adopt a zero- tolerance approach in order to prevent harm to pupils. Safeguarding issues can manifest themselves via child-on-child abuse. This includes, but is not limited to:
  - 11.2 bullying (including cyber-bullying, prejudice and discriminatory-based bullying);
  - 11.3 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);
  - 11.4 sexual violence or sexual harassment (which may include an online element which encourages sexual violence);
  - 11.5 causing someone to engage in sexual activity without consent;
  - 11.6 consensual and non-consensual sharing of nude and semi-nude images and / or videos;
  - 11.7 upskirting and / or attempts to commit upskirting; and
  - 11.8 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).
- 11.9 Child-on-child 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, pupils with special educational needs and /or

disabilities, and pupils who identify as LGBT or are perceived to be LGBT 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 result in a culture of unacceptable behaviours, an unsafe environment for children and, in a worst case scenario, a culture that normalises abuse.

- 11.10 Technology is a significant component in many safeguarding and wellbeing issues. Pupils are at risk of abuse online as well as in person. This can take the form of abuse or harassing messages, the non-consensual sharing of indecent images, and the sharing of abusive images and pornography.
- 11.11 The School's policy and procedures with regard to child-on-child abuse are set out in the School's *Safeguarding and Child Protection Policy*. If behaviour and discipline matters give rise to a safeguarding and child protection 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* will take priority.

## 12 Corporal Punishment and Use of Force

- 12.1 Staff, or any person living or working on the premises, must not give corporal punishment to any pupil. They must not threaten with corporal punishment or any form of punishment which could have an inappropriate impact on the pupil's wellbeing. So far as they are able, staff should ensure that no one on the premises threatens or uses corporal punishment to any pupil.
- 12.2 There are circumstances when it is appropriate for staff to use reasonable force to safeguard pupils. Any use of force by staff must be reasonable, proportionate, lawful and in accordance with the guidance given in the DfE publication *Use of Reasonable Force (Advice for Headteachers, Staff and Governing Bodies)*.
- 12.3 Reasonable force will be used only when immediately necessary and for the minimum time necessary to prevent a pupil from doing or continuing to do any of the following:
- committing a criminal offence;
  - injuring themselves or others;
  - causing damage to property, including their own;
  - engaging in any behaviour prejudicial to good order and discipline at school or among any of its pupils, whether that behaviour occurs in a classroom or elsewhere.
- 12.4 Examples of where reasonable force may be used include controlling or restraining a pupil at risk of harming themselves through physical outburst or

preventing a pupil from leaving the classroom or Boarding House where allowing them to do so would risk their safety or lead to behaviour that disrupts the behaviour of others. These incidents are logged with the Designated Safeguarding Lead in the 'Restraint Log.'

- 12.5 All members of staff receive training about the use of reasonable force appropriate to their role to enable them to carry out their responsibilities. Additional and refresher training is provided where necessary.

### 13 Search Procedures

- 13.1 School staff may search a pupil for any item with their consent. Appropriate consideration will be given to factors that may influence the pupil's ability to give consent.

- 13.2 In addition, staff may conduct a search for certain 'prohibited items' without a pupil's consent, and use reasonable force if required, where the Head or staff authorised by the Head, have reasonable grounds for suspecting that a pupil has a prohibited item in their possession.

Prohibited items include:

- knives or weapons;
- alcohol, illegal drugs, tobacco products or electronic smoking devices;
- fireworks;
- pornographic images;
- any article that a member of staff reasonably suspects has been, or is likely to be used to commit an offence or cause personal injury to or damage to the property of any person; and
- any item banned by the School.

- 13.3 If the Head or an authorised member of staff have reasonable grounds to suspect that a pupil is in possession of a prohibited item, it may be appropriate for a member of staff to carry out:

- a search of outer clothing; and / or
- a search of School property, e.g. pupils' lockers or bed space in the Boarding House; and / or
- a search of personal property, e.g. bag, pencil case or electronic device within a locker

without the consent of the pupil. Such searches will be carried out only on School premises or, if elsewhere, where the member of staff has lawful control or charge of the pupil, for example on an educational visit.

- 13.4 Searches will be conducted in such a manner as to minimise embarrassment or distress. Any search of a pupil or their possessions will be carried out in the presence of the pupil and another member of staff.
- 13.5 Where a pupil is searched, the searcher and the second member of staff present will be the same gender as the pupil, unless it is reasonably believed that serious harm may be caused if the search is not carried out immediately and it is not practical to achieve this.
- 13.6 Where the Head or staff authorised by the Head, find anything which they have reasonable grounds for suspecting is a prohibited item, they may seize, retain and dispose of that item as appropriate in accordance with the DfE guidance *Searching, Screening and Confiscation*.

## 14 Malicious Allegations Against Staff

- 14.1 Where a pupil makes an accusation against a member of staff and the accusation is shown to have been deliberately invented or malicious, the DSL will consider whether the pupil is in need of additional help and whether the allegation is a cry for help. In these circumstances, a referral to external agencies may be appropriate. The Head will also consider whether to take any disciplinary action in accordance with this policy.
- 14.2 Where a parent makes an accusation against a member of staff and the accusation is shown to have been malicious, the Head will consider (in accordance with the School's *Terms and Conditions* and *Complaints Policy*) whether to require the removal of the pupil(s) from the School on the basis that the parent has treated the School or member of staff unreasonably and compromised the requirement for mutual trust and confidence.
- 14.3 An allegation is malicious where there is sufficient evidence to disprove the allegation and there has been a deliberate attempt to deceive.

## 15 Recordkeeping

- 15.1 The School will keep a record of major sanctions with the date of the sanction, name of the pupil concerned, the reason for the sanction, and the name of the person administering the sanction.
- 15.2 The records of sanctions for serious misbehaviour are reviewed regularly so that any patterns in behaviour can be identified.
- 15.3 The School will keep a separate record for allegations and concerns reported in respect of:
- Sexual harassment or sexual violence;
  - Bullying, discriminatory and prejudiced behaviour, either directly or indirectly.

- 15.4 All records created in accordance with this policy are managed in accordance with the School's *Data Protection and Retention Policy*.

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 and Retention Policy* when handling personal data created in connection with this policy.

## 16 Risk Assessment

- 16.1 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.
- 16.2 The format of the 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 (such as behaviour, healthcare and education plans, as appropriate). Regardless of the form used, the School's approach to promoting pupil welfare will be systematic and pupil focused.
- 16.3 The Head 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.
- 16.4 Day to day responsibility to carry out risk assessments under this policy is delegated to the Designated Safeguarding Lead, who has been properly trained in, and tasked with, carrying out the particular assessment.

## 17 Complaints and Governors' Review

- 17.1 If a pupils feels they have been treated unfairly, they may take their concern to their Form Tutor or to the Deputy Heads, who will take the matter up with the member of staff concerned. If a pupil is still unhappy, the concern may be referred to the Head.
- 17.2 Parents are encouraged to discuss any concerns regarding sanctions with the pupil's Form Tutor or the Deputy Heads. Parents who remain dissatisfied with the response to a concern raised may make a formal complaint under the School's *Complaints Policy* and procedures.
- 17.3 Parents are entitled to ask for a Governors' Review of a decision to expel, exclude or to require removal of a pupil for disciplinary reasons by writing to the Chair of Governors. The procedure for a Governors' Review is set out more fully in the School's *Expulsion, Removal and Review Policy*.

**18 Version Control**

Date of last review	August 2024
Date of next review	August 2025
Policy owner	Head and Deputy Heads
Authorisation	Rev Dr Stephen Cherry, Chair of Governors on behalf of the Board of Governors



## Appendix 1 – Investigations into serious breaches of discipline

1. The Head will appoint a senior member of staff to carry out an investigation on the basis of an allegation, complaint or rumour of serious breaches of discipline.
2. The appointed senior member of staff may have an informal discussion with the pupil(s) involved; notes may be taken of the discussion. If it becomes clear that the pupil(s) may face disciplinary action for a serious breach of discipline, the pupil(s) may be interviewed further as part of the investigation. A second member of staff will be present at this interview; minutes of the interview will be recorded in writing by one of the attending staff members. If the pupil(s) are boarders, the Housemaster will normally be one of the members of staff present.
3. The point at which parents are informed of the investigation or asked to join the discussions will be dependent on the particular situation and at the discretion of the School, unless the School is prevented from doing so by the police and / or social care, if they are involved.
4. An investigation and any subsequent meeting will be conducted fairly and in a way which is appropriate to a school, without formal legal procedures.
5. The School will usually report to the police any activity which it reasonably suspects may amount to criminal activity. Sexual offences will generally be reported to the police immediately, including in cases where a pupil is suspected or alleged to have committed the offence. Other external agencies may also be notified where appropriate to the facts.
6. Arrangements may be made for a pupil to be taught outside of their normal cohort<sup>1</sup> or a pupil may be excluded from the School as a neutral act while a complaint is being investigated or while an investigation is on hold (see paragraph 9 below). Should an exclusion continue for a period of more than five school days, the School will keep the terms of the pupil's exclusion under review and take reasonable steps to put in place arrangements to ensure the continuing education of the pupil. The Deputy Heads will coordinate these arrangements with the pupil's parents or guardians. 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, the pupil may be offered a segregated arrangement on school premises.
7. A pupil's locker, personal belongings including boarders' bed spaces, and mobile electronic devices may be searched during the course of the investigation in accordance with the DfE guidance *Searching, Screening and Confiscation*. If necessary, the police will be called.

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<sup>1</sup> 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 from the DfE, the School's *Safeguarding and Child Protection Policy* and *Risk Assessment for Pupil Welfare Policy* will inform the correct approach to take when investigating allegations and reports of this nature.

8. 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 (September 2021)* and the School's Designated Safeguarding Lead (or a deputy) will take a leading role on decisions.
9. It may be necessary to delay an investigation or put it on hold, for example where external agencies such as the police or social services are involved and have advised that this is necessary. A decision to suspend an investigation will take into account advice from appropriate external agencies and will be subject to periodic review. Investigations may also be delayed by the availability of staff and pupils outside of term time. 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. Such support may be adjusted outside of term time to take account of staff and pupil availability.
10. The outcome of the investigation will be reported to the Head. If the findings of the investigation identify a serious breach of school discipline for which expulsion and / or required removal is a possible sanction, a disciplinary meeting will be held in accordance with the procedures in Appendix 2 of this policy.

## **Appendix 2 – Disciplinary meeting with the Head**

### **1 Attendance**

1.1 The pupil and their parents (if available) will be asked to attend the disciplinary meeting with the Head. Legal representation is not necessary or permitted.

1.2 The investigating member of staff will be in attendance to explain the circumstances of the complaint and their investigation, and an additional member of staff will be present to minute the meeting.

1.3 If the parents or the pupil have any special needs or disability which call for additional facilities or adjustments those requirements should be made known to the Head so that appropriate arrangements can be made.

1.4 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 any provision put in place.

1.5 In complex cases, or cases involving multiple pupils, the Head reserves the right, at their discretion, to arrange for a Governor and / or a Deputy Head to assist in hearing the case.

### **2 Meeting**

2.1 Documents available at the disciplinary meeting with the Head may include (but will not be limited to):

- a statement setting out the allegations regarding the pupil or, where applicable, the parents;
- written statements and notes of the evidence supporting the allegations, and any relevant correspondence;
- the investigation report;
- a summary of the pupil's school file including the pupil's conduct records;
- the relevant school policies and procedures; and
- victim impact statements if relevant and available.

These documents will usually be made available the pupil's parents at least 24 hours prior to the meeting.

2.2 Any documents considered at the disciplinary meeting may be redacted or a summary provided for reasons of confidentiality and / or data protection.

2.3 Pupils (if appropriate) and / or their parents will be given an opportunity to submit a written statement prior to the disciplinary meeting on the investigator's findings, whether they constitute serious misconduct and the appropriate sanction to be imposed. Such statements should be submitted at least 24 hours before the meeting.

2.4 The Head will consider the allegations and the evidence, including statements made by and / or on behalf of the pupil or, where applicable, the parents.

2.5 The pupil and their parents will have an opportunity to state their side of the case.

2.6 The Head will inform the pupil and their parents of the range of disciplinary sanctions which the Head considers are open to them if the allegation, complaint or rumour is sufficiently proved.

2.7 Unless the Head considers that further investigation is needed, they will close the meeting and inform the pupil and the parents that they will be notified of their decision in writing.

### **3 Head's Decision**

3.1 The Head will consider whether the findings constitute serious misconduct and the appropriate sanction to be imposed (and the pupil's disciplinary records will be taken into account where the complaint concerns the conduct of the pupil). The standard of proof shall be the civil standard, i.e. the balance of probabilities.

3.2 The Head may expel, exclude or remove a pupil or impose any other sanction they consider to be appropriate in accordance with this policy.

3.3 The Head will usually notify the parents of their decision in writing, with reasons, within five working days of the disciplinary meeting, provided further investigation is not required. If further investigation is required, the Head will try and conclude matters as soon as is reasonably practical.

3.4 A decision to expel, exclude or remove a pupil shall take effect from the date of the Head's letter confirming their decision or as otherwise notified by the Head.

### **4 Governors' Review**

4.1 The parents or the pupil may request a Governors' Review of the Head's decision to expel, exclude or remove a pupil from the School. The request must be made within five working days of the date of the Head's letter confirming their decision.

4.2 If such a request is made, the pupil shall remain excluded until the Review has taken place and either the sanction is upheld or a reconsidered decision made.

4.3 See the *Expulsion, Removal and Review Policy* for further information about requesting a Review and the detail of the procedure.

### **5 Leaving Status**

5.1 If a pupil is expelled or removed, their leaving status will be one of the following: expelled, removed or, if the offer is made by the Head and accepted by the parents, withdrawn by parents.

5.2 Additional points of leaving status may include:

- the form of letter which will be written to the parents and the form of announcement in the School;
- the form of reference which will be supplied for the pupil;
- the entry which will be made on the school record and the pupil's status as a leaver;

- arrangements for transfer of any course and project work to the pupil, their parents or another school;
- whether (if relevant) the pupil will be permitted to return to school premises to sit exams;
- whether (if relevant) the School can offer assistance in finding an alternative placement for the pupil;
- whether the pupil will be entitled to leavers' privileges;
- the conditions under which the pupil may reenter school premises in the future; and
- payment of any outstanding fees and extras; refund of prepaid fees.