



Merridale Primary School Behaviour Policy 2024-2027

Guiding Principles:

All children have the right to be safe, to be treated with respect and to learn.

The highest standards of behaviour are accompanied by positive relationships.

Good discipline and high standards of behaviour are key features of a successful school: they encourage children's sense of security and well-being as well as effective teaching and learning. We believe that a clear, shared understanding of the school's values is a pre-requisite for the effectiveness of this behaviour policy.

We base our approach to behaviour management upon creating a climate of positivity and mutual respect. All children and staff aim to meet the school's high expectations for behaviour and conduct and this is constantly and consistently reinforced through a range of rewards, which are given regularly and publicly, as **we believe that the encouragement of desirable behaviour is the most effective and positive means of behaviour modification**. Consequences and sanctions are also used where necessary and as appropriate to the child and the behaviour choices that have taken place.

All staff should model excellent behaviour in the way they speak to - and respond to - children, other colleagues and parents.

The children of Merridale Primary School demonstrate excellent behaviour for most of the time and meet the high expectations set by themselves and school staff. This policy is to ensure consistency on the occasions when children's behaviour falls below expected standards.

Teachers use the agreed "caught being good" system of behaviour management to encourage positive behaviour and to teach children to be responsible for their own actions. Teachers have a visible display within the classroom which records and celebrates this in an engaging and appropriate way according to the age of the pupils. All school staff seek out opportunities to recognise children's positive behaviour choices in line with our school values of: aspiration, kindness, respect, resilience, curiosity and creativity. School staff look for opportunities to reward and "praise in public" and will "reprimand in private" as appropriate.

Aims

To enable children to learn and understand that acceptable behaviour is a result of mutual respect - respect for myself, respect for others, respect for property.

To promote the values of kindness, respect, honesty, trust, fairness, tolerance and politeness.

Positive student behaviour ensures that we can meet our school aims:

- To provide every child with the highest quality teaching and learning opportunities.
- To provide a welcoming, safe and happy school environment.
- To provide role models who promote positive values to prepare children for life in modern Britain.
- To provide an exciting, engaging and effective curriculum.
- To celebrate the cultural diversity of the school and local community
- For parents, carers and families to be partners in learning.

Staff - teaching and non-teaching should:

- Provide a positive role model for behaviour and conduct and follow the “no shouting” ethos, maintaining a calm demeanour and consistency in interactions with students
- Build positive relationships with all pupils by modelling enthusiasm, using humour where appropriate, smiling and using positive and kind words often
- Make eye contact with children and use their name often. Consider your body language when talking to children.
- Draw attention to good role models by using proximal praise.
- Provide clear instructions – say what you expect to see e.g. “walk inside the building” rather than “Don’t run”.
- Intervene quickly. Deal with low level behaviour swiftly and calmly -don’t let it escalate.
- Have high and consistent expectations of themselves and the children
- Emphasise and reward positive behaviour – “praising in public” as often as possible, making positive behaviour choices explicit, referencing and linking our school values.
- Respond to and deal with unacceptable behaviour in a firm, fair and consistent manner – “reprimanding in private” as appropriate.
- Invest time in talking to students about their behaviour choices and consequences, talking all available opportunities to teach children to make positive choices and reflect on their mistakes.
- Consider the individual needs and circumstances of pupils and what is an appropriate expectation for them.
- Move on from behaviour issues once resolved – give all children a fresh start and an opportunity to succeed.
- Involve and inform parents of all aspects of this policy

Senior Leaders and the headteacher should:

- Monitor teaching and learning systematically
- Monitor behaviour and safety frequently through walks and visits around school at all times of day
- Hold regular formal and informal behaviour and concerns staff meetings
- Provide a safe and clean environment
- Deal with issues swiftly and assertively following school guidelines
- Refer to Merridale’s Golden rules when discussing behaviour

- Involve parents as equal and valued partners, and be visible on the school site to deal with concerns
- Ensure records are maintained, and monitor regularly, taking action when needed

Parents and carers

Parents and carers, where possible, should:

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

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

Children:

- Understand that they are a valued part of the community
- Report incidents of poor behaviour to a member of staff as soon as possible.
- Understand their role in the school community and the impact of their behaviour choices on their learning, achievement and the learning and achievement of others.
- Regularly discuss and share what constitutes acceptable and unacceptable behaviour (e.g. in RHE lessons)
- Understand and know what is acceptable behaviour
- Be responsible for behaving in an appropriate manner and making positive behaviour choices

Merridale's Golden Rules

We have a Code of Conduct which are displayed throughout the school, shared with all children and referred to regularly.

Merridale's Golden Rules state:

- 1) We always try our hardest.
- 2) We follow instructions first time.
- 3) We treat others as we would like to be treated.
- 4) We are honest and kind.
- 5) We keep ourselves and others safe.

6) Manners matter.

Rewards for good behaviour and effort

All teachers encourage their students and classes through a system of praise and rewards.

Rewards should be seen as specific, personal, special and meaningful.

Rewards are most effective if they follow immediately upon the desired behaviour.

Children may be:

- given verbal (specific) praise and smiles
- given stickers, stamps and stars
- given raffle tickets to be drawn in the raffle draw during Friday's Achievement Assembly. A raffle ticket also earns one house point.
- praised in front of others
- sent to another teacher and to the Headteacher for appreciation of significant improvement / attainment
- given 'achievement certificates' during Friday's Achievement Assembly
- given extra privileges and responsibilities
- Parents may be notified by letter or phone call/text of special improvement/attainment.

Unacceptable behaviour

The Restorative Approach

At Merridale Primary School, we have high expectations of our pupils. We encourage all children to try their best to achieve their goals. They should understand that it is the responsibility of staff and pupils to uphold and maintain our school rules. For occasions when this is proving not to be the case, we use restorative approaches to help pupils understand the impact of their actions and how to put it right. We believe that by using this approach we are giving pupils the skills to independently make better and more informed choices in the future.

Restorative approaches encourage pupils to think about how their behaviour affects others, both pupils and staff. It helps children to develop respect, responsibility and truth telling. If a pupil in our school has been negatively affected by someone's behaviour, we will try our very best to make sure they feel that it has been put right for them and that it will not happen again.

If a child has done something wrong, they will be asked to put things right and change their behaviour so it does not happen again. The restorative approach allows ALL parties to have their say and be listened to.

The language used is very fair, calm and respectful.

About Restorative Language:

When our pupils find themselves in conflict or upset we will ask them:
What happened?
What were you thinking when it happened?
What needs to happen to put this right?
What would you do differently next time?

We might also say to our pupils:
What would you think if this happened to you?
How can we put this right?
What could you do differently next time?
What other choice could you have made?
How could you make sure this doesn't happen again?

Most situations can be dealt with by working through these questions. The aim here is that the outcome is fair for everyone. If somebody is upset, we aim to make them feel better. If someone has done something wrong, we expect them to take responsibility for their actions and fix the situation.

Consequences and sanctions:

There is no use of physical punishment. All sanctions should take individual circumstances into account and be in proportion to the offence.

Try to remember that we should:

- criticise the behaviour and not the person
- use **private** rather than public reprimands whenever possible
- be fair and consistent

Consequences/sanctions for not following the school rules:

- Child receives a warning/verbal reminder, explaining clearly and explicitly the school rule which has been broken
- Child moved to another area of the classroom or sent to another class (with work).
- Child misses part of break/lunchtime for restorative conversation
- Child is sent to a member of the senior Leadership Team/Headteacher or Learning Mentor (these incidents will be recorded on CPOMS)
- Recording of incidents of poor behaviour on CPOMS – Use ABC to identify:
 - **Antecedent:** (What happened prior to or as behaviour occurred? Where? Who? What?)
 - **Behaviour** (what was shown or observed/)
 - **Consequence** (what happened immediately after?)

Trying to understand behaviours is key and seeking out purpose and function of behaviour e.g. seeking attention, escaping/avoiding, leaving area/person, access a preferred place/space/person, sensory-seeking, communicating etc

- Parents are contacted/meeting arranged

These consequences/sanctions are usually followed through in order. However, there are occasions such as use of physical aggression, bullying, homophobic or racist behaviour where the child's sanction is fast-tracked to a member of the senior

Leadership Team/Headteacher and parents. When children are sent to any members of SLT, a restorative conversation takes place to support positive behaviour choices in the future and discuss support strategies.

Letters may be sent home reminding parents/carers of the power to exclude a child if behaviour is unacceptable or dangerous. In the case of persistent or serious unacceptable behaviour, the Headteacher will arrange to meet parents in school, with a governor if appropriate.

Suspensions and exclusions remains as the last resort when other sanctions have failed or can be applied in cases of behaviour that may threaten the safety of the individual or others.

If a child persistently behaves in an unacceptable way, it may be deemed necessary by the head teacher and governing body to:

- issue a formal warning
- impose an internal exclusion
- impose a fixed-term exclusion
- impose a permanent exclusion (as a last resort)

Safeguarding

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

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

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

Please refer to our Safeguarding and Child Protection policy for more information:

<https://www.merridaleprimary.co.uk/school-policies>

Bullying

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

Bullying is, therefore:

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

Bullying can include:

TYPE OF BULLYING	DEFINITION
Emotional	Being unfriendly, excluding, tormenting

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

Details of our school's approach to preventing and addressing bullying us set out in our Anti-Bullying Policy, which can be found here: <https://www.merridaleprimary.co.uk/school-policies>

Individual Behaviour Plans/Special Arrangements

In cases where individual children experience difficulty in behaving as we would wish them to, and little progress in modifying their behaviour is noted following the consistent use of the school's usual range of rewards and sanctions, the child will need to be considered for inclusion on the school's special educational needs register.

If this is the case, the child's teacher will discuss the child with the SENCO, who is responsible for the behavioural aspects of the code of Practice for Pupils with Additional Needs. The SENCO and Learning Mentor will provide advice and support in the drawing up and implementation of appropriate plans or arrangements, in liaising with the child's parents and in enlisting their support.

Meeting the needs of children with SEND

In response to the Equality Act 2010, and in terms of safeguarding and supporting pupils with special educational needs, it is recognised that some pupils require a more sensitive and differentiated approach when dealing with behaviour. A graduated response will be taken and will reflect each individual child's additional needs.

All approaches employed will also take into account additional costs and any other practical considerations for the school:

- Quality First Teaching
- Small group support
- 1:1 interventions
- Support from outside agencies e.g. Wolverhampton Outreach, Speech and Language Team, Occupational Therapy, Educational Psychology Service
- All support should be recorded on a plan e.g. Behaviour support plan, Individual Provision plan and/or Early Help Application.

Following support it may be necessary to consider other approaches e.g. an Education, Health and Care Plan (EHCP), attendance at a short stay placement away from the main school site, modified timetable, exclusion (internal, fixed and permanent)

Physical Restraint of Pupils

There are very limited circumstances in which the use of physical restraint is appropriate.

These are:

- where a pupil's behaviour is at risk of causing injury to him/her self;
- where a pupil's behaviour is likely to cause injury to others (adults or children);
- where a pupil's behaviour is likely to cause serious risk of damage to property.

On all occasions the use of physical restraint will be reported to the Headteacher and to parents. A written record of the incident, including the use of restraint, will be recorded on the child's record on CPOMS.

Why use restraint?

Physical restraint should avert danger by preventing or deflecting a child's action or perhaps by removing a physical object, which could be used to harm him / herself or others. It is only likely to be needed if a child appears to be unable to exercise self-control of emotions and behaviour.

It is not possible to define every circumstance in which physical restraint would be necessary or appropriate and staff will have to exercise their own judgement in situations which arise within the above categories. Staff should always act within the school's policy on behaviour and discipline, particularly in dealing with disruptive behaviour.

Staff are aware that when they are in charge of children during the school day, or during other supervised activities, they are acting in loco parentis and should, therefore, take reasonable action to ensure pupils' safety and well-being.

Failure to physically restrain a pupil who is subsequently injured or injures another, could, in certain circumstances, lead to an accusation of negligence. At the same time

staff are not expected to place themselves in situations where they are likely to suffer injury as a result of their intervention.

Alternative strategies

There are some situations in which the need for physical restraint is immediate and where there are no equally effective alternatives (e.g. is a pupil about to run across a road). However, in many circumstances there are alternatives e.g. use of assertiveness skills such as:

- the broken record in which an instruction is repeated until the pupil complies
- use of a distracter, such as a loud whistle, to interrupt the behaviour (such as a fight) long enough for other methods of verbal control to be effective
- withdrawal of attention (audience) e.g. if an action such as damage to property is threatened
- other techniques designed to defuse the situation, such as the avoidance of confrontation, or use of humour (in these cases the incident can be dealt with later when emotions are no longer running high)
- the employment of other sanctions consistent with the school's policy on behaviour.

Use of physical restraint

Physical restraint will be applied as an act of care and control with the intention of re-establishing verbal control as soon as possible and, at the same time, allowing the pupil to regain self-control. It will never take a form which could be seen as a punishment. Staff are only authorised to use reasonable force in applying physical restraint, although there is no absolute definition of this, as what constitutes reasonable force depends upon the particular situation and the pupil to whom it is being applied. However, as a general rule, only the force necessary to stop or prevent the behaviour should be used, in accordance with the guidelines below. There are some forms of physical intervention, which may involve minimal physical contact, such as:

- blocking a pupil's path or the staff member physically interposing him or herself between the pupil and another pupil or object. However, in some circumstances, direct physical contact may be necessary.
- In all circumstances other methods will be used if appropriate or effective physical restraint will be a last resort.

When physical restraint becomes necessary staff will:

- Tell the pupil what they are doing and why
- Use the minimum force necessary
- Involve another member of staff if possible
- Tell the pupil what s/he must do for the restraint to be removed (this may need frequent repetition)
- Use simple and clear language
- Hold limbs above a major joint if possible e.g. above the elbow
- Relax their restraint in response to the pupil's compliance

They will not:

- Involve themselves in a prolonged verbal exchange with the pupil
- Attempt to reason with the pupil

- Involve other pupils in the restraint
- Touch or hold the pupil in intimate/sexual areas
- Twist or force limbs back against a joint
- Bend fingers or pull hair
- Hold the pupil in a way which will restrict blood flow or breathing e.g. around the neck
- Slap, punch, kick or trip up the pupil
- Act in temper (they will involve another staff member if they fear loss of control)

Follow up procedure

Physical restraint often occurs in response to highly charged emotional situations and there is a clear need for debriefing after the incident, both for the staff involved and the pupil. A member of the leadership team will be informed of any incident as soon as possible and will take responsibility for making arrangements for debriefing once the situation has stabilised. An appropriate member of staff will always be involved in debriefing the pupil involved and any victims of the incident should be offered support, and their parents informed. If the behaviour is part of an ongoing pattern it may be necessary to address the situation through the development of a Risk Management Plan, which may include an anger management programme, or other strategies agreed by the Leadership Team.

It is also helpful to consider the circumstances precipitating the incident to explore ways in which future incidents can be avoided.

All incidents will be recorded immediately on the child's record on CPOMS. All sections of this report will be completed so that in the event of any future incidents a full record is available.

A member of staff will contact parents as soon as possible after an incident, normally on the same day, to inform them of the actions that were taken and why, and to provide them with an opportunity to discuss it.

Management Plan

If we become aware that a pupil is likely to behave in a disruptive way that may require the use of reasonable force, we will plan how to respond if the situation arises.

Such planning will address:

- Management of the pupil (e.g. reactive strategies to de-escalate a conflict, holds to be used if necessary)
- Involvement of parents to ensure that they are clear about the specific action the school might need to take, and get their signature of agreement
- Briefing of staff to ensure they know exactly what action they should be taking (this may identify a need for training or guidance)
- Identification of additional support that can be summoned if appropriate

Confiscation, searches, screening

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

Confiscation

› Any prohibited items - these are:

- Knives or weapons
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco and cigarette papers
- Fireworks
- Pornographic images

Any article a staff member reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of, any person (including the pupil) found in a pupil's possession as a result of a search will be confiscated. These items will not be returned to the pupil.

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

Searching a pupil

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

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

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

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

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

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

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

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

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

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

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

If they still refuse to co-operate, the member of staff will contact the headteacher/Designated Safeguarding Lead or deputy to try and determine why the pupil is refusing to comply.

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

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

An authorised member of staff may search a pupil's outer clothing, pockets, possessions, desks or lockers.

Outer clothing includes:

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

Searching pupils' possessions

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

- Desks

› Trays

› Bags

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

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

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

Informing the designated safeguarding lead (DSL)

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

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

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

Informing parents

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

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

Support after a search

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

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

Strip searches

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

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

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

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

Communication and record-keeping

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

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

Who will be present

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

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

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

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

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

The appropriate adult will:

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

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

Care after a strip search

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

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

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

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

Suspected criminal behaviour

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

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

If a decision is made to report the matter to the police, the headteacher, member of the Senior Leadership Team or Learning Mentor/Welfare Officer will make the report.

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

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

Zero-tolerance approach to sexual harassment and sexual violence

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

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

The school's response will be:

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

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

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

Please refer to our Safeguarding and Child Protection policy for more information:

<https://www.merridaleprimary.co.uk/school-policies>

Malicious allegations

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

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

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

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

Please refer to our Safeguarding and Child Protection policy for more information on responding to allegations of abuse against staff or other pupils.:

<https://www.merridaleprimary.co.uk/school-policies>

Appendix A

Legislation, statutory requirements and statutory guidance

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

- [Behaviour and discipline in schools: advice for headteachers and school staff, 2016](#)
- [Behaviour in schools: advice for headteachers and school staff 2022](#)
- [Searching, screening and confiscation at school 2018](#)
- [Searching, screening and confiscation: advice for schools 2022](#)
- [The Equality Act 2010](#)
- [Keeping Children Safe in Education](#)
- [Exclusion from maintained schools, academies and pupil referral units in England 2017](#)
- [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement - 2022](#)
- [Use of reasonable force in schools](#)
- [Supporting pupils with medical conditions at school](#)

It is also based on the [Special Educational Needs and Disability \(SEND\) Code of Practice](#).

In addition, this policy is based on:

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