

Positive Behaviour Support Policy

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Helm Academy

EMPOWERING MINDS, NAVIGATING FUTURES

This policy is one of a series of school policies that, taken together, are designed to form a comprehensive statement of the school's aspiration to provide an outstanding education for each of its students and of the mechanisms and procedures in place to achieve this. Accordingly, this policy should be read alongside these policies. In particular it should be read in conjunction with the policies covering equality and diversity, Health and Safety, Safeguarding and Child Protection.

All of these policies have been written, not simply to meet statutory and other requirements, but to enable and evidence the work that the whole school is undertaking to ensure the implementation of its core values.

While this current policy document may be referred to elsewhere in Helm Academy Virtual School documentation, including particulars of employment, it is non-contractual.

Policy Issues and Updates

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Helm Academy

EMPOWERING MINDS, NAVIGATING FUTURES

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Availability: This policy which applies to all activities undertaken by the school, inclusive of those outside of the normal school hours and away from the school site and is inclusive of all who work, volunteer or supply services to our school. They have an equal responsibility to understand and implement this policy and its procedures both within and outside of normal school hours, including activities away from school. All new employees and volunteers are required to state that they have read, understood, and will abide by this policy and its procedural documents and confirm this by signing the Policies Register.

This policy complies with The Education (Independent School Standards) (England) Regulations currently in force.

1. Monitoring and Review

This document will be subject to continuous monitoring, refinement, and audit by the Headteacher, who will ensure that the school environment encourages positive behaviour, and that staff deal effectively with negative behaviour. The school's Leadership Team will monitor how staff implement this policy, to ensure rewards and sanctions are applied consistently.

2. Policy Intent

This Policy intends to:

- ✓ provide a consistent approach to behaviour support.
- ✓ define what we consider to be unacceptable behaviour, including bullying.
- ✓ outline the schools' expectations for positive behaviour.
- ✓ summarise the roles and responsibilities of different people in the school community with regards to behaviour support.
- ✓ Outline our system of rewards and consequences.
- ✓ Set out a toolbox of possible sanctions to negative behaviour.

3. Written Statement of Behaviour Principles

At Helm Academy Virtual School, through a caring, positive, calm, and firm approach we ensure:

- ✓ every pupil understands that they have the right to feel safe, valued, and respected, and learn free from the disruption of others.
- ✓ all pupils, staff and visitors are free from any form of discrimination.
- ✓ staff and volunteers always set an excellent example to pupils.
- ✓ rewards, consequences and reasonable force are used consistently by staff, in line with the Engagement & Behaviour Support Policy. Restrictive physical interventions are always a last resort.
- ✓ the Positive Behaviour Support Policy is understood by pupils and staff.
- ✓ the Suspension and Exclusions Policy explains that exclusions will only be used as a last resort and outlines the processes involved in permanent and fixed term exclusions.
- ✓ pupils are helped to take responsibility for their actions.
- ✓ families are involved in behaviour incidents to foster good relationship between the school and pupils' home life.
- ✓ positive behaviour, using encouragement, praise, and rewards.
- ✓ inappropriate behaviour is discouraged, using a structured system of consequences used consistently
- ✓ our pupil's self-esteem is promoted, increasing levels of self-responsibility and self-awareness through target setting, sharing of those targets with pupils and the teaching of coping strategies.

4. Roles and Responsibilities

The staff team at Helm Academy Virtual School are committed to making provision for the education and supportive social and behavioural support for all of our pupils.

All pupils have an Education, Health and Care Plan (EHCP). Our school provides a caring and supportive learning environment where pupils make progress relative to their individual starting points and where all members of the school community feel valued, safe, and respected. Our aim is to encourage pupils to develop personal, social, and employable skills to enable them to become confident, independent and aspiring young people. Working with parents and carers is fundamental to the success of this policy. We expect reinforcement of positive behaviours out of school, so that there is always consistency of expectations and outcomes.

Helm Academy Virtual School is committed to school-wide positive behaviour support to improve behaviour and quality of life for all pupils. We seek to understand behaviour based on assessment of the social and physical environment in which the behaviour happened and to shape and encourage positive, wanted behaviours via skills teaching, environmental changes and use of positive reinforcement.

It is recognised that many of our pupils have learning difficulties, including literacy and numeracy delay and some specific learning difficulties. Here at Yarrow Heights, we enable a positive ethos, celebrating personal, behavioural, and academic achievement. To this end we provide an engaging curriculum that is tailored to the individual needs and learning styles of each pupil. Appropriate and acceptable behaviour is taught via planned activities (group or individual), Personal Development lessons, reflection time, assemblies, modelling, relationship restoration and reflection post incidents. This approach underpins our daily practice.

Staff:

Staff are responsible for:

- ✓ Implementing the behaviour policy consistently
- ✓ Modelling positive behaviour
- ✓ Reporting and recording behaviour incidents
- ✓ The senior leadership team will support staff when responding to behaviour incidents.

Parents/carers:

Parents/carers are expected to:

- ✓ Support their child in adhering to the pupil code of conduct.
- ✓ Inform the school of any changes in circumstances that may affect their child's behaviour.
- ✓ Discuss any behavioural concerns with the child's tutor promptly.

EMPOWERING MINDS, NAVIGATING FUTURES

4.1. The role of other agencies

Helm Academy Virtual School has a Therapy Team which supports communication, sensory and mental health needs. Additionally, we have access to the SEN teams at ours and neighbouring boroughs' local authorities. The school has a good working relationship with the local authority and complies with their safeguarding procedures.

5. Ethos

This policy is a statement of good practice that covers all aspects of the school that contribute to the development and maintenance of good behaviour and a positive ethos. All members of the school are expected to help maintain a caring atmosphere, conducive to learning, with courtesy and mutual respect as basic requirements. The ethos of our school is such that all who come here are valued as individuals. Children are given clear guidance as to what is, and is not, acceptable behaviour, so that they can develop their own moral code. It is important that each person is treated fairly and is shown respect by other children and adults. Children should never be allowed to feel that discrimination of any description is acceptable. We expect all members of our school –

children, parents, and staff – to keep to the guidelines, requiring these to be applied consistently. The Behaviour Support Policy is dove-tailed with the Anti-Bullying Policy (with support for the victim and the bully) and makes it clear what the sanctions are for bullying. All staff play a key role in promoting positive behaviour.

The Helm Academy Virtual School team consider behaviour to often be an expression of a child's emotional state and as such consider all behaviour, positive or negative, in the wider context of a child's needs, abilities and disabilities. Every child has the right to be listened to; we view behaviour support as our way of supporting children to express themselves appropriately, so that they will be listened to and understood, in school, at home and in society. It is our duty to empower our children, and we take this approach in behaviour support.

We do not seek to control our children's behaviour; we provide our pupils with the skills they require to moderate their own behaviour. We prompt and support our children but do not teach them to be dependent upon us; they need to be able to use their skills in wider society, not just in school. We believe that our main priority is to support our pupils with proactive strategies, providing alternative tools for pupils to communicate their needs. Consequences, although sometimes required, will be used in a fair, consistent way, again to aid the social and emotional skills of our pupils.

6. Aims and Objectives.

Our aims are to:

- ✓ Address negative behaviour through understanding, patience, and skills teaching.
- ✓ Understand the underlying factors causing and maintaining behaviours; to respond positively, consistently, and effectively, provide a caring, safe, and supportive learning environment, structures, and strategies to empower the individual to manage his/her own behaviour, promote emotional regulation and independence, enhance communication and socialisation, and raise self-esteem.
- ✓ Treat all pupils with respect and fairness, celebrating their achievements and support pupils to participate in their local community.
- ✓ Understand that challenging behaviour has a communicative intent, recognise that the ultimate function of all behaviour is to communicate wants and needs
- ✓ Appreciating that children on the autistic spectrum and with special educational needs may have unique needs and more limited means of achieving, identifying, and communicating those needs.
- ✓ Protect and keep safe the individual concerned and the other people around the child, including staff.
- ✓ Eliminate all forms of discrimination, harassment and bullying as well as promoting equality of opportunity and wellbeing of all pupils and staff in the school.
- ✓ Accept that the child has a right to make choices and express themselves using satisfactory means.
- ✓ Teach and promote the skills necessary to meet the needs of all individuals, to enable them to change the behaviours that tend to stigmatise and/or isolate them.
- ✓ Deploy appropriate and proportionate consequences in response to negative behaviours, on the basis that it is important for children to learn about the likely outcomes of their behavioural choices.
- ✓ Always strive to restore positive staff-pupil relationships at an appropriate time after a consequence has been issued
- ✓ Appreciate that pupils learn from experiencing the immediate outcomes of their behaviour i.e., the natural consequences.

- ✓ Support pupils to be in the most effective state for learning (happy, relaxed engaged and motivated) and ensure the positive behaviours they display are reinforced.
- ✓ Support each pupil to develop their emotional regulation skills using pupil-specific strategies where appropriate
- ✓ Support pupils that need a higher tier of behavioural support with individual behaviour plans (see Appendix 5 – 6), working with outside agencies such as mental health professionals to seek advice and support, as necessary.
- ✓ Train and support staff to understand behaviour and equip them with skills and knowledge to effectively manage negative behaviour using a child-centred approach.
- ✓ Detail strategies that support the development of positive behaviours
- ✓ Define roles and responsibilities of staff, whole school and the parents.

7. Pupils

7.1. The Rights and Responsibilities of Children

We take seriously the rights and responsibilities of pupils and believe that children have the right to:

- ✓ develop to their full potential in every area of school life.
- ✓ be treated fairly and with respect.
- ✓ learn in a calm and undisrupted atmosphere.

7.2. Helm Academy Virtual School non-negotiables

The school has curated a set of non-negotiable expectations for pupils to observe while they are onsite. The primary aim of these expectations is to ensure a school environment that is consistently conducive to learning. Our non-negotiable expectations are:

- ✓ Hand in all personal technology at the beginning of each school day
- ✓ Use appropriate, respectful language and actions towards everyone in school
- ✓ Be in the right place at the right time
- ✓ Keep yourself and each other safe
- ✓ Follow staff instructions
- ✓ Allow others to learn without disruption

7.3. Pupil Support

The school recognises its legal duty under the Equality Act 2010 to prevent pupils with a protected characteristic from being at a disadvantage. Consequently, our approach to negative behaviour may be differentiated to cater to the needs of the pupil.

The school recognises its legal duty under the Children and Families Act 2014 to use our ‘best endeavours’ to meet the needs of those with SEND.

The school’s senior leadership team will evaluate a pupil who exhibits challenging behaviour to determine whether they have any underlying needs that are not currently being met. Where necessary, support and advice will also be sought from parents/carers, the schools’ specialist teachers, members of the Therapy Team, medical practitioners and/or others, to identify or support specific needs. When acute needs are identified in a pupil, we will liaise with external agencies and plan support programmes for that child. We will work with parents to create the plan and review it on a regular basis.

8. Education

8.1. The School Environment

We are aware of the impact of the Helm Academy Virtual School environment on the behaviour of our pupils. If we are to raise self-esteem and demonstrate the value of each individual member of our school, then we must make sure that this is reflected in the appearance of the school. All aspects of the school facilities have been thoughtfully designed to support all aspects of our children's social, academic and physical needs. To this end, the suitability of the environment for the pupils is regularly checked by the therapy team as part of their Environmental Audits. Feedback derived from these audits on how to improve the environment for our pupils is passed to – and implemented by – the Managing Director.

The care and sensitivity with which children's work is displayed both in the classroom and throughout the school will radically affect the feeling of welcome and ownership by all. Children's work is displayed all around the school and sometimes referred to in lessons. All areas are carefully decorated to be welcoming and interesting without being over-stimulating for our pupils. Displays will reflect the achievements and learning of the pupils and be relevant and purposeful. Our pupils move around the school for their lessons, making the most of our facilities and increasing their sense of ownership of their school. Staff will have a commitment to the appearance of the school buildings by picking up litter, noting displays coming adrift and removing items left lying around.

The children will also be encouraged to be likewise aware so that they feel they personally have a responsibility for keeping the school clean, tidy, and attractive. Children showing pride in their own classroom and cloakroom is the first step towards this.

8.2. Skills Teaching and Academic Ability

This policy acknowledges that negative behaviour is often the result of skill and knowledge deficits that may cause pupils to become emotionally heightened when trying to tackle challenging aspects of the school's curriculum. To counter this, all Helm Academy Virtual School teachers are required to adapt their teaching methods and lesson resources to match the varying ability levels of each pupil in their lessons. The extent to which adaptation takes place is based primarily on the reading and numeracy baseline assessments that all pupils complete upon starting Helm Academy Virtual School. The educational outcomes and strategies in Section F of the pupils' EHCP documents are also taken into account, as well as frequent and rigorous checking of pupil-borne evidence for learning as well as Boxall profiles to support emotional needs alongside academic abilities (e.g., work completed in exercise books).

In addition to academic ability being a motivating factor behind incidents of negative behaviours, Helm Academy Virtual School also acknowledges that other skill-based shortcomings may contribute to a pupil's inability to work within the school's expectations. These shortcomings could be related to (but not limited to) communication impairments; a psychological inability to self-regulate; a lack of strategies for cope with pressurised social situations; undiagnosed learning difficulties. Pupil-facing staff will, always, seek to proactively identify skill and knowledge-based deficits. A multidisciplinary approach (e.g., incorporating staff from the therapy team, education team, external agencies, parents) to addressing these issues will be prioritised as often as is reasonably practicable. If appropriate, relevant pupil-facing staff will be deployed to teach pupils any skills in which they are found to be lacking.

8.3. Individual Learning Plan

ILPs are written for each pupil. In coordination with all pupil-facing staff members, the school's SENCO will ensure that these identify the needs of each individual pupil and specify how best to support the pupil and meet their needs, incorporating the targets and support from Boxall profiles and the targets

from the EHCP. The focus of the ILPs is always recognising the positive qualities pupils have and encouraging interventions and strategies to be designed to promote further positive achievements. These are also created with the pupil's input.

Where identified, some pupils will be risk assessed to ensure full curriculum accessibility and guides for other staff regarding:

- ✓ support strategies that are appropriate for that pupil and any risk that may exist. All ILPs are approved by the team around the child (TAC), reviewed twice per year (or more frequently if necessary) and available to parents/carers upon request.
- ✓ other professionals working with the child. Indeed, all staff are aware that the ILPs are a working document and are used as an important reference point when considering further support for pupils.
- ✓ Some pupils may receive additional support from members of the Extended Team; this could include work with Parents/Carers through our Family Liaison Team, individual support from one or more of our Therapy Team and Psychologists. Social Care may also provide support to the pupils and adults working with them.

8.4. Classroom and around the school

Teaching and support staff are responsible for setting the tone and context for positive behaviour within the classroom and all staff model respectful and positive behaviours around the school.

All Staff will:

- ✓ Create and maintain a stimulating environment that encourages pupils to be engaged.
- ✓ Develop a positive relationship with pupils, which may include:
- ✓ Greet pupils in the morning/at the start of lessons
- ✓ Encourage a climate of kindness, respect, and consideration.
- ✓ Establish clear routines
- ✓ Communicate expectations of behaviour in ways additionally to verbally
- ✓ Highlight and promote good behaviour
- ✓ Conclude the day positively and start the next day afresh
- ✓ Have a plan for dealing with disruption
- ✓ Use positive reinforcement.

9. Promoting Positive Behaviour

- ✓ As staff we treat each other, all our pupils and all visitors with respect and courtesy as part of our ethos but also as an example to our pupils.
- ✓ We employ a variety of strategies to enforce the school rules and ensure a safe and positive learning environment.
- ✓ Often our children exhibit negative behaviours due to their difficulties expressing their emotions and as such visuals are employed and opportunities to learn how to understand and express emotions appropriately are given throughout the school day.
- ✓ Parents are integral to our promotion of positive behaviour and as such we work closely with them on all aspects of their child's learning, behaviour and programmes.
- ✓ We apply each strategy consistently and fairly to each individual situation.
- ✓ The starting point of any consequence is an assessment of what could have caused a particular behaviour has occurred.
- ✓ The antecedent of any behaviour will determine the consequences.
- ✓ In the first instance we will modify any situation to accommodate each individual child to prevent negative behaviours occurring.

- ✓ We will provide opportunities according to each child's need for sensory input to address sensory integration difficulties which may lead to disruptive behaviour.
- ✓ Where appropriate a child will be redirected to engage in a more positive behaviour or activity.
- ✓ When appropriate we will employ the strategy of rewarding preferred behaviour to reduce specific negative behaviour.
- ✓ The Class Teacher discusses the school non-negotiable expectations with each class; these are also reinforced in school assemblies.
- ✓ Where a child fails to meet expected levels of behaviour or engagement, staff will meet with the child as soon as possible after the incident(s) of negative behaviour to reflect upon the situation and formulate ideas and strategies to support the child moving forward.
- ✓ Missed work may also be caught up in these meetings, depending on the context of the situation.
- ✓ If there are incidents of anti-social behaviour, the class teacher discusses these with the whole class during tutor time and with all staff during staff meetings.
- ✓ All strategies and behaviours are discussed and implemented consistently across the whole school by all staff and volunteers.
- ✓ The school does not tolerate bullying of any kind.
- ✓ If we discover that an act of bullying or intimidation has taken place, we act immediately to stop and prevent any further occurrences of such behaviour.
- ✓ While it is difficult to eradicate bullying, we do everything in our power to ensure that all children attend school free from fear.

Differential reinforcement: Differential reinforcement involves positively reinforcing (strengthening) wanted behaviour, while not giving value to negative behaviour. Staff will be given training, support, and guidance to help ensure that we do our best to not give negative behaviour value, and that where negative behaviour occurs, there is a consistent, fair and supportive approach from all staff. Certain approaches and techniques are highlighted in **section 11** of this policy.

A range of reward systems will be linked to re used as generalised reinforcers and will seek to motivate pupils to display positive, behaviour.

10. Definitions

10.1. Negative behaviour is defined as:

- ✓ Disruption in lessons, in corridors between lessons and at break and lunchtimes
- ✓ Poor attitude displays of unkindness, rudeness and verbal aggression.
- ✓ Leaving a lesson without permission or not attending a lesson.
- ✓ Refusal to adhere to the school's list of non-negotiable expectations.
- ✓ Causing minor damage to any property.
- ✓ Use of inappropriate language (swearing or terms considered offensive).

10.2. High-level negative behaviour is defined as:

Any form of bullying

- ✓ An assault on a pupil or member of staff
- ✓ Sexual assault, which is any unwanted sexual behaviour that causes humiliation, pain, fear, or intimidation.
- ✓ Vandalism or considerable damage
- ✓ Theft
- ✓ Smoking
- ✓ Racist, sexist, homophobic or discriminatory behaviour

Possession of any prohibited items. These are:

- ✓ Knives or weapons
- ✓ Alcohol
- ✓ Illegal drugs
- ✓ Stolen items
- ✓ Tobacco, cigarette papers, matches, lighter or vaping equipment.
- ✓ Fireworks
- ✓ Pornographic images
- ✓ Any article a staff member 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)

11. Responses to Negative Behaviours

Although we seek to avoid the use of sanctions, attempting to work proactively, supporting our pupils to communicate affectively, and display positive behaviour, we also recognise that in some scenarios, there will be a need for negative behaviour to be addressed. This will be done fairly and consistently thought the school. Some strategies that may be used in response to negative behaviour are as follows:

- ✓ Acknowledging the negative behaviour, labelling it for the pupil as inappropriate communication, and offer alternatives (if appropriate).
- ✓ Reminding the pupils that, if the negative behaviour continues, they may not be able to earn their lesson points, and this has an impact on their rewards time.
- ✓ Offer support outside of the classroom (either with the class LSA or Engagement support team if appropriate).
- ✓ Reminding the pupils of expectations/non-negotiables
- ✓ Reflection time with either Tutor or lesson teacher. This could be for a portion of the pupils break time, with the goal of discussing the negative behaviour in a context of; What do they feel caused the behaviour? And how can we support the pupils to be able to express more positively next time.
- ✓ Discussing with the pupils' possible positive consequences of positive behaviour and interaction (social behaviour mapping).
- ✓ Potential exclusion from preferred/reward activities. This will be done in the context of safety.
- ✓ Where high level disruption is being caused, effecting the learning of others, as a last resort, after all other options have been attempted, the pupil maybe removed from lesson.

11.1. Sanctions that are not used

The following sanctions MUST never be used: -

- ✓ Corporal punishment
- ✓ Any form of hitting of a child (including hitting, pushing, or slapping a child in anger or retaliation).
- ✓ Deprivation of food or drink.
- ✓ Enforced eating or drinking.
- ✓ Any sanctions which are considered humiliating or degrading.
- ✓ Prevention of contact by telephone with parents or any appropriate independent listener or helpline.
- ✓ Requirement to wear distinctive clothing.
- ✓ Withholding of any aids or equipment needed by a child.

11.2. Specific Responses to High Level Negative Behaviour

- ✓ Smoking/Vaping - The member of staff who sees or suspects a pupil of smoking/vaping should inform the pupil's Tutor. The pupil will be expected to hand over any cigarettes, tobacco, lighters/matches, and vaping equipment. The Tutor will then inform a member of SLT, and phone calls to the home will be made.
- ✓ Assault of a peer or member of staff - Assault on any person is always unacceptable. Those assaulted will always be offered first aid and support. The Headteacher, through discussion with SLT and other staff, will then decide if further consequences, for example exclusion or police involvement, are necessary. Parents will always be informed of any incident.
- ✓ Any substance misuse / Drug use - Any concerns and suspicions about substance / drug misuse possession or a person being under the influence of alcohol or drugs must be reported to the Headteacher/SLT/DSL immediately.
- ✓ Considerable damage to property - A pupil who causes intentional and considerable damage to property will be issued with a bill of damages sent to their parent/carer.
- ✓ Offsite - If a pupil absconds from the school site, the senior staff must be informed immediately. Where possible, a member of staff will search the local area. Home will be contacted immediately.
- ✓ Behaviour outside school (See Behaviour Support on Educational Visits and Off-site Activities) - Pupil's behaviour outside school on educational visits is subject to the school's Behaviour Policy. Negative/inappropriate behaviour in such circumstances will be responded to as if it had taken place in school. In cases of serious and/or highly disruptive negative behaviour, parents may be contacted to come and collect their child from the venue.
- ✓ A member of the school Senior or Educational Leadership Teams may not allow pupils to participate in an educational visit (including residential visits) if their behaviour at school indicates that the pupil's presence on the activity will be prejudicial to good order and/or safety. Any serious high-level negative behaviour whilst on an educational visit will result in the pupil being sent home. The onus will be on the pupil's parents to collect them from the venue, and/or to cover any costs associated with transporting the pupil home.
- ✓ Anti-Bullying - For information of how we deal with incidents of bullying, please see our Anti-Bullying Policy. If a case occurred of severe or persistent bullying, strong sanctions, such as exclusion, would be implemented.
- ✓ Child on child Abuse / Harmful Sexual Behaviour - The DfE has clarified the definition of 'sexual assault', urging schools to be aware that this is a term that encompasses a wide range of behaviours, including kissing someone or groping their body, for which consent is not given by the individual at the receiving end of the behaviour.

The guidance states that schools should acknowledge that even a 'single act' of harmful sexual behaviour of this kind still constitutes sexual assault. The list of examples of 'sexual harassment' has also seen the following additions:

- Sharing of unwanted explicit content, e.g., unsolicited nudes or semi-nudes
- Upskirting
- Consensual sharing of nude and semi-nude images of children.

While the non-consensual sharing of nude and semi-nude images was previously included in this guidance, the DfE has clarified that the sharing of sexualised imagery of individuals under the age of 18 is illegal regardless of whether consent was given by the subject of the imagery and has updated the definition of sexual harassment to include the 'consensual' sharing of these images too. The DfE does state, however, that it may not always be appropriate to treat consensual sharing of images in the same way as non-consensual sharing, as, while the latter will always be an example of abusive behaviour, the former may not be abusive. The guidance is clear that pupils still need to be made aware that sharing these images is illegal, and schools should ensure that pupils are aware of the potential consequences of sharing such imagery.

- A new term was also added to the guidance – ‘causing someone to engage in sexual activity without consent’; this is defined as where an individual (person A) intentionally causes another individual (person B) to engage in an activity, the activity is sexual, person B does not consent to engage in the activity, and person A does not reasonably believe that person B consents. The guidance clarifies that incidents of this could include a person being forced to strip, touch themselves sexually or engage in sexual activity with a third party.
- Sexual violence and sexual abuse can happen anywhere, and all staff working with children are advised to maintain an attitude of ‘it could happen here’. Schools and colleges should be aware of, and respond appropriately to all reports and concerns, including those outside the school or college, and or online.

For information of how we deal with incidents of peer-on-peer abuse, please see our peer-on-peer abuse policy.

11.3. Searching and Confiscation

Any prohibited items found in pupils’ possession will be confiscated. These items will not be returned to pupils. We will also confiscate any item which is harmful or detrimental to school order and the wellbeing of the pupil and others. These items will be returned to pupils after discussion with senior leaders and parents, if appropriate. Any searching and screening of pupils if necessary is conducted in line with the DfE’s latest guidance on searching, screening and confiscation.

This applies to all staff, volunteers, and contractors, paid and unpaid, working in the school. Our School fully recognises the responsibility it has under section 157 of the Education Act 2002 to have arrangements in place to safeguard and promote the welfare of children.

Care and consideration will be given to the age of the child when following the guidance in this policy.

This policy has been written using advice taken from the [Behaviour in schools guidance \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/651765/behaviour-in-schools-guidance.pdf). The school acknowledges its legal duty to make reasonable adjustments for disabled children and children with special educational needs (SEN). Equality Act 2010

Search with Consent

- ✓ School staff can search a pupil for any item if the pupil agrees. The school will consider the age of the child when considering consent.
- ✓ It is enough for the teacher to ask the pupil to turn out his or her pockets or if the teacher can look in the pupil’s bag or locker and for the pupil to agree. They do not need written consent from the child.
- ✓ The school makes clear in their school Behaviour Policy and in communications to parents and pupils what items are banned. If a member of staff suspects a pupil has a banned item in his/her possession, they can instruct the pupil to turn out his or her pockets or bag and if the pupil refuses, the teacher can apply an appropriate sanction as set out in the school’s Behaviour Policy.
- ✓ A pupil refusing to co-operate with such a search raises the same kind of issues as where a pupil refuses to stay in a detention or refuses to stop any other unacceptable behaviour when instructed by a member of staff – in such circumstances, the school can apply an appropriate sanction.

Search Without Consent

The Headteacher and staff authorised by the Headteacher have a statutory power to search pupils or their possessions, without consent, where they have reasonable grounds for suspecting that the pupil may have a prohibited item.

Prohibited items are:

- ✓ knives or weapons.
- ✓ alcohol.
- ✓ illegal drugs.
- ✓ stolen items.
- ✓ tobacco (not cigarette papers).
- ✓ fireworks.
- ✓ pornographic images.
- ✓ any article that the member of staff suspects has been, or is likely to be, used to commit an offence or cause harm or to cause personal injury to, or damage to the property of, any person (including the pupil)
- ✓ The staff member conducting the search must be the same sex as the pupil being searched. There must be a witness (also a staff member) and, if possible, they should be the same sex as the pupil being searched.
- ✓ There is a limited exception to this rule. Staff can carry out a search of a pupil of the opposite sex without a witness present, but only where the staff member believes that there is a risk that serious harm will be caused to a person if they do not conduct the search immediately and where it is not reasonably practicable to summon another member of staff.
- ✓ The school will not use force to search for additional items, banned under school rules.

Establishing grounds for a search

- ✓ Teachers can only undertake a search without consent if they have reasonable grounds for suspecting that a pupil may have in his or her possession a prohibited item. The teacher must decide in each case what constitutes reasonable grounds for suspicion. For example, they may have heard other pupils talking about the item or they might notice a pupil behaving in a way that causes them to be suspicious.
- ✓ In the exceptional circumstances when it is necessary to conduct a search of a pupil of the opposite sex or in the absence of a witness, the member of staff conducting the search should bear in mind that a pupil's expectation of privacy increases as they get older.
- ✓ The powers allow school staff to search, regardless of whether the pupil is found after the search to have that item. This includes circumstances where staff suspect a pupil of having items such as illegal drugs or stolen property which are later found not to be illegal or stolen.
- ✓ Searches without consent can only be carried out on the school premises or, if elsewhere, where the member of staff has lawful control or charge of the pupil, for example on school trips in England or in training settings.

Confiscation

- ✓ School staff can seize any prohibited item found because of a search. They can also seize any item, however found, which they consider harmful or detrimental to school discipline.
- ✓ When deciding what to do with the confiscated items, staff will follow the guidelines set out in Searching, Screening and Confiscation: Advice for Headteachers, school staff and governing bodies DfE 2014.

Dealing with Electronic Devices (statutory guidance)

- ✓ Where the person conducting the search finds an electronic device, they may examine any data or files on the device if they think there is a good reason to do so. Following an examination, if the person has decided to return the device to the owner, or to retain or dispose of it, they may erase any data or files, if they think there is a good reason to do so.
- ✓ The member of staff must have regard to the following guidance issued by the Secretary of State when determining what is a "good reason" for examining or erasing the contents of an electronic device:

- ✓ In determining a 'good reason' to examine or erase the data or files the staff member must suspect that the data or file on the device in question has been, or could be, used to cause harm, to disrupt teaching or to go against the expectation in the school's Behaviour Policy.
- ✓ If inappropriate material is found on the device it is up to the teacher to decide whether they should delete that material, retain it as evidence (of a criminal offence or a breach of school discipline) or whether the material is of such seriousness that it requires the involvement of the police.

Guidance for Carrying Out a Search (what the law says):

- ✓ The person conducting the search may not require the pupil to remove any clothing other than outer clothing.
- ✓ 'Outer clothing' means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear. 'Outer clothing' includes hats, shoes, boots, gloves, and scarves.
- ✓ 'Possessions' means any goods over which the pupil has or appears to have control – this includes desks, lockers and bags.
- ✓ A pupil's possessions can only be searched in the presence of the pupil and another member of staff, except where there is a risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.

Also note:

The power to search without consent enables a personal search, involving removal of outer clothing and searching of pockets but not an intimate search going further than that, which only a person with more extensive powers (e.g., a Police Officer) can do.

Lockers and desks:

Under common law powers, schools can search lockers and desks for any item provided the pupil agrees. Schools can also make it a condition of having a locker or desk that the pupil consents to have these searched for any item, whether or not the pupil is present. If a pupil does not consent to a search (or withdraws consent having signed a consent form) then it is possible to conduct a search without consent, but only for the "prohibited items" listed above.

Informing Parents

- ✓ There is no requirement for the school to inform parents before a search.
- ✓ Parents may be informed as part of the school Behaviour Policy and procedures.
- ✓ Parents will be informed if the matter is sufficiently serious or could be potentially harmful to the pupil or the school.
- ✓ If a parent makes a complaint, then the normal procedures for dealing with a complaint should be followed.

11.4. Exclusions (See Exclusions Policy Including Procedures)

Fixed Term Exclusion and Permanent Exclusions:

Helm Academy Virtual School will apply its behaviour policies in a consistent, rigorous, and non-discriminatory way and all areas of application to these policies will be monitored routinely. Absolute ultimate sanctions are: Fixed Term Exclusion or Permanent Exclusion.

Neither sanction is used lightly. The power to suspend or expel a pupil can only be exercised by the Head Teacher. If the Headteacher excludes a pupil, the parents are informed immediately, giving reasons for

the exclusion. It is the responsibility of the Headteacher to monitor the rate of exclusions and to ensure that the school policy is administered fairly and consistently. Every pupil has a right to confidentiality – the exclusion will be kept in the strictest confidence and only disclosed to those who need to know. If the school decides (after completing the investigation or because of new evidence and further investigation) that it is necessary to extend a fixed period of temporary exclusion or to convert it into a permanent exclusion, the Headteacher will write again to the parents with the reasons for this decision. Pupils returning to school after exclusion will be subject to a reintegration meeting organised by the Headteacher. This will normally involve the parents and a Class Tutor.

We may consider it inappropriate to re-instate a pupil who:

- ✓ Threatened or committed violence against another pupil/s or staff.
- ✓ Sold illegal drugs.
- ✓ Stole from the school or a fellow pupil.
- ✓ Displayed persistent and malicious disruptive behaviour, including open defiance of authority.
- ✓ Engaged in sustained bullying of other pupils.

Appeals:

An Appeal Panel will be established to consider the appeal. This Appeal Panel will consist of three members including an independent person to act as Chair of the Panel. The Appeal Panel will normally convene within three weeks of the receipt of the letter requesting the appeal. The parents or guardian may bring a representative to the meeting. All letters and documents relied on by the Headteacher shall be made available to the parents or guardian prior to the hearing.

The parents or guardian or their representative may ask questions of the Headteacher or may raise any relevant matter for the consideration of the Panel. The Panel may call for any further information it requires. No evidence or argument shall be presented to the Panel in the absence either of the parents or guardian or their representative, or in the absence of the Headteacher. At the conclusion of the hearing, the Panel shall retire to consider what recommendation it may make. The Panel may recommend:

- ✓ The exclusion is confirmed.
- ✓ The exclusion is rescinded.
- ✓ The exclusion be rescinded and replaced with an alternative sanction.

The recommendation shall be communicated to the parents or guardian and the Headteacher. Every pupil has a right to confidentiality – it will be kept in the strictest confidence and only disclosed to those who need to know.

11.5. Protective Physical Intervention and the application of Positive Behaviour Handling

In some circumstances, staff may use reasonable and proportionate force to physically intervene and prevent a pupil from:

- ✓ Causing disorder that is not conducive to an orderly school environment.
- ✓ Hurting by assaulting themselves, other pupils, staff or visitors.
- ✓ Damaging property in a way that is likely to cause injury/harm to others.

Incidents of physical intervention must:

- ✓ Always be used as a last resort and be reasonable and proportionate.
- ✓ Always give the pupil an opportunity to stop the unsafe behaviour by asking the pupil to stop by issuing a verbal 'STOP' command prior to any physical intervention.
- ✓ Be applied using the minimum amount of force and for the minimum amount of time possible.

- ✓ Be used in a way that maintains the safety and dignity of all concerned.
- ✓ Never be used as a form of sanction.
- ✓ Be recorded and reported to parents before the end of each day
- ✓ All staff are trained by an accredited framework of skills and strategies delivered by a provider that focuses on positive communication, de-escalation and crisis support reflected within all positive behaviour support approaches. They are supported and trained by positive behaviour handling specialists and refreshers for all staff who require training are undertaken annually.

Our 'positive behaviour handling' is a holistic, accredited method of behaviour support. At least 95% of all support interventions should be non-physical; physical restraint forms a small part of positive behaviour handling. The physical and non-physical aspects of positive behaviour handling are used throughout the school. Any physical intervention must be reasonable, proportionate, and necessary. The use of force is always a last resort to keep a situation safe.

Where any physical restrictive intervention is deemed necessary this should be planned according to the pupil's ILP, evidence based, lawful, in the pupil's best interests, reasonable, proportionate, necessary and dignified. A full review of any physical interventions should be undertaken as quickly as possible after the incident to identify any lessons learned and this shared with the parent/carer and the pupil's wider team, such as the Local Authority contact.

12. Individual Pupil Risk Assessment

If a pupil displays challenging or violent behaviour the core team around the child (Tutor, Therapy, Pastoral team) will decide on the need for an individual pupil risk assessment. This will normally be informed via the multi-disciplinary team meeting.

We will consider a risk assessment if:

- ✓ A pupil's behaviour poses a risk of injury or harm to themselves or members of the school community
- ✓ A pupil displays challenging behaviour on a regular basis
- ✓ Use of our existing behaviour support strategies has had little effect

Guiding principles for conducting a risk assessment, we will:

- ✓ Carry out the risk assessment based on the individual child
- ✓ Ensure that the risk assessment is written in conjunction with this policy
- ✓ Consider whether the pupil might require use of reasonable force or physical restraint
- ✓ Ensure regular (6-weekly) reviews and adjust as required.
- ✓ Ensure that the Risk assessment is shared with the whole staff team and parents/carers.
- ✓ Involve the pupil in the process where appropriate.

We understand that, as a school, we support pupils with a verity of complex needs. Although we strive for a consistent approach, we also see each pupil as an individual, and when necessary, tailor our support for their specific needs. Although the expectations for each pupil will be consistent throughout the school, we will not use a pupil needs or diagnosis to 'excuse' negative behaviour. Instead, we will strive to work with the pupil and staff team to support the pupils' understanding and self-awareness. Clear expectations of behaviour will be shared, taught and practiced throughout the school.

12.1. Proactive Restraint Reduction Planning

Staff at Helm Academy Virtual School have pledged a commitment to reducing all restrictive practices.

We believe all people are entitled to equal enjoyment, social justice and the protection of human rights and fundamental freedoms. Regardless of the behaviours people might present, everyone will be treated with respect and dignity and their Care, Welfare, Safety and Security will be maintained.

- ✓ Supporting people, especially those individuals who at times may present with behaviours that cause concern, requires a commitment to develop personalised services, care and support which places the person at the centre of everything we do.
- ✓ People are experts in their own experiences. Understanding people's needs, history, future wishes and aspirations is essential and a commitment to listen to and collaborate with the individual and those significant others who are important in their lives is fundamental to deliver high quality services and outcomes.
- ✓ Our leaders and managers will take an active role in reviewing the use of all forms of restrictive practices up to and including formal, authorised restrictive interventions (including environmental and physical restraint) and will develop a range of organisational approaches to ensure all forms of restriction are minimised. Our leaders and managers will create a positive culture and work alongside all staff to ensure restrictive practices are not misused or abused and remain the last, and not first, resort. • We will ensure all forms of restrictive practices are recorded and reported. The use of restrictive practices will be considered an organisational inability to deliver effective support, care or treatment and as such will be reviewed in an open and transparent way so that we can learn more about the person to offer more person-centred, effective services which do not rely on such restrictions.
- ✓ People who may be subject to restrictive practices will be given clear information about the range of restrictive approaches approved and authorised within the service, the circumstances which govern their use, and whom to complain to if there is concern about how these measures are implemented.
- ✓ People who are subjected to or are involved in applying restrictive practices will have access to someone they can talk to about their experiences. It is essential that people have access to support and help if required and are supported to complain if they are unhappy regarding any aspect of the care and support, we provide.
- ✓ The use of any restrictive practice will be undertaken in the best interests of the person or only as a last resort in an emergency to maintain safety in circumstances where there is immediate or imminent harm where non-restrictive alternatives cannot be used or have failed.
- ✓ We will make everyone accountable for the use of restrictive practices and require a clear and robust justification when such approaches are used.
- ✓ Wherever possible, the use of specific restrictive interventions (including physical restraint) will be assessed and planned to meet the specific needs of the individual, taking account of their history, physical and psychosocial needs and preferences to minimise distress, trauma or risk of harm.
- ✓ The use of any restrictive practice which is considered degrading, abusive or inhumane is unacceptable and will be prevented. We will not authorise or approve any specific restrictive intervention which, by design or misapplication, is likely to lead to avoidable pain or injury. Restrictive practices will not be used to enforce rules, to punish or coerce, or as a substitute for a lack of resources.
- ✓ We will ensure that all our staff are appropriately trained to use restrictive practices as part of a wider commitment which will ensure our workforce are knowledgeable and skilled in using non-restrictive interventions which are embedded in person-centred thinking, positive behaviour support, recovery and social inclusion.

12.2. Staff Induction

Our staff are provided with training on promoting positive behaviour support and positive handling including the use of protective physical interventions as part of the induction process. Positive behaviour handling and support will also form part of annual continuing professional development.

13. Record Keeping

All negative behaviour and high-level incidents will be logged on the school's behaviour monitoring system. This will enable the school to analyse behavioural trends. These patterns and trends in behaviour over time will be evaluated and acted upon, shared with staff regularly, communicated/discussed with pupils and parents.

There is no legal requirement for the school to keep records of searches or confiscation. However, as part of our normal procedures, any such event will be recorded.

Any serious incident involving extremely aggressive or uncontrolled behaviour, which has put other children at risk or has endangered the safety of the child concerned and leads to a fixed term or permanent exclusion **MUST** be recorded onto the exclusions register. This is always discussed with the Headteacher and the child's parents.

14. Legal Status

- ✓ Regulatory Complies with the Education (Independent School Standards) (England) (Amendment) Regulations currently in force.
- ✓ The Equality Act 2010
- ✓ Behaviour and Discipline in Schools, Advice for Head Teachers and College Staff (DfE: updated January 2016)
- ✓ [Behaviour in schools' guidance \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/behaviour-in-schools-guidance.pdf)
- ✓ Special Educational Needs and Disability Code of Practice: 0 to 25 years Statutory guidance for organisations who work with and support children and young people with special educational needs and disabilities (DfE and Department for Health: January 2015)
- ✓ [Searching, screening and confiscation at school \(DfE: 2018\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf)
- ✓ SEND Code of Practice (DfE: 2015)
- ✓ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf
- ✓ Use of Reasonable Force. Advice for Head Teacher and Staff (DfE 2013) which incorporates previous directives.
- ✓ Equality Act 2010 (HM Government: 2010)
- ✓ Section 175 of the Education Act 2002, which outlines a school's duty to safeguard and promote the welfare of its pupils.
- ✓ [Supporting pupils with medical conditions at school](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/supporting-pupils-with-medical-conditions-at-school.pdf) (DfE: 2015)

15. Review of implementation

The implementation of this Policy is reviewed annually by the school's Senior Leadership Team in consultation with staff and a report is made to the Governance Body.

The school may submit to Helm Academy Virtual School Ltd Board, proposals for amendments to this Policy.

16. Related documents:

- ✓ Managing and Modifying Behaviour through Positive Language and Behaviour
- ✓ Anti-bullying Policy and Procedures, Alert Chart, Staff Behaviour – Code of Conduct, Safeguarding Pupils - Child Protection Policy and Procedures, Exclusions Policy, Physical Intervention – Use of Reasonable Force, Spiritual, Moral, Social and Cultural policy (SMSC) including Personal, Social, Health and Economic Education (PSHE), Citizenship and Relationships, Sex and Health Education (RSHE) Policy and Supervision of Children Policy.
- ✓ Restraint reduction network RNN - Charter

The Headteacher also emphasises that violence or threatening behaviour will not be tolerated.



Helm Academy

EMPOWERING MINDS, NAVIGATING FUTURES