



## **APEX EDUCATION BEHAVIOUR & ANTI-BULLYING POLICY**

Policy approved by: **Directors**

Date reviewed: **August 2024**

Next review date: **July 2027**

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## **1.Introduction**

Our behaviour policy focuses on positive strategies in order to receive the best outcomes for students. Although we have clear expectations, these are underpinned by the curriculum and Reward system. We believe that giving students clear boundaries alongside the skills and confidence to achieve will lead to positive behaviors within our provision.

We will not tolerate any form of bullying and will educate students in any situation which uses discrimination of any form.

## **2.Legal framework and definitions**

This policy has due regard to statutory legislation, including, but not limited to: the Education and Inspections Act 2006

- the Health Act 2006
- the Equality Act 2010
- the Education Act 2011
- the Education (Independent School Standards) Regulations 2014
- the Schools Behaviour (Determination and Publicising of Measures in Academies) Regulations 2012
- the Immigration Act 2016
- the General Data Protection Regulation (GDPR)
- the Data Protection Act 2018
- School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

This policy also has due regard to DfE guidance, including, but not limited to:

- Behaviour and discipline in schools 2016
- Exclusion from maintained schools, academies and pupil referral units (PRUs) in England 2017

## **3.Scope of this policy**

This policy applies to all staff (see 2.2 and 2.3) and pupils.

Teachers have statutory authority to discipline pupils whose behaviour is unacceptable, who break the rules or who fail to follow a reasonable instruction (Section 90 and 91 of the Education and Inspections Act 2006). The power also applies to all paid staff with responsibility for pupils, such as teaching assistants.

For the purpose of this policy the reference to 'Teacher' includes all paid staff responsible for the supervision of pupils. The Head of Centre can limit the power to

apply particular punishments to certain staff and/or extend the power to discipline to adult volunteers, for example to parents who have volunteered to help on a trip.

For the purpose of this policy the reference to 'pupils' includes all learners in our setting.

#### **4. Curriculum**

The curriculum has a vital role to play in developing pupils' positive behaviour and attitudes to learning. This includes teaching about mutual respect for all and an understanding of the importance of democracy; the rule of law; individual liberty and tolerance for those with different faiths and beliefs and for those without faith.

Pupils are taught what constitutes good behaviour and what the benefits of good behaviour are.

Social, emotional and behaviour skills are taught within the curriculum so that this together with our effective wider work supports pupils to be confident, resilient and independent, and to develop strength of character.

Teaching styles and approaches to managing behaviour reflect our commitment to our of philosophy in our introduction. Pupils respond better to praise and encouragement than punishment.

#### **5. Roles and responsibilities**

Staff members will:

- follow this behaviour policy at all times both inside and outside of the setting
- maintain a positive and well-managed learning environment
- be positive ambassadors of Apex Education at all times, consistently role modelling high expectations through their professional behaviour and conduct
- use our reward system to promote good behaviour
- use the rules and consequences outlined in this policy clearly and consistently
- develop a pupil's individual potential both inside and outside the classroom recognising and celebrating personal milestones
- treat all pupils fairly and equally, seeking to raise their self-esteem and develop to their full potential
- undertake comprehensive planning to provide challenging, interesting and relevant lessons, which are appropriate to the age, ability and individual needs of pupils
- intervene promptly when they encounter poor behaviour or unexplained absence

- record all behavioural events, both positive and negative, on our management information system, by following the correct reporting procedure and ensure that all records are kept up to date
- raise any concerns regarding pupils' behaviour with the relevant senior members of staff and liaise with them in order to implement effective behaviour management
- support other members of staff with behavioural issues involving individual pupils or groups of pupils
- contact parents/carers regarding their child's behaviour where necessary
- monitor the attitude, effort and quality of pupils' work
- provide specific support for SEN/disabled pupils and vulnerable pupils. Take language and cultural barriers into consideration where pupils have English as an additional language
- make referrals to external agencies where deemed appropriate/advised by other agencies
- consistently develop their understanding of behaviour for learning and relevant techniques as part of their CPD.

Pupils will:

- abide by the Home Agreement and the Behaviour policy at all times
- act as positive ambassadors and representatives of our setting through their Positive behaviour
- be polite and respectful of others in the surrounding community
- work to the best of their ability and effort at all times, completing all the work assigned to them
- cooperate with other pupils and members of staff in order to create a positive learning environment
- be ready to learn by ensuring regular attendance to all lessons and arriving with the correct equipment
- correctly present themselves in appropriate clothing
- respect and value the environment and their surroundings, as well as each other
- not act in a manner which is disruptive to the learning of others
- under no circumstances put the health and safety of others at risk.

Parents/carers will:

- abide by the Home Agreement, ensuring the attendance and punctuality of their children, as well as reporting any absences
- encourage good behaviour and ensure that their children are ambassadors of Apex Education at all times by reinforcing our rules
- share any concerns they have regarding their children's education, welfare, behaviour and life with staff at our setting
- support their children's independent learning

- support our decisions in relation to behavioural issues, whilst having the right to scrutinise our decisions regarding their children's behaviour
- ensure that their children correctly present themselves

## **6. Classroom behaviour**

- Expectations and standards for behaviour are clearly displayed in all classrooms.
- Teaching staff use seating plans and a range of de-escalation techniques to encourage good behaviour and create an effective learning environment.
- Staff use a range of rewards to reinforce and praise good behaviour
- When a pupil acts in a disruptive manner or ignores instructions given by a staff member, staff follow our procedures for administering sanctions

Pupils' conduct outside of the classroom:

We expect our pupils to show respect for their setting and for their community. Anti-social behaviour within the community is not tolerated and this behaviour policy will be followed when:

- pupils are taking part in any organised or Apex Education related activity
- pupils are travelling to or from our setting
- pupils are in some way identifiable as a pupil at one of our setting
- pupils' behaviour could have repercussions on the orderly running of our setting
- pupils' behaviour poses a threat to another pupil or member of the public
- pupils' behaviour could adversely affect the reputation of Apex Education

## **7. Sanctions for poor behaviour**

Sanctions are given when a pupil's behaviour is unacceptable/ inappropriate, in order to help them to develop a sense of right and wrong.

Punishments are issued sparingly and only where appropriate; however, if a pupil fails to follow instructions or their behaviour falls below the expected standard, staff members will sanction the pupils in question.

In order for a punishment to be lawful, we ensure that the decision to issue a sanction to a pupil is:

- made by a paid member of staff, or a member of staff authorised to do so by the Directors or Head of Centre
- made on our premises or whilst the pupil is under the charge of a member of staff
- reasonable, will not breach any other legislation, and will not discriminate on any

grounds, such as disability, race, special educational needs and disabilities – as per the Equality Act 2010, in respect to safeguarding pupils with special educational needs and disabilities, and any other equality rights.

The issuing of sanctions is recorded, and the consistent use of sanctions is monitored by senior staff.

Sanctions:

- relate to a specific task or action and will be applied clearly
- are issued consistently and fairly, ensuring that the recipient is clear about what they are being reprimanded for
- reinforce our core values and ethos
- do not focus repeatedly on the same issue without progress
- do not have a negative effect upon others.

The aim of issuing sanctions is to correct the behaviour. Work follows to enhance progress, prevent recurring issues and ensure pupils understand what behaviour was poor and why and what good behaviour looks like in that scenario and why.

We always consider whether the behaviour under review gives cause to suspect that a pupil is suffering from, or is likely to suffer, significant harm. Where this may be the case, staff follow our safeguarding policy.

We take a graduated response to pupils whose behaviour may be the result of educational, mental health or other needs or vulnerabilities. This response is individualised to meet the needs of the pupil and includes:

- a) an assessment to establish a clear analysis of the pupil's needs
- b) a plan setting out how the pupil will be supported
- c) the required action to provide the support
- d) regular reviews to assess the effectiveness of the provision and identify any necessary changes.

We consider a pupil's special educational needs when dealing with their behaviours.

There is an expectation that, following an incident which requires a pupil to be disciplined by a member of staff, a brief restorative justice meeting between all parties involved will be completed. This improves the relationship between the pupil and member of staff, encouraging tolerance, democracy and mutual respect. Training for this must be provided to ensure the needs of the pupils are met and de-escalation strategies are used appropriately.

## **8.Use of suspensions (fixed period exclusion)**

Any suspension will only be given by the main schools Principal/Head Teacher. We will always try and prevent students from not continuing with us. This will only happen if the student is acting in a way that is unsafe to themselves or others. An alternative will be discussed with the schools first, for example, returning them to their home school.

## **9.Confiscation of Inappropriate Items**

Members of staff are able to confiscate, retain or dispose of a pupil's property as a punishment, so long as it is reasonable in the circumstances. The law protects them from liability for damage to, or loss of, any confiscated items provided they have acted lawfully. At Apex Education any items which are confiscated will be held securely.

Members of staff can exercise their power to search without consent for "prohibited items" including:

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

Weapons and knives and child pornography are given to the police as soon as reasonably practical.

Other items which are confiscated are returned (to parent or a responsible adult) or destroyed.

A log is kept to record all confiscated items

## **10.Power to use reasonable force and right to search pupils**

Members of staff have the power to use reasonable force to prevent pupils committing an offence, injuring themselves or others, or damaging property, and to maintain good order and discipline in the classroom.

Members of staff can seek pupil consent to search for (any items that are deemed to be dangerous to the individual or staff and other pupils). Force cannot be used to search for these items.

The Head of Centre and authorised staff may use such force as is reasonable given the circumstances when conducting a search without consent for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm.

Should a pupil refuse to be searched, staff should first contact the pupil's parents to request their assistance and if that is not appropriate under the circumstances or the parent is unable to assist, they should call the home school or alternatively police and isolate the pupil until such time that the police can carry out the search.

There must always be two members of staff present when a pupil is searched and we aim to ensure that at least one of these members of staff is the same gender as the pupil. If we do not have the staff ratios we will encourage parents/carers to complete the search or contact the home school for further support.

Staff are permitted to search electronic devices prohibited by setting rules or that they reasonably suspect have been, or are likely to be, used to commit an offence or cause personal injury or damage to property. They may also delete data files if there is a good reason to do so. This includes if they suspect that the data has been, or could be, used to cause harm, disrupt teaching or break Apex Education rules.

Staff must give confiscated devices to the police as soon as reasonably practicable where they have reasonable grounds to suspect that they contain evidence related to an offence.

Staff are aware that behaviours linked to 'sexting' place a pupil in danger and must report any such suspicion immediately in line with our safeguarding policy.

We keep a log of any searches that take place, detailing the name of the pupil, the reason, what was or was not found, confirmation that parents have been contacted and that two members of staff were present during the search.



## **11.Anti- Bullying**

We are committed to safeguarding children and young people from peer on peer abuse and bullying and we expect all our people to share this commitment. This policy sets out how we will deliver these responsibilities. This policy should be read in conjunction with the latest 'Keeping Children Safe in Education', which is statutory guidance to be read and followed by academies and colleges, and alongside 'Working Together to Safeguard Children' a guide to inter-agency working to safeguard and promote the welfare of children and advice to schools 'Sexual violence and sexual harassment between children in schools and colleges'.

This policy is our overarching policy for any issue that could constitute peer-on-peer abuse. It relates to, and should be read alongside, the Safeguarding and Child Protection policy and any other relevant policies. This policy sets out our strategy for improving prevention and identifying and appropriately managing peer-on-peer abuse. The policy applies to all members of the our community, pupils, staff and volunteers. It is reviewed every two years and updated in the interim (if required) to ensure that it continually addresses the risks to which pupils are or may be exposed.

This policy recognises that abuse is abuse and should never be passed off as 'banter', 'just having a laugh', or 'part of growing up'. It is compliant with the statutory guidance on peer-on-peer abuse as set out in Keeping Children Safe in Education. We take a safeguarding approach to all individuals involved in concerns or allegations about peer-on-peer abuse, (in addition to any sanctioning work that may also be required) including those who are alleged to have been harmed and those who are alleged to have harmed another child. Although the starting point is that our response to peer-on-peer abuse should be the same for all pupils, regardless of age, there may be some different considerations in relation to, for example, a child aged under 10, or aged over eighteen in terms of how local agencies and/or partners respond.

We believe that in order to protect children, all education settings should be aware of the nature and level of risk to which their pupils are or may be exposed and put in place a clear and comprehensive strategy which is tailored to their specific safeguarding context; and take a holistic community Contextual Safeguarding approach to preventing and responding to peer-on-peer abuse.

We regard the introduction of this policy as a preventative measure. We (a) do not feel it is acceptable merely to take a reactive approach to peer-on-peer abuse in response to alleged incidents of it; and (b) believe that in order to tackle

peer-on-peer abuse proactively, it is necessary to focus on all four of the following areas:

- Systems and structures
- Prevention
- Identification
- Response/intervention.

We recognise national and increasing concern about this issue, and wish to implement this policy in order to mitigate harmful attitudes and peer-on-peer abuse in our setting, and encourage parents to challenge us on this issue, so that if their child is feeling unsafe as a result of the behaviour of any of their peers, they should inform the academy directly so that we can ensure that appropriate and prompt action is taken in response to safeguard all pupils

We take bullying very seriously. Bullying involves the persistent physical or verbal abuse of another pupil or pupils including online and mobile devices. It is characterised by an intent to hurt emotionally and/or physically.

We expect our pupils to be involved in developing our anti-bullying policy. Pupils identified as having SEND and mental ill health must be given additional support should they be involved in a bullying situation.

This policy has due regard to statutory legislation and relevant guidance including, but not limited to:

- The Education Act (2002)
- Keeping Children Safe in Education
- Working Together to Safeguard Children
- What to do if you are worried about a child (2015)
- Information sharing: Advice for practitioners (2018)
- Guidance for safer working practice for adults who work with children and young people in education settings (2019)
- The Data Protection Act (2018)
- Serious Crime Act (2015)
- Teaching online safety in school (2018)
- UKCIS Education for a connected world (2018)
- Prevent Duty (2015)
- Sexual Offences Act 2003
- Preventing youth violence and gang involvement (2013)
- Criminal exploitation of children and vulnerable adults: county lines guidance (2018)

## What is peer on peer abuse?

For these purposes, peer-on-peer abuse is any form of physical, sexual, emotional and financial abuse, and coercive control, exercised between children, and within children's relationships (both intimate and non-intimate), friendships and wider peer associations. We recognise that it is statistically more likely that girls will be victims of peer on peer abuse and that boys will be perpetrators and that peer on peer abuse can be perpetrated by the same gender but that all peer on peer abuse is unacceptable and will be taken seriously and never tolerated.

Peer-on-peer abuse can take various forms, including (but not limited to):

- bullying (including cyberbullying, prejudice-based and discriminatory bullying)
- abuse in intimate personal relationships between peers
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse)
- sexual violence, such as rape, assault by penetration and sexual assault (this may include an online element which facilitates, threatens and/or encourages sexual violence)
- sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse
- causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party
- consensual and non-consensual sharing of nudes and semi nudes images and or videos (also known as sexting or youth produced/involved sexual imagery)
- upskirting, which typically involves taking a picture under a person's clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm
- initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element).

## What is contextual safeguarding?

This policy encapsulates a contextual safeguarding approach, which is about the way that professionals approach child protection when risks occur outside of the family (extra familial harm) thereby requiring all those within a Local Safeguarding Partnership (Suffolk) to consider how they work alongside, rather than just refer into, children's social care, to create safe spaces in which children may have encountered peer-on-peer abuse.

- being aware of and seeking to understand the impact that these wider social contexts may be having on our pupils
- creating a safe culture at Apex Education by, for example, implementing policies and procedures that address peer-on-peer abuse and harmful attitudes; promoting healthy relationships and attitudes to gender/ sexuality, identifying any risky areas in the setting and conducting training on potential bias and stereotyped assumptions
- being alert to and monitoring changes in pupils' behaviour and/or attendance, and contributing to local child protection agendas by, for example, challenging poor threshold decisions and referring concerns about contexts to relevant local agencies

We understand that all behaviour takes place on a spectrum. Understanding where a child's behaviour falls on a spectrum is essential to being able to respond appropriately to it.

### Sexual Behaviour:

Simon Hackett has proposed the following continuum model to demonstrate the range of sexual behaviours presented by children, which may be helpful when seeking to understand a pupil's sexual behaviour and deciding how to respond to it.

Hackett's continuum relates exclusively to sexual behaviours and is not exhaustive. In addition, we use the Brook Sexual Behaviours Traffic Light Tool to help professionals working with children to distinguish between three levels of sexual behaviour – green, amber and red, and to respond according to the level of concern.

<https://www.brook.org.uk/our-work/category/sexual-behaviours-traffic-light-tool>

When dealing with other alleged behaviour which involves reports of, for example, emotional and/or physical abuse, staff can draw on aspects of Hackett's continuum to assess where the alleged behaviour falls on a spectrum and to decide how to respond.

This could include, for example, whether it:

- is socially acceptable
- involves a single incident or has occurred over a period of time
- is socially acceptable within the peer group
- is problematic and concerning
- involves any overt elements of victimisation or discrimination e.g. related to race, gender, sexual orientation, physical, emotional, or intellectual vulnerability
- Involves an element of coercion or pre-planning
- involves a power imbalance between the child/ children allegedly responsible for the behaviour and the child/children allegedly the subject of that power
- involves a misuse of power

## Identification of Child on Child abuse:

All colleagues must be alert to the well-being of pupils and to signs of abuse, and will engage with these signs, as appropriate, to determine whether they are caused by child on Child abuse. However, colleagues should be mindful of the fact that the ways in which children will disclose or present with behaviours as a result of their experiences will differ and that there are known barriers to disclosing this abuse to adults.

We will regularly review behaviour incident logs which can help to identify any changes in behaviour and/or concerning patterns or trends at an early stage. 7.3 Any child can be vulnerable to Child on Child abuse and colleagues should be alert to signs of such abuse amongst all children. Individual and situational factors can increase a child's vulnerability to abuse by their peers. For example, an image of a child could be shared, following which they could become more vulnerable to Child on Child abuse due to how others now perceive them, regardless of any characteristics which may be inherent in them and/or their family.

Peer group dynamics can also play an important role in determining a child's vulnerability to such abuse. For example, children who are more likely to follow others and/or who are socially isolated from their peers may be more vulnerable to child on child abuse. Children who are questioning or exploring their sexuality may also be particularly vulnerable to abuse by their peers.

Child on Child abuse may affect boys differently from girls, and this difference may be the result of societal norms (particularly around power, control and the way in which femininity and masculinity are constructed) rather than biological make-up. Barriers to disclosure will also be different. As a result, we explore the gender dynamics of Child on Child abuse within our setting as part of the Child on Child abuse risk assessment.

Children with Special Educational Needs and/or Disabilities (SEND) are three times more likely to be abused than their peers without SEND<sup>1</sup> and additional barriers exist when recognising abuse in children with SEND. These can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to a child's disability without further exploration
- the potential for children with SEND to be disproportionately impacted by behaviours such as bullying and harassment, without outwardly showing any signs
- communication barriers and difficulties overcoming these barriers.

Some children may be more likely to experience Child on Child abuse than others as a result of certain characteristics such as sexual orientation, ethnicity, race or religious beliefs.

We actively seek to raise awareness of and prevent all forms of Child on Child abuse by educating all staff and parents about this issue. This includes training staff on the nature, prevalence and effect of Child on Child abuse, and how to prevent, identify, and respond to it.

This includes:

- contextual safeguarding
- the identification and classification of specific behaviours, including digital behaviours
- the importance of taking seriously all forms of Child on Child abuse (no matter how 'low level' they may appear) and ensuring that no form of Child on Child abuse is ever dismissed as horseplay or teasing
- social media and online safety, including how to encourage children to use social media in a positive, responsible and safe way, and how to enable them to identify and manage abusive behaviour online
- educating pupils about the nature and prevalence of Child on Child abuse, positive, responsible and safe use of social media, and the unequivocal facts about consent, via PSHE and the wider curriculum

Pupils are frequently told what to do if they witness or experience such abuse, the effect that it can have on those who experience it and the possible reasons for it, including vulnerability of those who inflict such abuse. They are regularly informed about our approach to such issues.

Educating pupils about consent includes teaching them basic facts such as:

- a child under the age of 13 can never consent to any sexual activity
- the age of consent is 16
- sexual intercourse without consent is rape

Engaging parents on these issues includes:

- Talking about them, both in groups and one to one, – asking parents what they perceive to be the risks facing their child and how they would like to see the academy address those risks.
- Supporting the on-going welfare of pupils by drawing on multiple resources that prioritise pupil mental health, and by providing in-house mentoring/counselling to address underlying mental health needs.

Responses to concerns or allegations of peer on peer abuse:

All concerns and allegations of peer-on-peer abuse are handled sensitively, appropriately, proportionately and promptly using professional judgement and listening to the wishes of the pupils involved and their parents.

Any response will:

- Include a thorough investigation of the concern or allegation, and the wider context in which it may have occurred (as appropriate) – depending on the nature and seriousness of the alleged incident. (It may be appropriate for the police and/or children's social care to carry out this investigation).
- Treat all pupils involved as being at potential risk – while the pupil allegedly responsible for the abuse may pose a significant risk of harm to other pupils, they may also have considerable unmet needs and be at risk of harm themselves.
- Take into account that the abuse may indicate wider safeguarding concerns for any of the pupils involved, and consider and address the effect of wider sociocultural contexts – such as the child's/ children's peer group (both within and outside the academy); family; the academy environment; their experience(s) of crime and victimisation in the local community; and the pupil/pupils online presence.

We will consider what changes may need to be made to these contexts to address the pupil/pupils needs and to mitigate risk, and – the potential complexity of Child on Child abuse and of pupil's experiences, and consider the interplay between power, choice and consent. While pupils may appear to be making choices, if those choices are limited, they are not consenting, – the views of the pupil/pupils are affected.

Unless it is considered unsafe to do so (for example, where a referral needs to be made immediately), the DSL/appropriate member of the safeguarding team will discuss the proposed action with the pupil/pupils and their parents/carers, and obtain consent to any referral before it is made where possible.

We will manage the pupil's expectations about information sharing, and keep them and their parents informed of developments, where appropriate and safe to do so. It is particularly important to take into account the wishes of any pupil who has allegedly been harmed, and to give that pupil as much control as is reasonably possible over decisions regarding how any investigation will be progressed and how they will be supported.

We will ensure that a safeguarding response is in place for both the pupil who has allegedly experienced the harm, and the pupil who has allegedly been responsible for it (and the additional sanctioning work may be required for the latter).

What should you do if you suspect either that a child may be at risk of or experiencing abuse by their peer(s), or that a child may be at risk of abusing or may be abusing their peer(s)?

If a colleague thinks, for whatever reason, that a pupil may be at risk of or experiencing abuse by their peer(s), or that a pupil may be at risk of abusing or may be abusing their peer(s), they should discuss the matter with their DSL as soon as possible to explain their concern and register a note of concern on the internal referral system.

Where a child is suffering, or is likely to suffer from harm, it is important that a referral to children's social care (and, if appropriate, the police) is made immediately.

Anyone can make a referral. Where referrals are not made by the DSL, the DSL should be informed as soon as possible that a referral has been made in line with the Safeguarding and Child protection policy.

If a pupil speaks to a member of staff about peer-on-peer abuse that they have witnessed or are a part of, the member of staff should listen to the pupil and use open language that demonstrates understanding rather than judgement without promising confidentiality. For further details please see the procedures set out in the Safeguarding and Child Protection policy. How will we respond to concerns or allegations of peer-on-peer abuse?

The DSL will discuss the concern or allegation with the member of staff who has reported it and will, where necessary, take any immediate steps to ensure the safety of the child/all children affected.

Where any concern or allegation indicates that indecent images of a child or children may have been shared online, the DSL will consider what urgent action can be taken in addition to the actions and referral duties set out in this policy. See the Youth involved sexual imagery section below to seek specialist help in preventing the images spreading further and removing the images from the Internet.

The Internet Watch Foundation (IWF) has a trained team that can evaluate and remove illegal images from the internet when the images are reported to them quickly. They will also share the image with the National Crime Agency's CEOP



Command to facilitate an investigation. Any report to IWF will be made in consultation with the police.

DSLs will always use their professional judgement to assess the nature and seriousness of the alleged behaviour and determine whether it is appropriate for the alleged behaviour to be dealt with internally and, if so, whether any external specialist support is required. In borderline cases the DSL may wish to consult with children's social care or other relevant agencies in accordance with the Local Safeguarding Partnership's procedures on a no-names basis (where possible) to determine the most appropriate response.

Where the DSL considers or suspects that the alleged behaviour in question might be abusive or violent on a spectrum or where the needs and circumstances of the individual child/children in question might otherwise require it, the DSL should contact children's social care and/or the police immediately and, in any event, within 24 hours of the DSL becoming aware of the alleged behaviour.

The DSL will discuss the concern(s) or allegation(s) with the agency and agree on a course of action.

The DSL will always refer to the police if there are aggravating factors:

- If the incident involves an adult (over 18).
- If there are concerns about the capacity to consent (inc SEND).
- Images show atypical sexual behaviour for their development stage or abusive, violent or harmful acts.
- Images show sex acts with a child under age 13.
- The disclosure places the pupil (or any child) at risk of imminent harm (self-harm, exploitation, harmful response from home etc).

Risk Assessments & Safety Plans:

We will carry out a safety plan in respect of

- any pupils alleged to have been involved in an incident of sexual violence and on a case by case situation for any pupil involved in an incident of sexual harassment
- any pupil who is alleged to have behaved in a way that is considered to be abusive or violent or harmful

Where it is alleged that a pupil has behaved in a way that is considered to be inappropriate or problematic (as opposed to abusive or violent), the DSL will use their professional judgment – based on the particular concern or allegation raised, and the needs and circumstances of the individual children in question – to determine whether it would be appropriate to contact children's social care, and to carry out a safety plan.

Careful judgment and consideration are required as to whether alleged behaviour which might be judged to be inappropriate by an adult might actually be harmful to another pupil. Consultation is recommended with children's social care if there is any doubt about this.

Careful consideration will also be given to a range of factors including the context, severity of the alleged behaviour, impact of the alleged behaviour on others, risk to others, and whether there are any patterns of behaviour occurring.

Where other pupils have been identified as witnesses to alleged abuse or violence, consideration should also be given by the DSL to whether there might be any risks to those children, and whether a safety plan would be appropriate in relation to any risks presenting to them.

## 12. Information sharing, data protection and record keeping:

When responding to a concerns or allegation of Child on Child abuse, we will

- always consider carefully, in consultation with children's social care, the police and other relevant agencies (where they are involved), how to share information about the concern or allegation with the pupil(s) affected, their parents, relevant staff, and other appropriate individuals
- record the information that is necessary for the academy and other relevant agencies (where they are involved) to respond to the concern or allegation and safeguard everyone involved
- keep a record of the legal purpose for sharing the information with any third party, including relevant authorities, and ensure that the third party has agreed to handle the information securely and to only use it for the agreed legal purpose, and
- be mindful of and act in accordance with its safeguarding and data protection duties, including those set out in Working Together to Safeguard Children and the HM Government advice on Information Sharing

Disciplinary action:

Apex Education reserves the right to remove any student from our roll who we believe is a risk to others. A full assessment of this will always take place and removal will be a last resort.

## **12. Drugs, tobacco, alcohol and illegal substances**

Pupils are not allowed to bring tobacco, drugs, alcohol, illegal or 'legal high' substances (or any paraphernalia associated with or for the use of these) onto our site.

Suspected or actual use of drugs, tobacco, alcohol, illegal or 'legal high' substances on the way to and/or from or whilst on our site will result in a serious sanction and could lead to a removal of placement. This also applies to trips and journeys.

Supplying drugs, alcohol or illegal substances is a criminal activity and will be reported to the police. Confiscated drugs and illegal substances are given to the Police as soon as reasonably practicable.

Parents are informed of their child's involvement in any activity related to smoking, drugs, alcohol, illegal or 'legal high' substances.

### **13.Weapons**

The law recognises three categories of offensive weapon:

- Those where objects are made for use for causing injury to the person. These items are legally classified as 'offensive weapons per se' and include flick knives, kitchen knives, butterfly knives, pepper sprays, knuckle dusters and nunchucks.
- Those where objects are adapted for such a purpose, i.e. to cause injury to a person. This includes items that would otherwise be incapable of causing injury but have been changed so that they now can, for example a sock containing a snooker ball, a sharpened stick or a sharpened snooker cue, or a water pistol filled with acid.
- Those where objects are not so made or adapted but carried with the intention of causing injury to the person, for example a cup of bleach carried with the intent of throwing it into someone's face to cause injury, sharpened nail scissors or a baseball bat

We class weapons as anything that has been designed or adapted to inflict harm upon others. Pupils are not allowed to bring weapons or anything that can be used as a weapon onto our site or any sites that we visit.

Suspected or actual use of weapons or anything that can be used as a weapon on the way to and/or from or whilst on our sites is a criminal activity and will be reported to the police. This policy applies to trips and journeys.

Providing weapons to others is a criminal activity and must be reported to the police. Confiscated weapons are given to the police as soon as reasonably practicable.

Parents are informed of their child's involvement in any activity related to weapons.

## **14.Mobile phones**

Mobile phones are not allowed to be used by pupils for social activity during the academy day. Whilst we accept that pupils may carry a mobile phone on journeys to and from the site they are not to be used on our sites at any time unless part of an agreed supervised teacher led activity. This includes journeys within our transport and whilst at offsite venues.

## **15.Child protection and safeguarding**

We take the promotion of children's wellbeing and protection from harm very seriously. Where an allegation is of a safeguarding nature, we have separate procedures in place for managing allegations of abuse against children (see Safeguarding Policy).

## **16.Outside agencies**

As an Alternative Provision and part of a wider community of support, we work with many outside agencies to support our pupils and help them to thrive and achieve. This additional support will be discussed with parents/carers as early as possible. All referrals will take into consideration the views of parents and where appropriate pupils. We will be as proactive as possible to support these agencies with pupils on our roll.

## **17.Staff training and support**

Our commitment to professional development includes helping teachers and other staff to develop and refine their approaches and strategies for managing and improving pupil behaviour and attitudes.

Staff are trained to know that disruptive or unusual behaviour may have an underlying root cause such as a mental health issue or an undiagnosed or unmet educational need. They know who to refer the pupil to for further support.

Regular training is provided to new staff, support staff and others who have been identified as requiring additional support.

## **18.Record keeping and data protection**

We keep a record of incidents of misbehaviour and positive behaviour. We keep a record of incidents of rewards and sanctions. We ensure that rewards and sanctions are distributed fairly and analyse this by:

- Gender
- Ethnicity
- EAL
- Pupil premium
- SEND
- Disability
- Age
- Religion
- Sexuality
- Children Looked After.

We monitor the above to provide regular information on how effectively this behaviour policy is working.

All records relating to behaviour and discipline are processed and stored in accordance with the requirements of our data protection policy.

