

Ian Mikardo High



Part of T4 Trust

Behaviour and Anti-Bullying Policy

(Including Attendance, Suspension/Exclusion and Off-site working)

Ian Mikardo High

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“I have come to the frightening conclusion that I am the decisive element. It is my personal approach that creates the climate. It is my daily mood that makes the weather. I possess tremendous power to make life miserable or joyous. I can be a tool of torture or an instrument of inspiration, I can humiliate or humour, hurt or heal. In all situations, it is my response that decides whether a crisis is escalated or de-escalated, and a person is humanized or de-humanized. If we treat people as they are, -we make them worse. If we treat people as they ought to be, we help them become what they are capable of becoming.” Haim Ginott

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1 Introduction

At Ian Mikardo High School our aim is that our students should achieve their academic potential and lead independent and fulfilling adult lives. We enable this by building mutually respectful relationships with them and showing them how to have respectful relationships with each other and with other people. This helps them to reflect and take responsibility for themselves, and is an approach that is constant, immediate, and consistent. We achieve co-operation through discussion.

This document explains our approach. The warmth, positivity, and pleasant firmness with which our staff engage with students from the moment they arrive in the school each day demonstrates the way in which we set boundaries on behaviour, including our approach to bullying, and is reflected throughout the school.

2 Aims

Our school aims to provide a structure that supports and enables effective teaching and learning throughout the school community:

- To maintain clear expectations that revolve around mutual respect and that are adhered to consistently by everyone in the school community.
- To create a safe and caring environment in which all students are valued equally.
- To encourage students to reflect

3 Definitions

The Trust Board	The board of directors of the Trust (including any committee of the board duly appointed by it), who may also be referred to as trustees
The Headteacher	The teacher in charge of the school who may also be referred to as, Headteacher or Principal
Trust Safeguarding and Compliance Reporting Lead	Safeguarding and Compliance Reporting Lead for T4 Trust

4 Legislation

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

- [Behaviour and discipline in schools](#)
- [Searching, screening and confiscation at school](#)
- [The Equality Act 2010](#)
- [Use of reasonable force in schools](#)
- [Supporting pupils with medical conditions at school](#)

It is also based on the [special educational needs and disability \(SEND\) code of practice](#).

In addition, this policy is based on:

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- Section 175 of the [Education Act 2002](#), which outlines a school's duty to safeguard and promote the welfare of its pupils
- Sections 88-94 of the [Education and Inspections Act 2006](#), which require schools to regulate pupils' behaviour and publish a behaviour policy and written statement of behaviour principles, and give schools the authority to confiscate pupils' property
- Schedule 1 of the [Education \(Independent School Standards\) Regulations 2014](#); paragraph 7 outlines a school's duty to safeguard and promote the welfare of children, paragraph 9 requires the school to have a written behaviour policy and paragraph 10 requires the school to have an anti-bullying strategy
- [DfE guidance](#) explaining that academies should publish their behaviour policy and anti-bullying strategy online
- Department for Education's statutory guidance [Keeping Children Safe in Education \(2024\)](#) and [Working Together to Safeguard Children \(2023\)](#) In December 2023, the Department for Education (DfE) published an updated version of its statutory guidance: Working Together to Children (WTTSC) 2023. This update replaces the 2018 statutory guidance. (29 Dec 2023)

Policy complies with our funding agreement and articles of association.

5 Roles and Responsibilities

5.1 The Trust Board

The Trust Board is responsible for reviewing and approving this policy in conjunction with the Headteacher and monitor the policy's effectiveness, holding the Headteacher to account for its implementation.

5.2 The Headteacher

The Headteacher will ensure that staff follow this Policy and that the school environment encourages positive behaviour.

5.3 Staff

Staff are responsible for:

- Implementing the behaviour policy consistently
- Modelling positive behaviour
- Providing a personalised approach to the specific behavioural needs of particular students
- Recording behaviour incidents

The Senior Leadership Team will support staff in responding to behaviour incidents as they arise to prevent further escalation.

5.4 Parent/Carers

We support our parent/carers to:

- Inform the school of any changes in circumstances that may affect their child's behaviour
- Value their child's experience at Ian Mikardo
- Have access to external support services
- Have access to professional support to manage the challenges of adolescence

6 Our Ethos

Our ethos revolves around awareness, understanding, consideration of others' needs, compassion, equality, tolerance, and inclusion. Our approach reflects these principles.

Every member of staff is responsible for creating this environment which enables young people to engage with effective learning. We believe that by treating our students as individuals and providing them with comprehensive support, they will be able to fulfil their potential. We also believe that education can and should be fun and that our students benefit from the sense of playfulness that permeates the school, and the creative opportunities we offer.

Our ethos aims to:

- Encourage mutual respect throughout the school community.
- Help each student to develop a sense of responsibility for their behaviour.
- Foster each student's emotional wellbeing including their ability to express their feelings and emotions.
- Develop each student's social and communication skills.
- Develop a sense of social and moral responsibility within the school and the wider community.

The updated guidance taken from KCSIE 2024 makes it clear that being subjected to harassment, violence and or abuse, may breach children's rights, as set out in the Human Rights Act.

Equality legislation

The guidance sets out the significance of the Equality Act 2010 to school safeguarding, including that schools and colleges:

- Must not unlawfully discriminate against students because of their protected characteristics.
- Must consider how they are supporting students with protected characteristics.
- Must take positive action, where proportionate, to deal with the disadvantages these students face.

It also looks at the implications of the Public Sector Equality Duty (PSED) for education settings.

This includes a need to be conscious that students with protected characteristics may be more at risk of harm and integrate this into safeguarding policies and procedures.

7 Building Relationships and Using Praise

At Ian Mikardo everything we do is based on building mutually respectful relationships with our students. Unlike most educational establishments, we do not have a system of rewards and sanctions. However, we have consistently high expectations in relation to the academic achievements and behaviour of our students. We recognise that student behaviour is a form of communication and needs to be responded to and supported rather than reacted to using discipline.

We believe that for our students to make a positive contribution in society they experience in Ian Mikardo the same expectations as outside of Ian Mikardo. We will and do use police support through the safer schools' team to address any criminal behaviour and if necessary, do and will support prosecution.

All students are encouraged to participate in conflict resolution and restorative practise which encourages reflective dialogue and self-regulation. Using this approach will see different outcomes for individual students for similar types of behaviour, being consistent with this process is essential. Our tone can be light-hearted and playful, which can be liberating and enabling for young people who may previously have felt stifled by authority figures and does not in any way dilute our messages.

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We treat students as individuals, our curriculum is designed to meet their needs using a variety of teaching styles and methods. Teaching at Ian Mikardo High School is delivered through structured classroom activity and through the social curriculum. This enables students to learn through both formal and informal settings and negotiating multiple relationships.

Our curriculum, which is designed to meet their needs, includes a strong element of learning through play within the five hours of contact time between students and staff. Effective teaching not only depends on the quality of lesson planning and preparation but the relationship each member of staff has with each student. Relationships are built through encouragement and positive reinforcement.

Staff have high expectations and are regularly trained in behaviour management, through whole school Inset days as well as through the sharing of successful strategies and interventions during our twice daily briefings.

8 Conflict Resolution/Restorative Justice

Conflict resolution is the verbal process in which all parties are brought together. This process is not to judge who is right or wrong but a platform for people to explain their actions and understand its impact on other people. This may include role play or re-enacting an incident. Staff are expected to participate and engage with it as a way of modelling the process. The purpose of this is not for children to apologise but to feel listened to. The repeated use of this process will help students develop empathy and take responsibility for their own behaviour.

9 Liaison with Parents/Carers and External Professionals

Our work with parents/carers and external professionals is central to support students develop strategies to manage their behaviour. Our holistic approach to behaviour management involves close working relationships with parents/carers to not only manage challenging behaviour but to recognise and celebrate positive behaviour.

The school has a dedicated multi agency welfare department:

- A member of the Welfare team will always attend meetings for students who are LAC, on a CP plan or CIN and students who require enhanced assessment. They liaise closely with all external professionals and include the attendance officer and the school nurse
- The Welfare team provides an immediate point of contact for students who are presently in crisis. This may relate to an issue outside school which a member of the team will follow up.
- The school Welfare team has an SLA with CAMHS which ensures referrals and therapeutic support is more readily available.
- The school's Welfare team have Non-Violent Resistance (NVR) facilitators who provide training and support for both staff and parents/carers in the use of NVR tools.

As a school, there is a range of additional support that we put in place for our students, i.e., curriculum based through emotional literacy materials or through the involvement of key professionals such as our Speech and Language Therapist, EP and our safer schools police officer.

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10 Working with the Police

- Ian Mikardo High School has a long standing and positive working relationship with our safer schools' police officer
- Ian Mikardo High School will liaise with the local police service and discuss the needs of the school community in relation to policing
- Ian Mikardo High School will offer training to the local police about the issues the students face to assist police in managing students' needs
- Ian Mikardo High School will welcome the opportunity for additional training and access to resources from the police
- Searching inside school and police assistance (Police will be called to assist with searches if it is unsafe for staff to search students)
- Search arches and wands inside school can be used as directed by senior leaders. However, within Ian Mikardo this will be restricted to a whole school crime prevention awareness and as part of PSHE
- Intelligence led intervention in relation to prohibited items is a more effective strategy to keeping children safe within school
- Arrests within school will be avoided on school premises where possible
- Arrests on school premises will be carried out as discreetly as possible with the school being informed beforehand unless in exceptional circumstances
- As an alternative to arrest, an appointment interview at the police station will be arranged where possible
- All information will be subject to confidentiality and/or a need-to-know basis
- The needs of the child are always to be carefully considered and taken in to account

11 Screening Arches and Wands Outside School

Section 90 of the Education and Inspectors Act 2006 gives teachers a range of powers to follow up incidents both within and outside school premises.

This can be done when a student is involved in poor behaviour when:

- Taking part in any school-organised or school related activity
- Travelling to or from school
- Is identifiable as a student of the school

Or whether or not the conditions above apply and:

- Could have repercussions for the orderly running of the school
- Poses a threat to another student or member of the public
- Could adversely affect the reputation of the school

That said, Ian Mikardo High School staff are not employed by contract to work outside school and will therefore not conduct such things as screening outside school.

12 Prohibited Items

Prohibited items at Ian Mikardo High School are:

knives or weapons, any corrosive substance (i.e. acid), alcohol, illegal drugs, stolen items, tobacco and cigarette papers, E-cigarettes, fireworks, pornographic images, any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of, any person (including the student).

Prohibited items suspected or found must be reported immediately to the Senior Leadership Team (SLT).

13 Searching Without Consent

Due to all of our students having SEND, the Headteacher will assess the risk and contact police to conduct searches without consent when felt to be appropriate. The Headteacher can also authorise staff to search students without consent for prohibited items. However, there are other Risk Factors that need to be taken into consideration along with the student SEND needs. (Section 550A Education Act 1996)

Students

- Missing education as a result
- Violent confrontation leading to larger scale disorder.
- Younger students being given prohibited items and being put at risk

Staff

- What training have staff received to search
- Potential for a violent confrontation
- No protective equipment and clothing
- Right to refuse to search students despite authorisation by Headteacher

Although staff have these powers, they do have a right to refuse to search a student in spite of the Headteachers consent.

Staff, other than security staff, can refuse to undertake a search. The law states that headteachers may not require anyone other than a member of the school security staff to undertake a search).

Only the headteacher, or a member of staff authorised by the headteacher, can carry out a search.

The headteacher can authorise individual members of staff to search for specific items, or all items set out in the school's behaviour and anti-bullying policy.

For example, a member of staff may be authorised to search for stolen property and alcohol but not for weapons or drugs.

In accordance with the “Searching, Screening and Confiscation Advice for schools” (July 2022) the following advice is given:

During a search

Where

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

Who

The law states the member of staff conducting the search must be of the same sex as the student being searched. There must be another member of staff present as a witness to the search.

There is a limited exception to this rule. This is that a member of staff can search a student of the opposite sex and/or without a witness present only if the member of staff carrying out the search reasonably believes there is risk that serious harm will be caused to a person if the search is not carried out as a matter of urgency; and in the time available, it is not reasonably practicable for the search to be carried out by a member of staff who is same sex as the student or it is not reasonably practicable for the search to be carried out in the presence of another member of staff.

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

Any search by a member of staff for a prohibited items and all searches conducted by police officers are recorded on the school's safeguarding reporting system, (My Concern) including whether or not an item is found. This will allow the Headteacher, Designated Safeguarding Lead (or Deputy) to identify possible risks and initiate a safeguarding response if required.

In line with the searching, Screening and Confiscation Advice for schools, if the school was to carry out searches which falls disproportionately on any particular groups of students after analysing the recorded data on My Concern. The SLT team will look at ways on how to prevent this from happening alongside the student, parent/carer, and multi-professional network.

Recording

Any search by a member of staff for a prohibited item and all searches conducted by police officers should be recorded including whether or not an item is found on My Concern including a record placed on Arbor reporting that a search or confiscation has taken place and to refer to My Concern for further information.

This allows the designated safeguarding lead alongside the Headteacher to identify possible risks and initiate a safeguarding response if required.

- Searches for schools prohibited items should be recorded on My Concern and include the following details:
- Which student was searched
- Who conducted the search and any others who witnessed?
- What was being searched for
- The reason/justification for searching.
- What items, if any, were found
- Any follow up actions/sanctions

Although guidelines by the DfE allow for schools to carryout physical searches on students, at Ian Mikardo High School if we have reason to believe that a student is in possession of a prohibited item we will ask a student to pat themselves down, show what is in their pockets and bag as the latter conflicts with the school's ethos, which revolves around mutually respectful relationships, encouraging students to independently take responsibly for their actions. Displays of power would damage these relationships and be at odds with the safe and productive environment we create. If a student refuses to cooperate after attempts being made by a member of the Welfare Team or SLT, parents/carers or the police will be called to assist.

14 Criminal Activity

If a student commits a criminal act in the school when looking at a consequence and resolution, we will always consider the appropriateness of involving the police. This is part of the process through which our students learn about the boundaries of acceptable and respectful behaviour both inside and outside the school. If the student faces a criminal charge, we immediately put together a plan to support the student within the criminal justice system, as well as continuing to support them in the school and at home.

15 Physical Restraint

Although guidelines by the DfE allow physical restraint, at Ian Mikardo High School we do not use physical force, we believe this conflicts with the school's ethos which revolves around mutually respectful relationships. Displays of power would damage these relationships and be at odds with the safe and productive environment we create. This does not mean that staff never physically intervene. There are occasions when it is necessary that staff may block or stand in between students, and guide them away from the area or in exceptional circumstances use the powers in Section 93 Education and Inspectors Act 2006:

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Emergency use of reasonable force which occurs in response to unforeseen events in exceptional circumstances:

In exceptional circumstances staff can use reasonable force:

1. To prevent students from serious risk of hurting/harming themselves or others,
 2. From damaging property,
 3. From causing disorder.
- The use of reasonable force requires professional judgement to be exercised in difficult situations, often requiring split-second decisions in response to unforeseen events or incidents.
 - Such decisions are known as a dynamic risk assessment, which will include a judgement about the capacity of the student at that moment to make a safe choice.
 - Staff training, line management meetings and supervision of practice should support dynamic risk assessments. Unless the situation is urgent, staff should always use de-escalation strategies and techniques, any physical response must be reasonable and proportionate.
 - If reasonable force has been used a verbal report is to be given to the Headteacher or a member of the SLT as soon as possible after the event and a written report to be provided at the end of the same school day.
 - Parents/carers/significant others must be notified, and the incident will be recorded by the member of staff on Arbor.

16 Anti-Bullying Policy

At Ian Mikardo High School we actively promote a culture of awareness, tolerance, and inclusion. We encourage students to welcome difference, embrace diversity and strive to provide them with a safe and supportive environment that is free from intimidation.

We regard all forms of bullying as unacceptable and should all be treated with the same significance and challenged. Bullying can involve: ageism, racism, sexism, homophobia, disability, gender, gender identity, religion, lack of faith and other issues relating to identity or difference. It can happen in the school, off-site or online.

Staff are vigilant and because the school is an open community, we ensure that students feel physically safe and comfortable to report and discuss any bullying including cyberbullying. We work with both perpetrators and victims and use conflict resolution, education, training, and police involvement where appropriate.

We also recognise that students' attitudes and aggression can be rooted in cultural and social influences, such as computer games and music videos, as well as shared comments or images via social media platforms such as Instagram, Snapchat, and YouTube. These can inform our student's expectations of masculinity and how they interact with women, as well as with each other. We challenge gender-based stereotypes and encourage students to build relationships based on mutual respect.

How Do We Define Bullying?

Any action which seeks to harm, intimidate, or coerce another person. Repetitive threats of physical violence, assaults, verbal abuse, and any verbal attack that targets a sense of difference are all forms of bullying because they cause distress to another person or group.

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Bullying can include teasing, humiliation, swearing, shouting, horseplay and play-fighting, threats, whispering, inappropriate touching, sexist, racist or homophobic remarks or taunts relating to appearance or family circumstances, exclusion from groups or activities, not talking to someone because of their race, colour, religion, gender or disability, damage to or theft of personal belongings, cyberbullying, threats, harassment and abuse by email, text, using social networks or any other form of digital technology.

Preventative Strategies

At Ian Mikardo High School we:

- Ensure that students are supervised at all times
- Raise awareness of what constitutes bullying through discussion
- Addressing the behaviour when it arises to stop escalation
- Give students opportunities to talk about bullying in all forums such as student voice and tutorials
- Educate students on bullying both formally in PHSE and citizenship, and informally as part of our social curriculum and in 1:1 discussion
- Liaise with parent/carers
- Promote anti-oppressive practice at all times
- Offer a highly structured social curriculum (lunch and break times)
- Fostering positive relationships with the students

Incidents need an immediate response using conflict resolution/restorative practise. It is important that students understand the hurt or offence they are causing and the impact on other people.

17 Safety Planning

Ian Mikardo operates an inclusive model of education where activities will be available to all students. Risk assessments often identify barriers to prevent someone from taking part in an activity, at Ian Mikardo our safety plans outline what is necessary to reduce risk so that every student is included.

Safety is always our prime consideration, neither students nor staff must be placed in situations that expose them to an unacceptable level of risk. For this reason, formal and dynamic safety plans are embedded into school practice. We constantly monitor and assess our students' behaviour and our responses to them, ensuring that they have appropriate levels of supervision.

If a student becomes angry and leaves the site alone, a member of staff may follow at a distance and at no more than a brisk walking space. Running after them could jeopardise the student's safety. This enables us to supervise the student until they have calmed down and are able to return.

Students are involved in their own Safety Plans; this is to empower and enable them to learn strategies to keep themselves safe both inside and outside of school. Some safety plans may involve external agencies.

At Ian Mikardo High School we have a multi-agency approach to further understand and minimise risk.

If we become aware that a student is at risk because of issues outside the school, we follow the Child Protection and Safeguarding Policy.

18 Bullying (Including Cyberbullying)

Bullying is a very serious issue that can cause anxiety and distress. All incidences of bullying, including cyber-bullying and prejudice-based bullying should be reported and will be managed in accordance with this policy.

19 Harmful Sexual Behaviour That Requires Intervention

All staff working at Ian Mikardo High School have a responsibility to respond to behaviour that could be considered sexual or harmful. Staff challenge any unacceptable or harmful behaviour and take the following steps:

- Stop the behaviour, remove the student away from others to speak with them
- Describe the behaviour to avoid any misunderstandings
- Point out the impact on others
- Reminds student of the norm
- Report the incident to our Designated Safeguarding Lead (DSL)
- Record the incident on the Management Information System, Arbor and on My Concern

If appropriate, a support plan will be created and followed.

20 Child-On-Child Abuse

Staff must be aware that children may be harmed by other children.

Child-on-child abuse can happen both inside and outside of school including online. It is important that all staff recognise the indicators and signs of child-on-child abuse.

Staff should treat all reports of child-on-child abuse very seriously and make it clear that all forms are unacceptable. As with all forms of abuse the occurrence of child-on-child abuse is an infringement of a child's human rights. Abuse is abuse and will never be dismissed as 'banter' or 'part of growing up'. The school adopts a Zero Tolerance Approach to child-on-child abuse.

KCSIE 2024, focuses on the preventative educational role of schools and colleges in creating a culture of 'zero tolerance' for sexism, misogyny/ misandry, homophobia, biphobic and sexual violence / harassment, through well planned RSHE delivery.

All staff should recognise that even though there are no reported cases of child-on-child abuse among students, such abuse may still be taking place and that it is simply not being reported.

Staff should be aware that it is more likely that boys will be perpetrators of child-on-child abuse and girls will be victims of child-on-child abuse. However, all forms of child-on-child abuse are unacceptable and will not be tolerated at the school.

Staff should recognise that child-on-child abuse can take many forms and may be facilitated by technology, including:

- Bullying (including cyberbullying, prejudice-based and discriminatory bullying)
- Physical abuse such as biting, hitting, kicking or hair pulling
- Sexually harmful behaviour and sexual abuse including inappropriate sexual language, touching, sexual assault or rape.
- 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-nude's images and/or videos
- Teenage relationship abuse – where there is a pattern of actual or threatened acts of physical, sexual or emotional abuse, perpetrated against a current or former partner
- Upskirting – taking a picture under a person's clothing without their knowledge and/or permission with the attention of viewing their buttocks or genitals (with or without underwear) to obtain sexual gratification. It is a criminal offence
- Initiation/hazing - used to introduce newcomers into an organisation or group by subjecting them to a series of trials and challenges, which are potentially humiliating, embarrassing, or abusive

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- Prejudice and discrimination - behaviours which cause a person to feel powerless, worthless, or excluded originating from prejudices around belonging, identity, and equality, for example, prejudices linked to disabilities, special educational needs, ethnic, cultural, and religious backgrounds, gender and sexual identity

Different gender issues can be prevalent when dealing with child-on-child abuse, for example girls being sexually touched/assaulted or boys being subject to initiation/hazing type violence.

Although a child identifying as LGBTQ+ is not in itself a safeguarding concern, such children may be more vulnerable to forms of child-on-child abuse. This includes children who are perceived to be LGBTQ+ even though they do not identify as such. The school is committed to providing a safe space for LGBTQ+ children to share any concerns they may have and in ensuring an inclusive culture is maintained.

All students are referred to the DSL and DMHL in the first instance where concerns are reported of alleged child on child abuse.

It is a requirement of KCSIE 2024 for the school's Child Protection and Safeguarding Policy to detail procedures in place to minimise the risk of Child-on-child Abuse.

Please refer to the Child Protection and Safeguarding Policy for further details.

21 Child-On-Child Sexual Violence and Sexual Harassment

All staff must be aware that sexual violence and sexual harassment can occur between two children of any age and sex, and it can happen in any environment including schools, the family home as part of intra-familial abuse and via online platforms. It can also occur when a group of children sexually assaulting or sexually harassing a single child or a group of children. The abuse may be perpetrated by a younger child towards an older child because of an imbalance of power caused by factors such as height difference or cognitive ability.

As part of school's wider safeguarding culture, staff should maintain an 'it could happen here' approach in regard to child-on-child sexual violence and sexual harassment and understand that children in the school and the local community may be experiencing such forms of child-on-child abuse, including that facilitated by technology, regardless of the number of reports the DSL receives.

In response to reports of child-on-child abuse school will reassure all victims that they are being taken seriously and that they will be supported and kept safe. A victim will never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor will a victim ever be made to feel ashamed for making a report. As part of the reassurance to children, it will be made clear to children that the law is in place to protect them from abuse rather than to criminalise them.

Staff should be aware that some groups of children are potentially more at risk. Evidence shows girls, children with special educational needs and disabilities (SEND) and LGBTQ+ children are at greater risk.

Staff should be aware of the importance of:

- Challenging inappropriate behaviours
- Making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up
- Not tolerating or dismissing sexual violence or sexual harassment as "banter", "part of growing up", "just having a laugh" or "boys being boys"
- Challenging physical behaviours (potentially criminal in nature), such as grabbing bottoms, breasts, and genitalia, pulling down trousers, flicking bras and lifting upskirts, dismissing or tolerating such behaviours will help to normalise them

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Sexual violence offences are defined under the Sexual Offences Act 2003

Rape: A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.

Assault by Penetration: A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.

Sexual Assault: A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents. (Schools should be aware that sexual assault covers a very wide range of behaviour so a single act of kissing someone without consent or touching someone's bottom/breasts/genitalia without consent, can still constitute sexual assault.)

Causing someone to engage in sexual activity without consent: A person (A) commits an offence if: s/he intentionally causes another person (B) to engage in an activity, the activity is sexual, B does not consent to engaging in the activity, and A does not reasonably believe that B consents. (This could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.)

Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g., to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs.

All Staff need to be aware of the following:

- Children under the age of 13 can never consent to any sexual activity
- The age of consent is 16
- Sexual intercourse without consent is rape

Where a report of rape, assault by penetration or sexual assault is made, this will be referred to the police. Whilst the age of criminal responsibility is ten, if the alleged perpetrator is under ten, the starting principle of referring to the police remains. In parallel to this the school will make a referral to Children's Services via the Multi Agency Safeguarding Hub.

22 Sexual Harassment

Sexual Harassment is 'unwanted conduct of a sexual nature' that can occur online and offline and both inside and outside of school. Sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded, or humiliated and/or create a hostile, offensive, or sexualised environment.

Sexual Harassment may include the following:

- Sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance, and calling someone sexualised names
- Sexual "jokes" or taunting
- Physical behaviour, such as: deliberately brushing against someone, interfering with someone's clothes (schools and colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos, or drawings of a sexual nature
- Online sexual harassment, this may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence such as:
- Consensual and non-consensual sharing of nudes and semi-nude's images and/or videos

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- Sharing of unwanted explicit content
- Upskirting
- Sexualised online bullying.
- Unwanted sexual comments and messages, including, on social media.
- Sexual exploitation, coercion, and threats

On a case-by-case basis the school will liaise with Children's Services and the Police as well as specialist services as part of the immediate response to child-on-child sexual harassment and the ongoing support for all the children involved.

23 Harmful Sexual Behaviours

Children's sexual behaviour exists on a wide continuum, ranging from normal and developmentally expected to inappropriate, problematic, abusive, and violent. School recognises that Harmful Sexual Behaviours can, in some cases, progress on a continuum. It is therefore important for all staff to address inappropriate behaviours to help prevent problematic, abusive and/or violent behaviour in the future. Children displaying harmful sexual behaviours have often experienced their own abuse and trauma.

School takes seriously its duty to respond appropriately to all reports and concerns about children's sexual behaviours both online and offline, in and outside of the school, including reports of sexual violence and/or sexual harassment. The DSL has completed relevant training in responding to and managing harmful sexual behaviours and will draw upon appropriate resources such as the AIM Checklists/Brooks traffic light Assessment Tools. The DSL will liaise where appropriate with Children's Services, the Police and other specialist services.

Reports should be managed in accordance with good practice. Staff should always discuss concerns about sexually harmful behaviour involving students with the DSL in accordance with Keeping Children Safe in Education 2024 Part 5. It is important that sexual violence and sexual harassment are shown to be unacceptable, and not passed off as "banter" or "part of growing up".

Reporting to the Police: in cases where rape, assault by penetration or sexual assault is reported the school will not wait for the outcome of a Police investigation before protecting the victim, perpetrator and other children in the school, the DSL will work closely with the Police to ensure that the school's actions do not jeopardise the Police investigation. If a child is convicted or cautioned, the school will update the risk assessment and consider suitable action through the use of this policy.

All information ascertained will be securely and sensitively recorded on My Concern.

Please refer to useful link for further information: The schools Harmful sexual behaviour: <https://swgfl.org.uk/harmful-sexual-behaviour-support-service/> a charity that provides support regarding abuse and technology.

For further information please refer to the school's Harmful Sexual Behaviour Policy

24 Allegations Against Staff

Where a student makes an accusation against a member of staff, please refer to the Allegations against Staff Policy.

Please refer to our safeguarding policy for more details and information on responding to allegations of abuse. The Headteacher will also consider the pastoral needs of the staff accused of misconduct.

25 Training

Our staff are provided with training on managing behaviour, as part of their induction process.

Training is facilitated face to face by the Executive Headteacher, Educational Psychologist, Trust's Safeguarding and Compliance reporting Lead and DSL in addition to online training via SSS training, Caredemy TES, and The Key.

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All staff must complete the following training courses via [The Key](#) twice a year as follows:

- Online Safety
- Child on Child Abuse
- Anti-bullying
- Safeguarding and Child Protection: the essentials
- Prevent

Behaviour management will also form part of continuing professional development.

26 Monitoring and Reviewing

This policy will be reviewed and updated in accordance with the Trust policy review schedule and from time to time may be updated more frequently in response to changes in guidance, legislation or under instruction from the Trust.

27 Links With Other Policies

- Allegations against Staff Policy
- Child Protection and Safeguarding Policy
- Equality Information and Objectives
- E-safety Policy

28 Appendix 1 - Attendance and Suspension/Exclusion

Students at Ian Mikardo High School have struggled to engage with mainstream education and when they arrive here, they may have an entrenched history of non-attendance and suspension/exclusion. All of them have severe and complex Social, Emotional and Behavioural difficulties. Most come to us as non-attenders, from a part-time placement or were educated in isolation, almost all have no experience of regular attendance within a group setting.

Our short-term aim is to make our students feel safe. At Ian Mikardo we have created an environment where they are nurtured consistently, and we show them how to build healthy and appropriate relationships with us and with each other so that they can begin to engage with learning. Our long-term aim is to equip them with the academic, social, and practical skills they need to lead a stable, independent, and fulfilling adult life.

We expect our students to attend school, but it is also central to our ethos that we treat them as individuals, and we recognise that there are many factors in their lives that make their attendance difficult. For this reason, we do not punish non-attendance. Instead, we work on removing the barriers that are inhibiting attendance. We do this by addressing the reasons behind any individual's failure to attend school and ensuring that we deliver a creative curriculum in a safe and stimulating environment.

28.1 Our Practice

Our aim is to remove the barriers that are stopping a student from attending school. These include:

- Students' emotional problems
- Lack of routine and the challenges of parenting a child with complex needs
- Problems in getting to school - this can include fear at having to travel through a gang-controlled postcode, school phobia, high risk behaviour or mental health conditions.

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To overcome these barriers, we offer:

Emotional Support

We encourage students to come to school by providing a supportive environment that makes them feel contained and safe. All staff work consistently to support students, to form appropriate relationships with them, and to make the school an emotionally nurturing community. When the school was rebuilt in 2011, this requirement was an integral part of the design. We foster a warm, open, and reflective atmosphere, enhanced by the use of windows, light and open spaces throughout the building.

Food

We provide a nutritious breakfast and lunch free of charge to students. This is served in a stylish café which encourages informal conversation between students, and between students and staff, who eat together. Breakfast is served between 8.30am and 9.30am; this encourages students to arrive in time for lessons and optimises their capacity for learning. It also facilitates a transition from what is often a chaotic home life to the structure of the school day and enables staff to assess students and pick up on any change in their emotional state. Fruit and filtered water are freely available.

Hygiene

We have facilities for washing students' clothing. We provide showers for students, and our hair and beauty salon encourage them to take pride in personal grooming. In extreme circumstances, we purchase essential items for students such as trainers and coats.

Transport

Both the school and Tower Hamlets Borough Council provide travel training to foster independence in students. This means that a member of staff, or a Council travel trainer, will meet a student at home and walk or cycle with him to school, and escort a child home or to the station. Some students travel by taxi paid for by their local authority, either because they lack the skills to travel independently, or because of the distance involved.

28.2 Legislation

Ian Mikardo High School follows the new DfE guidance which came into force on 1st September 2023 'Exclusion from maintained schools, academies and pupil referral units in England'.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1101498/Suspension_and_Permanent_Exclusion_from_maintained_schools_academies_and_pupil_referral_units_in_England_including_pupil_movement.pdf

The guidance refers to students with Special Educational Needs throughout.

Ian Mikardo High School follows the DfE statutory guidance on the exclusion of students from groups with disproportionately high rates of exclusion. We know that the exclusion rates for certain groups of students are consistently higher than average. This includes students with SEND; students eligible for free school meals; looked after children; and students from certain ethnic groups.

28.3 Target Setting

We always treat our students as individuals and just as we expect staff to differentiate between students in terms of their behaviour, where attendance targets are set, they relate to individual students. We make it clear that we have high expectations, and we work with students' families with member of the Welfare Team to maximise attendance.

28.4 Guidance on Punctuality

We recognise that our students are often presented with disruptive patterns of behaviour, particularly when they are new to the school. It is important to appreciate that, compared to our students' home lives, school life revolves around a timetable and is highly structured. Within this, staff model punctuality to students, just as they model other appropriate forms of behaviour. Students who are late are welcomed and reasons for lateness are addressed at an appropriate time.

28.5 Roles and Responsibilities

Headteacher

- Has a legal requirement to record and monitor attendance. This has been delegated to the Attendance and Welfare Coordinator

School Office

- To record and collect attendance in the fire register
- To follow up absence with a phone call and, if there is no answer, a text message
- Update the fire register if students arrive late or a reason for absence is established
- Complete the register on the School's Management Information System daily
- Complete suspension/exclusion paperwork
- Send a list of all students not in school daily to the Attendance and Welfare Coordinator, Headteacher and Trust Safeguarding and Compliance Reporting Lead

Tutors

- To follow up absence with a courtesy call at the earliest convenience
- To follow up concerns about punctuality and attendance with parents/carers and students and to recognise good attendance
- Offer any assistance where possible to improve attendance and find out root cause

Executive Headteacher, Trust Safeguarding and Compliance Reporting Lead and Attendance and Welfare Coordinator

- Discuss attendance of all students at weekly case management meeting
- Discuss internally, intervention with Attendance and Welfare Officer (AWO) for those causing a concern

Senior Leadership Team

- To ensure the curriculum offered meets the needs of the students
- To ensure that work is available to be taken to non-attendees

Attendance and Welfare Coordinator

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- To meet with parents and students at the beginning of the school year to discuss attendance.
- To carry out home visits
- To inspect registers
- To attend weekly meetings with the welfare team
- Provides annual attendance report

Students

- Responsible for attending
- Responsible for discussing any difficulties with their tutor/school staff

Parent/Carers

- Parents/carers are legally responsible for ensuring their child attends school
- Should acknowledge non-school attendance and the consequences
- To notify the school of lateness and absence

28.6 Attendance Procedure

School Office staff to record who comes into school in the Fire Register, and to complete MIS registers daily.

Tutors to follow up ALL absences by contacting parents on the first day of absence, and subsequently if the absence continues.

After 3 days of absence a home visit will be made by the Welfare team.

Headteacher or the Deputy Head (IMHS) Trust Safeguarding and Compliance Reporting Lead to inform Tutors, Attendance and Welfare Coordinator, Teaching, Learning and Welfare Lead of any specific concerns.

Deputy Head (IMHS) **Trust Safeguarding and Compliance Reporting Lead** to oversee strategy causing concern, and to discuss significant issues at her line management meeting with the **Headteacher**.

28.7 Persistent Absence

It is consistent with the school's ethos that we offer places to students who were not previously in education. While our aim is to engage them with education, it would be unrealistic to expect them to suddenly achieve high attendance figures, and our success in developing their attendance should be seen in this context. Encouraging them to attend school is an on-going process that relates to their success in forming relationships within the school, and which can be hampered by on-going personal difficulties outside school. An attendance rate categorised by the Government as persistent absence can therefore represent a success if seen in context of a young person who has never previously engaged with learning and who continues to lack family support.

We do not believe that the likelihood that a young person is likely to remain a persistent absentee is a reason to deny them a place at Ian Mikardo. Conversely, we believe that all young people, irrespective of their circumstances, should have the opportunity to engage with education, and that our specialist provision can meet the needs of those who struggle. This view is

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actively encouraged and supported by the Trust Board, whose members recognise the school's success in increasing attendance rates for many students.

For these reasons, Ian Mikardo does not subscribe to the details of the Government's initiative on persistent absence though we are vigilant in tracking it and working to ensure that students do attend. We set challenging and ambitious targets for each student, treating each as an individual and tailoring our responses to take account of their complex needs and their family's circumstances. We believe that our attention to tracking and challenging poor attendance is appropriate for our students and exceeds the Government's requirements.

28.8 Suspensions/Exclusions

At Ian Mikardo, exclusion from the school community is used as a last resort and for the shortest period possible. It is not a punitive measure and is initiated by the Headteacher and the Deputy Head (IMHS) Trust Safeguarding and Compliance Reporting Lead when it is felt that it is unsafe for a student to be in school and off-site working is also deemed to be unsafe. All exclusions must be agreed by the Board of Trustee for Safeguarding. It is done in the interests of a student's own health and safety, and the health and safety of others and because we feel that, at that time, the school is not an appropriate environment for the student. This ensures that both students and staff feel safe in the school.

When a student is excluded, we immediately plan for their reintegration back into school.

We believe that the way we handle exclusion is rare if not unique and it is resource intensive. Like everything else at Ian Mikardo, we adopt this practice because it works. We recognise that our students may need more support. By treating them with understanding and respect and offering them continuity of support in their relationship with us, we find that they are able to take positive steps forward in a situation that, handled differently, could be detrimental to their fragile emotional state and lead to criminal activity.

If a child's place is at risk of permanent exclusion, an annual review needs to take place. Please refer to Admissions Policy for more information.

29 Appendix 2 – Off-Site Working

Off-site working is an alternative to exclusion and there to support a child's emotional wellbeing when a child's behaviour is deemed to be so unsafe in school that they are a danger to themselves and other people.

Off-site working is a strategy employed at Ian Mikardo in response to the needs presented by our cohort of young learners. At Ian Mikardo, we recognise the valuable contribution that off-site learning and reflection can make towards the wellbeing and development of the young people in our care. Off-site learning is arranged for a multitude of reasons and is a non-punitive, supportive strategy aimed at meeting the emerging needs of our students. Outlined below is an explanation of the principles with examples and illustrations of the circumstances when the strategy is utilised.

Off-site working should be a short, planned intervention with clear outcomes, time frames and re-integration package for on-site working. All of which will be communicated clearly to students and parents/carers. Students off-site must be supported by experienced permanent staff as by the very nature of being off-site they are in a vulnerable state. In exceptional circumstances and where this is not possible, written approval from the Headteacher will be needed. Any off-site working of more than three days the Trust's Safeguarding and Compliance Reporting Lead needs to be informed.

29.1 Expectations

Working off-site is a focused, educational intervention designed to support students to reflect on and re-engage with learning and relationships when back at school. Learning activities are provided, and students must be guided through their challenges with

the same level of expectation that is delivered at school and such experiences should not result in the student falling behind with their learning. The pattern of the school day should be adhered to as much as possible, however, flexibility and responsiveness are required to support engagement from the young person and to help them make the best progress possible.

29.2 Preparations for the Off-Site Activity

What you need to know

It is essential that you have sufficient understanding of the needs presented by the student with whom you are being asked to work prior to leaving the school building.

You need to be familiar with the recorded Information pertaining to any specific incidents involving the young person that will support and underpin your work with them. It is necessary that you speak to a senior colleague prior to engaging in off-site learning, who will provide guidance and direction as required.

You must have read and be familiar with the school's behaviour management ethos as described in the induction literature and policies.

What you need to do

All staff working off-site with a student need to be familiar with the school's Lone Working policy, most recent safety plan, and the students individualised Lone Working risk assessment. You must read/sign the documents on Evolve and discuss any concerns with a senior staff member before leaving to work with the young person.

It is essential that you are aware of any medical or dietary information related to the young person's needs and possess any medications that may be necessary to the health and wellbeing of the student prior to leaving the school building.

Before leaving the school, you must ensure that you are aware of the planned activities for the day, have a copy of the itinerary and a travel plan. Planned breaks should be identified and locations agreed with a senior staff member prior to your departure.

Staff working with students off-site must have collected the learning resources for the day, which needs to include any SEAL work that may be relevant for particular students.

Off-Site staff must ensure that they have appropriate means of travel for themselves and the young person with whom they are working with and have collected a packed lunch or funds with which to purchase food.

Staff need to ensure that they have a well charged school mobile phone stored with significant numbers and have contacted the family to confirm their ETA and plans/arrangements for the day.

Prior to leaving, staff should make themselves aware of the travel information, be familiar with the school's safeguarding procedures and 'what to do in the event of a terrorist incident?' information.

29.3 During the Off-Site Learning

What you need to do

It is of importance that the off-site activity is conducted in line with the agreed plan and that you work with the young person in the location agreed prior to your departure.

When working off-site with students, it is important that safeguarding is prominent in your plans and actions. The student must be suitably supervised at all times.

The itinerary of the day should be discussed with the young person and locations for planned breaks identified.

You need to make yourself known to the staff at the specified location in which you will be conducting your work, explaining that you are from a special SEMH school and any potential issues that may arise in terms of behaviours associated with the student.

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You need to agree an 'exit strategy' in the event of difficulties that may emerge and make efforts to agree roles and responsibilities in the event of an incident taking place.

Any deviation from the agreed plan must be discussed with a senior staff member via telephone who will support you with decisions that may need to be taken in response to emerging needs of the young person.

You should not make ad-hoc decisions that deviate from the agreed plan. You should not under any circumstances use the opportunity of working off-site to engage in any actions of a personal nature, such as going shopping, attending places of worship for personal acts of prayer or any appointments of a nature not related to work or the needs of the young person.

Efforts should be made to engage the young person with the planned learning activities and opportunities to develop positive relationships identified and managed to support reflection.

29.4 Encountering Difficulties

You may well experience difficulties associated with the learning needs of the student with whom you are working. In such a circumstance, you should firstly use the strategies identified in the safety plan, using initiative and de-escalation to successfully resolve minor incidents with the student.

It may be advisable to take some time outside of the location, making a judgement as to what best meets the needs of the student at that particular time. You may feel it necessary to go to the agreed break's location or to go for a short walk before returning to continue with the learning.

In the event that a student begins to escalate, and you feel that support is required, you should phone the school and speak with a senior staff member who will offer support and guidance towards resolution of the emerging situation.

In the event that the student is acting in a way that is immediately dangerous to themselves or others, a judgement may need to be made as to whether to involve the police. For example, if a student becomes violent towards you or a member of the public, it may be necessary to call the police immediately and to then inform senior staff at the school subsequently. A senior member of staff will have identified what the risks may be prior to the off-site activity and discussed potential scenarios with you.

29.5 Returning from Off-Site Activities

Upon returning from the off-site activity, it is important that you make a record of the activities of the day. This should be recorded using the 'Interventions' area of Arbor, with any significant incidents or observations being noted.

Information from the day needs to be shared with staff at de-brief, noting levels of engagement, any safeguarding concerns and incidents/observations that may be significant.

Should you feel uncomfortable with something that has taken place throughout the day, a disclosure has taken place, or you have discussed something that does not feel right, you need to discuss this with a senior member of staff.

The student's completed learning activities need to be returned to the off-site co-ordinator.

You should then make any phone calls as directed following de-brief/discussions and find out if there are plans to work with the student the following day.

29.6 Off-site Working Procedure Check List

Please ensure you are aware of the student's needs prior to travel and have spoken to a senior member of staff who will inform you as to why the young person is being worked with off-site.

1. Have you read and understood the most recent safety plan?



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2. Have you read through the risk assessment document with a member of SLT/senior staff member?
3. Have you identified the young person's medical/dietary needs?
4. Have you identified the location and itinerary for you work off-site?
5. Have you identified your travel plan?
6. Has the student you are working with got a valid travel card and do you have appropriate means of travel? (Oyster card can be obtained from the front office).
7. Have you collected lunch/money to purchase food?
8. Have you received the learning resources for the student and spoken to subject teachers re any concerns you have regarding learning?
9. Do you have a school mobile phone that it is charged and contains the contact details of the school/student's family?
10. Have you contacted the student's family to confirm arrangements for the off-site learning?
11. Have you ensured that you are familiar with the school safeguarding procedures and 'what to do in the event of a terrorist incident?' information.

30 Use of mobile phones by students (No Mobile Phone Policy)

The operates a mobile phone-free learning environment and promote a focused and productive school day.

- Upon arrival at school, students are required to hand in their mobile phones to a designated member of greetings staff.

1. Procedure:

Arrival at School

- As students enter the school premises, they will be greeted by a member of greetings staff stationed at the designated mobile phone hand-in area
- Students will be reminded to switch off their mobile phones and hand them in for safekeeping during the school day

Mobile Phone Collection

- The greetings staff member will provide each student with a labelled container slot to store their mobile phone
- Students will be asked to place their mobile phones in the provided container area, hand it over to the care staff member
- The staff member will ensure that each mobile phone is securely stored in a locked safe box

Record Keeping

- The staff member will maintain a log or record of all mobile phones handed in, including the student's name and class

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- Any additional items accompanying the mobile phone, such as headphones or chargers, must also be handed to the staff member, and these items will be securely stored for safekeeping and recorded by the staff member

2. Retrieval of Mobile Phones

End of School Day

- At the conclusion of the school day, students will wait at the designated mobile phone retrieval area in the school foyer
- A staff member will verify the identity of each student and retrieve their mobile phone from the safe box

Return of Mobile Phones

- Students will receive their mobile phone from a member of the staff team, checked by an accompanying colleague
- The staff member will also return any accompanying electronic items to the student

3. Exceptions:

- In cases of emergency or urgent communication needs, students may be granted temporary access to their mobile phones under the supervision of school staff
- Parents/guardians are encouraged to contact the school directly if there is a need for immediate communication with their child during school hours

4. Application of the school policy

- Compliance with this protocol is mandatory for all students and failure to adhere to the policy will result with consequences being applied including working offsite, working online or possible exclusion from school
- If students refuse to hand over their mobile phones, we may require the parent/carer to support the school by attending the school to collect the phone
- Persistent contravention of this policy will require a meeting with the student's parent/carer

For more information, please refer to the school's **Mobile Phone Policy**

Performance

At IMHS the Behaviour and Anti-Bullying Policy will be evaluated by the following

- Staff evaluation
- SLT meetings
- Case Management
- Attendance Meeting
- Safeguarding meetings
- The number of reported incidents of bullying recorded on Arbor.
- The PSHE Curriculum
- Students voice activities to gauge perceptions in relation to bullying and potential 'solutions'
- Local Governing Board
- Ofsted
- Parent Surveys
-

A review of this policy will be carried out on a yearly basis to see how well it is being implemented and findings identified will be acted upon.

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Review Date: **September 2025**