

Document name
Positive behaviour policy

This document is relevant to:	
Central support services	✓
Education	✓
Wellbeing and therapy	✓
Residential	✓

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Associated documents	<ul style="list-style-type: none"> St. John's safeguarding policy & procedures St. John's policy for dealing with violence in the workplace. St. John's restrictive interventions policy including physical interventions. Education Act 2005 Positive Proactive Care (DOH) 2014 Care Act 2014

SLT approval	Approval date
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Rationale

This policy attempts to provide information and guidance to staff regarding St. John's commitment to working proactively with all learners. The policy references current best practice guidance regarding responses to behaviours of distress. It also attempts to outline St. John's commitment to providing a safe and positive experience that is grounded in a set of widely recognized quality of life principles:

- ✓ Dignity and respect
- ✓ Individuality
- ✓ Relationships
- ✓ Community presence
- ✓ Rights
- ✓ Choice
- ✓ Independence

This policy provides guidance, strategies, and good practice for staff to ensure that all behaviours are approached and managed consistently with the aim of helping our learners to develop more appropriate behaviours and skills and improve their quality of life.

Introduction

St. John's is committed to promoting Positive Behaviour Support (PBS) as its service model. PBS has evolved from debates in the 1980's about the use of punishment-based consequences for people with learning disabilities & behaviours of distress. Social role valorisation (SRV) is based on the idea that society tends to identify groups of people as fundamentally 'different' and of less value than everyone else. It catalogues the methods of this 'devaluation' and analyses its effects.

PBS is the result of combining SRV with behavioural analysis to create a '*values-led approach to achieving change*'.

The PBS approach includes:

- ✓ a focus on individualised quality of life gains & positive promotion of desired behaviours
- ✓ person centred planning (PCP)
- ✓ a long-term values-led focus
- ✓ implementation of strategies that are based on comprehensive assessment and functional analysis – why, when, and how behaviours occur.
- ✓ ensuring there is an emphasis on preventative strategies.
- ✓ altering triggers and consequences
- ✓ skills teaching
- ✓ distinguishing between preventative and reactive strategies
- ✓ minimising the use of punishment-based consequences

- ✓ the involvement of all stakeholders

The implementation and outcome of all the above means that reducing behaviours of distress comes as a result of intervention.

Objectives

It is essential that all staff understand a wide range of strategies and de-escalation skills which will aim to:

1. Understand the function of behaviours of distress.
2. Support learners to develop behaviours and skills to meet their needs in a manner that is not detrimental to themselves, others, or the environment.
3. Reduce the frequency, intensity, and duration of behaviours of distress.
4. Ensure learners has every opportunity to progress on their learning pathway.
5. Improve the LEARNERS's quality of life.

Definitions

Behaviours of distress

Behaviours of distress can be defined as: 'when [behaviour] is of such an intensity, frequency or duration as to threaten the quality of life and/or the physical safety of the individual or others and is likely to lead to responses that are restrictive, aversive or result in exclusion.'

(Royal College of Psychiatrists et al., 2007, p.10).

Among many causes, behaviours of distress have been reported to (Koritsas & Iacono, 2012):

1. represent a form of communication
2. be caused by skills deficits
3. be associated with psychiatric disorder or symptoms or physical illness
4. develop through operant conditioning and reinforcement.

We acknowledge that above list of causes is not exhaustive. Behaviours of distress serve a function for the learner and as such we will not be punitive in our response and will always endeavour to identify the cause and function of the behaviour and address these to reduce the individual's level of arousal.

Some examples of behaviours of distress may include but are not limited to:

- Self-harm (e.g., head banging, biting)
- Harm to others (e.g., hitting, pushing, punching, scratching, biting, throwing)
- Damage to property (e.g., smashing equipment, ripping displays, forceful opening of doors)
- Vocalisation (e.g., swearing, screaming, shouting)
- Sexualised behaviour (e.g., masturbation or inappropriate touching)
- Pica (e.g., eating non-edible items)

PBS involves provision of a tiered system of support to facilitate a focus on prevention as well as response. The level of provision a learner accesses is determined by the team of professionals supporting them in our settings.

Tier 1/ Universal Support:

Most of our time and energy needs to go into preventing behaviours of distress from happening through a universal level of support. This involves putting into place a range of proactive curriculum and environmental supports that are known to assist pupils/ learners in staying regulated (e.g., low arousal classroom environments, augmentative communication, minimal noise, structured teaching, visual supports, predictable routines meaningful tasks with appropriate level of challenge). This also involves being aware of things that can cause a young person to become dysregulated and could act as a trigger for behaviours of distress. In addition, we need to ensure that the curriculum that learners access covers the core/basic skills needed to prevent behaviours of distress.

If/when Tier 1 intervention provides insufficient support, more targeted specialist support (tier 2) or intensive support (tier 3) should be provided. In such instances, assessment and support strategies should be person-centred and grounded directly in information/ data that has been gathered about the person and their environment. This process, known as a 'functional assessment', begins with a systematic review of when, where how and why a young person displays behaviours of distress.

Tier 2/ Specialist Support:

Tier 2 support is provided to reduce the frequency and intensity of behaviours of distress by providing focused, intensive, group-orientated intervention in situations where the behaviours occur. This usually involves a process of systematic data collection to enable the effective intervention programmes to be developed and reviewed.

Tier 3/ Intensive Support:

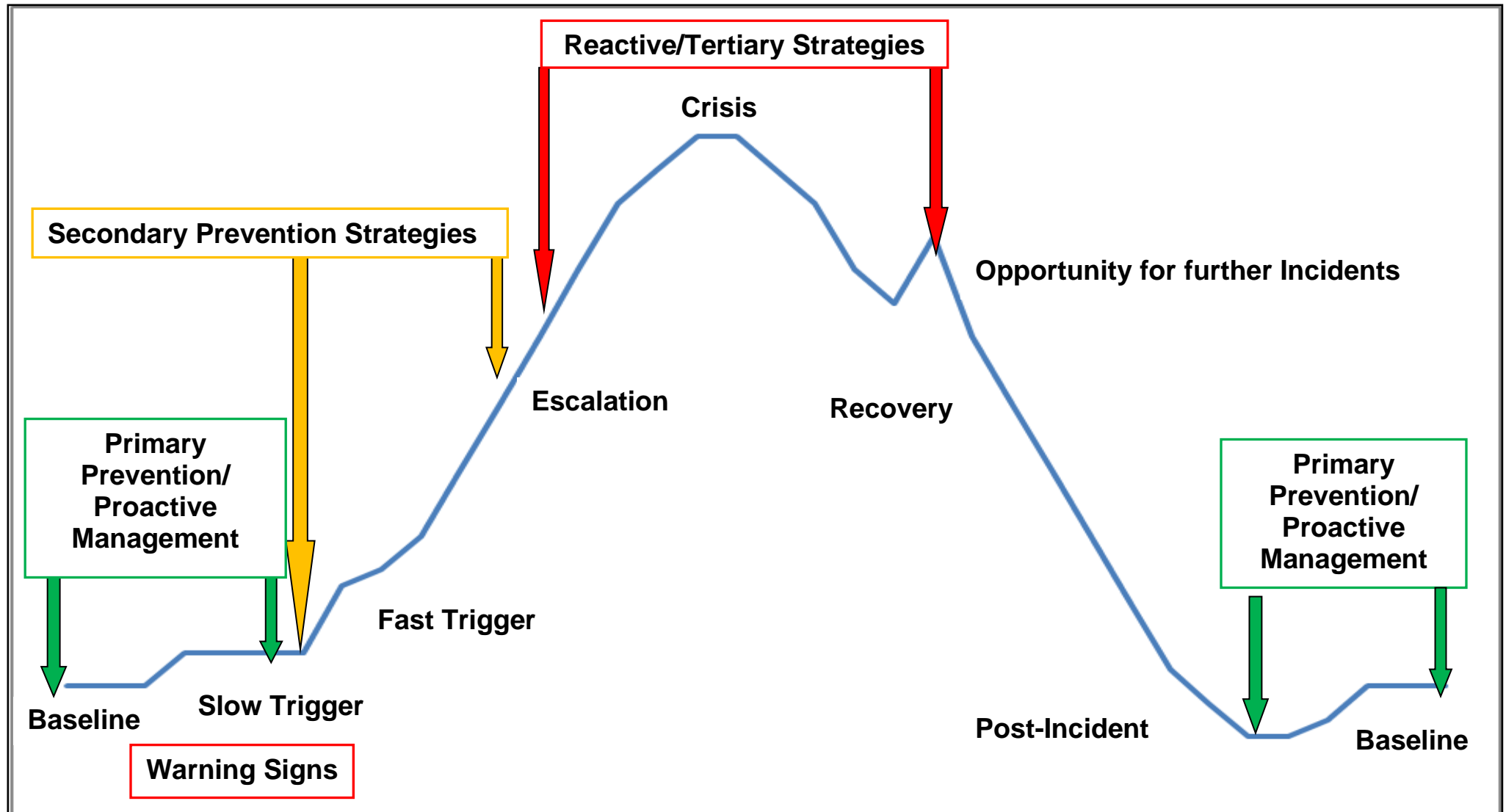
Tier 3 support is provided when the behaviours of distress are unlikely to be addressed at the first two tiers. Tier 3 involves provision of highly individualised behaviour support plans and includes specific protocols for responding to behaviours of distress. Tier 3 provision will often warrant large environmental adaptations such as 2:1 staffing support or the requirement of a quiet space when in crisis.

It is important to note that the tiering system is not static, and the levels of provision needed will fluctuate. Half termly reviews of tiering support are undertaken by the behaviour team.

Baseline

Baseline is term used to describe an individual's usual level of behaviour and function. Each individual has a different baseline e.g., some people's baseline is a high level of anxiety. Baseline is taken into account when developing PBS plans and approaches.

The time intensity model on the next page explains the PBS process which occurs when behaviours move away from baseline to a more heightened state.



Intervention

An intervention is a change in an educational or residential programme which is designed to improve learning or behaviour. Interventions may include communication strategies, teaching techniques, modifications, adaptations, change in curriculum, behaviour interventions and therapies such as speech, physical and occupational therapies.

Primary prevention/proactive management

Primary prevention involves managing aspects of the individual's living, working and social environments to reduce the likelihood of behaviours of distress occurring. Assessments of the learner's sensory and communication needs will be considered, and the recommendations to support the individual with these needs will be included in the plan. Any medical or physical considerations that are likely to impact on levels of arousal, daily functioning and/or behaviour will also be included. Key workers of the learners will be responsible for ensuring **ALL** primary/proactive interventions are available/used, and the individuals teacher/tutor will be responsible for ensuring that key workers adhere to this. Primary preventions provide evidence-based guidance on how to provide the "best match" to the individual in all aspects of daily living including communication, learning opportunities, skill development, meaningful activities reflective of the individual's hobbies and interests, sensory needs, and relationships.

Secondary prevention

This involves strategies which are implemented when an individual begins to move away from their baseline conditions. The aim of secondary prevention is to reduce the level of arousal and distress in the hopes of stopping incidents escalating further through early identification and positive, calm interactions and interventions. Secondary prevention provides guidance on how to recognise and respond to early indicators that the individual may be moving away from baseline. Appropriate primary preventions strategies can also be used at this time. In some circumstances it may be necessary to use low level, non-restrictive Maybo guiding strategies to support the learner to an environment whereby additional primary and secondary interventions are more likely to be successful.

Reactive/tertiary strategies

Reactive/tertiary responses are implemented when behaviour has escalated to the point whereby primary and secondary interventions have been implemented and were unsuccessful, or where the behaviour is sudden and presented without warning. It is during these times when well-planned reactive/tertiary strategies play an important role. These strategies will not always include a physical response, however if a restrictive physical intervention is required these strategies are designed to ensure they are non-pain based but are consistent, safe, least intrusive, short, and always a last resort. St. John's endeavours to

focus on Primary/proactive strategies to reduce the likelihood of behaviour occurring in the first place, thus rendering the need for reactive strategies.

Behaviour Support Plans (BSP's)

A-behaviour support plan is written prior to admission based on information provided prior to the learner starting at St John's such as, the EHCP, occupational therapy and speech and language assessments/reports, Educational Psychologists reports, and any available behaviour data provided by previous services (other sources of information may be available and therefore incorporated into the BSP). It is designed to offer an approach to working with individuals which ensures that their needs are met and that, interventions to support these needs are identified. Its purpose is to offer a guide to staff to enable a consistent approach for learners A copy of the BSP should be kept in the learner's file. The BSP will be shared with parents and/or primary care givers and social workers.

BSP's will be reviewed and, where applicable, updated as a minimum each term. However, BSP's may also be updated following professionals' meetings or when change occurs for the learner and therefore the current interventions are less effective meaning that alternative interventions need to be introduced to continue to meet the learners' needs.

The Behaviour Support Plan will contain the following components. 3-11 are considered as Primary preventative strategies:

1. A picture of the learner (if agreed)
2. The learner's diagnosis/diagnoses.
3. Important need to know information – this will include any information that is critical to keeping an individual safe.
4. Skills teaching – the four areas of focus are:
 - a. Communication and social interaction.
 - b. Self-reliance and problem solving.
 - c. Sensory experiences.
 - d. Emotional wellbeing.
5. The learner's likes and dislikes.
6. An explanation of how the learner presents when they are happy, calm, and focused and the activities that can maintain this.
7. Sensory needs – includes detail of the things to avoid (interventions to support sensory needs will be included in the proactive interventions). Included is visual, smell, taste, touch, hearing, proprioceptive (body awareness) and vestibular (balance).

8. Communication needs – details the learner's expressive language, receptive language, communication aids needed to support understanding, a description of how to communicate with the learner and how to support them with social interaction.
9. Proactive strategies – Details needs pertaining to: Routine and consistency, how to support when engaging in activities, how to support with independent living skills, how to support with transitions and how to give positive reinforcement and praise.
10. An explanation of how the learner presents when they are sad, tired, or unwell and the activities that can help.
11. Triggers and warning signs – slow and fast triggers identified, and how to recognise when a learner is coming off their baseline.
12. Secondary strategies – Details the interventions that will support the individual and reduce their level of arousal. This may include low-level, non-restrictive guiding strategies.
13. A description of the specific behaviours of distress that can be displayed when a learner's level of arousal has moved away from baseline.
14. A description of how to support an individual when their level of arousal has reached a point whereby the behaviours being displayed pose a risk to themselves or others. This may include low-level, non-restrictive guiding strategies, restrictive escorting, restrictive seated or safety pod holds, the use of PRN (pro re nata - unscheduled) medication, or an identified space/room.
15. Details of support to be provided for the learner once level of arousal has reduced.

Positive Behaviour Support Plans (PBSP's)

Positive Behaviour Support Plans (PBSP's) differ from Behaviour Support Plans (BSP's) in several ways. The first and main difference is the assessment tools used to identify the learner's history, the skills that are already present that help them to function and complete daily living skills and self-regulate, the motivating factors that support learning, baseline presentation and all of the factors that can impact on a learner moving away from their baseline, and the behaviours displayed as a consequence of emotional dysregulation.

The second difference is that all the above information, along with a Pen Portrait will be included in the PBSP which makes it an extremely lengthy document.

St. John's has made the decision that:

1. Due to the time it takes to undergo all the initial assessment criteria, we will only implement these, or some of these, should a learner move into tier 3 intensive support.
2. Some of the information required to produce a PBSP is contained in other documents and therefore to reduce the repetition of information and to make the document more user friendly this information is not included.

Policy aims.

This policy aims to increase motivation and raise standards of achievement for learners through person centred planning. St. John's aims to maintain a safe and protective environment which promotes positive behaviour. St. John's seeks to reinforce desired behaviours, it is believed that this strategy will develop an ethos throughout the organisation of positivity, kindness, and co-operation.

The key elements are:

- enabling all learners to develop to their full potential by acquiring skills (including personal, social, and emotional skills), knowledge, understanding and a positive attitude to support them towards becoming economically aware, social, and active citizens.
- to promote a culture of PBS through appropriate staff training, appropriate role modelling and implementation of BSP's.
- to promote a culture of social inclusion and respect for diversity, particularly through developing the well-being of learners.
- to ensure that learners rights and dignity are considered and maintained.
- to provide a variety of approaches to meet individual needs.
- to promote Person Centred Planning.
- to provide appropriate training and guidance for all staff at St. John's to ensure they have the skills to deal confidently and safely with behaviours of distress.
- to ensure that the policy is fully understood and consistently implemented throughout St. John's.
- to ensure effective mechanisms are in place for the monitoring and evaluation of the policy.
- to ensure a collaborative approach to management involving all stakeholders
- to promote an understanding of reinforcement amongst the staff team (i.e., that adding something positive increases the desired response or that taking something negative or aversive away increases a desired response).
- not to use sanctions or punishment as they are not ethical, do not support long term positive behavioural change and may damage therapeutic relationships.

Implementation of policy

Challenges with meeting needs:

St. John's will ensure that:

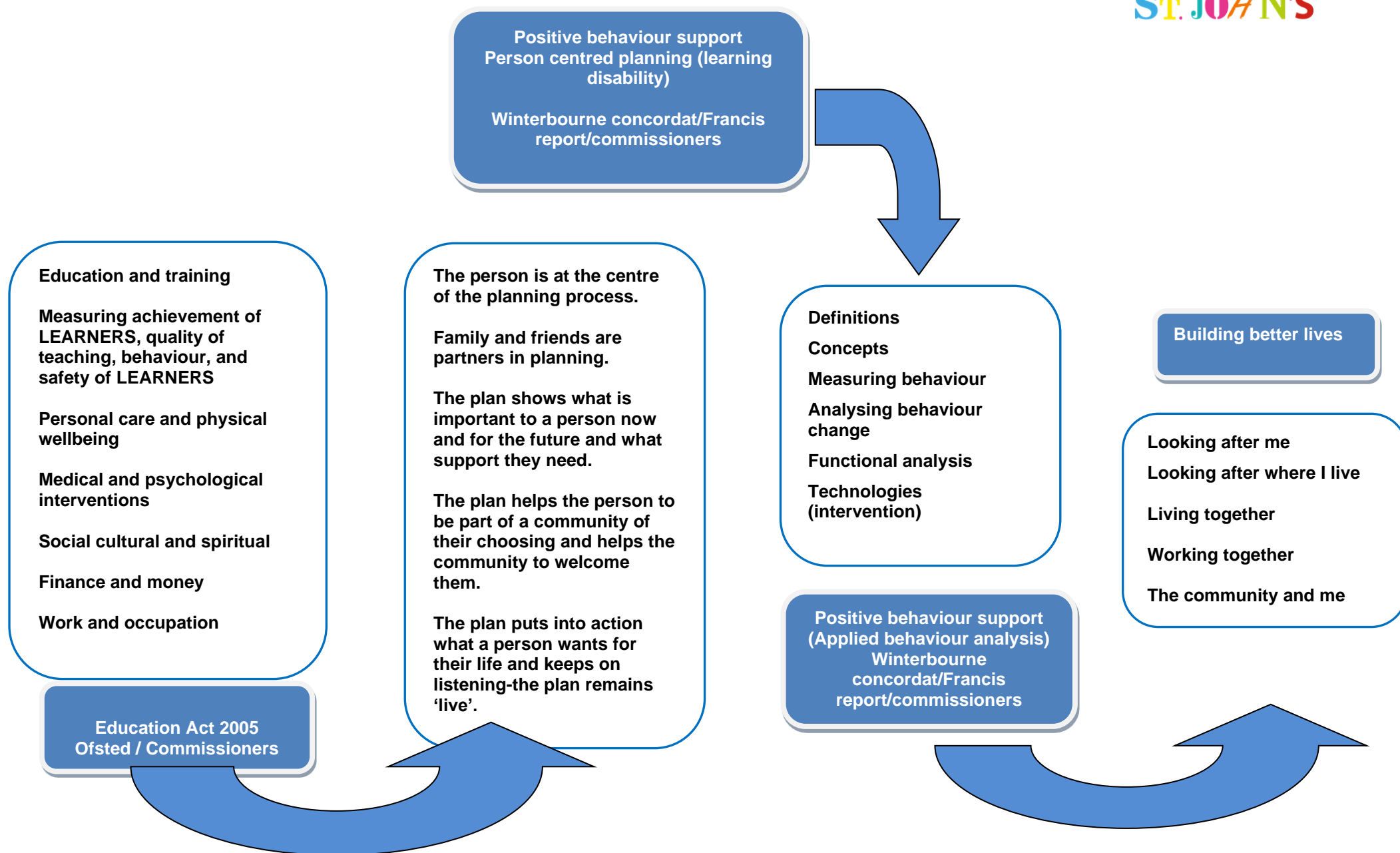
- all staff will be given the training and resources to provide a consistent approach.
- all staff will receive approved BILD (British Institute of Learning Disabilities) accredited physical intervention training to enable them to respond safely to any

incidents of behaviours of distress using a coordinated, non-pain based, gradient of response.

- all staff will refresh this training annually.
- all learners will be encouraged to engage fully in all aspects of their educational & residential programme.
- all learners will be encouraged to engage with relevant therapies which were identified as beneficial during the assessment process.
- all learners will be encouraged to engage in any therapeutic programme of activities which are reflective of individual needs, interests, and hobbies.
- each learner will be encouraged to participate in the development of their PBS plan.
- all PBS plans will be individualised and based on functional analysis.

Models of service

The diagram overleaf illustrates how St. John's will work to continue to develop a culture and a process that enables St. John's to work in partnership with learners and their involved supporters in a manner that meets the needs and requirements of all concerned.



Incident reports

Incidents reports are valuable to the work of St. John's. Where there has been an incident of behaviour of concerns, the staff member concerned must complete a Databridge incident report. Where there were several staff present, those immediately involved should take responsibility for completing the form.

Points to remember when completing the form:

- stick to the facts.
- detail events in order
- avoid expressing an opinion.
- write in a clear concise manner.

On completion of the report, the information will be analysed by the behaviour team. For a serious incident, a post incident review (PIR) will be coordinated for all involved individuals. Emotional support for staff will also be available in the form of post incident support (PIS) from their line manager. This post incident support will also be available for the learner(s) involved and will be individualised to meet their needs. Further support for completing reports is available from behaviour team.

Safeguarding

St. John's believes that every learner has the right to

- ✓ feel **safe** and **secure**.
- ✓ be treated with **dignity** and **respect**.
- ✓ respect their **individuality**.
- ✓ have support to maintain and develop **relationships**.
- ✓ have a **community presence**.
- ✓ have their **rights** respected and upheld?
- ✓ exercise **choice**
- ✓ to maintain and develop their **independence**.

To underpin these core values St. John's will ensure that:

- ✓ all learners are supported to raise their concerns and that those concerns are taken seriously.
- ✓ there is a clear process which incorporates effective recording and reporting.
- ✓ all staff receive training in relation to safeguarding.
- ✓ St. John's will continue to develop relationships with the local safeguarding team.

- ✓ safeguarding procedures are always adhered to.
- ✓ effective monitoring of all safeguarding concerns is maintained, and any corrective action taken in a timely manner.
- ✓ relationships with local community police officers are maintained and developed.
- ✓ commissioners are notified of all significant events in a timely manner.
- ✓ partnership working with Regulators and stakeholders is transparent and honest.

Reduction in restrictive practises

St. John's is committed to working proactively with learners and their involved supporters, seeking to find a balance of safety from harm with freedom of choice. Whilst it is recognised that during times of crisis it is important to maintain the safety of all concerned, St. John's also recognises the importance of monitoring the use of restrictive practices to ensure the organisation always utilises the least restrictive option and demonstrates a gradient response to each situation. Where there is evidence of the use of restrictive practices, St. John's is committed to a reduction strategy which clearly demonstrates a willingness to explore other options and to seek alternative methods to achieve a positive outcome.

Restrictive practice is defined in **DH 2014 Positive and Proactive Care – reducing the need for interventions.**

"Interventions that restrict an individual's movement, liberty and/or freedom to act independently in order to:

take immediate control of a dangerous situation.

and

end or significantly reduce the danger to the person or others.

and

contain or limits the persons freedom for no longer than is necessary".

DH 2014 Positive and Proactive Care – reducing the need for interventions goes on to describe the forms of restrictive practices as:

"Making somebody do something they don't want to do or stopping somebody doing something that they want to do" by using:

physical restraint (using physical contact)

mechanical restraint (using devices)

chemical restraint (using medication)

seclusion (confining or isolating people)".

At St. John's the SLT will ensure that:

- ✓ learners remain central to the service.
- ✓ managers and senior staff are visible on all sites, have knowledge and insight into practices employed to respond to behaviours of distress and that they promote a culture of sharing good practice.
- ✓ they promote a proactive response to poor practice.
- ✓ they avoid a blame culture for genuine mistakes.
- ✓ they promote a culture of learning from incidents and mistakes.
- ✓ everyone is aware of policy, legislation, requirements, and best practice.
- ✓ the use of restrictive practices is constantly assessed and monitored, and a reduction strategy is in place.
- ✓ doors are not locked to prevent exit.
- ✓ that the quality of the service provision is assessed and monitored
- ✓ that "blanket rules or policies" are not applied.

In the event of a concern regarding the use of any restrictive practice a full PIR will be conducted in line with St. John's policy.

Searching, Screening and Confiscating

The information below has been gained from the DoE Searching, Screening and Confiscation Advice for Colleges July 2022 paper.

Ensuring College staff and pupils feel safe and secure is vital to establishing calm and supportive environments conducive to learning. Using searching, screening and confiscation powers appropriately is an important way to ensure pupil and staff welfare is protected and helps Colleges establish an environment where everyone is safe.

Before screening or conducting a search of a pupil, it is vital that Colleges consider their obligations under the European Convention on Human Rights. Under Article 8, pupils have a right to respect for their private life. In the context of these rights and obligations, this means that pupils have the right to expect a reasonable level of personal privacy. The right under Article 8 is not absolute; it can be interfered with, but any interference with this right by a college (or any public body) must be justified and proportionate. The powers to search in the Education Act 1996 are compatible with Article 8. A College exercising those powers lawfully should have no difficulty in demonstrating that it has also acted in accordance with Article 8. This advice will assist Colleges in deciding how to exercise their searching powers in a lawful way.

Searching

Searching can play a vital role in ensuring that the College is a safe environment for learners and staff.

The principal and staff they authorise have a statutory power to search a learner or their possessions where they have reasonable grounds to suspect that the learner may have an item listed below:

- Mobile phone
- Knives and weapons
- Alcohol
- Illegal drugs
- Stolen items

Under common law, staff have the power to search for any item if the learner agrees. Should the learner not agree and has yet to enter the building, the learner will remain outside with a member of staff and a decision regarding next steps will be made by the principal or member of leadership team. Should the learner already be inside the College, a dynamic risk assessment should be conducted by the principal, or a member of the College's leadership team and a decision of next steps made based on the outcome of that assessment. At times it may be necessary to inform the learners parents/primary care giver.

The member of staff should ensure the pupil understands the reason for the search and how it will be conducted and where the search is going to take place so that their agreement is informed. It may be necessary to present the information in a format that will be understood and processed by the learner. This will give the learner the opportunity to ask any questions.

Where?

A location for the search should be found. Where possible, this should be away from other pupils. The search must only take place on the College premises or where the member of staff has lawful control or charge of the learner, for example on a college trip.

Who?

The law states the member of staff conducting the search must be of the same sex as the pupil being searched, unless otherwise requested by the learner. There must be another member of staff present as a witness to the search also of the same sex, unless otherwise requested by the learner.

There is a limited exception to this rule. This is that a member of staff can search a pupil 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 pupil or it is not reasonably practicable for the search to be carried out in the presence of another member of staff.

The extent of the search

A member of staff may search a pupil's outer clothing, pockets, or possessions.

The person conducting the search must not require the pupil to remove any clothing other than outer clothing. 'Outer clothing' means any item of clothing that is not worn wholly next to the skin or immediately over a garment that is being worn as underwear.

'Possessions' means any goods over which the pupil has or appears to have control - this includes bags.

A pupil's possessions can only be searched in the presence of the pupil and another member of staff, except where there is a risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.

The member of staff may use a metal detector to assist with the search.

After a search

Whether or not any items have been found as a result of any search, Colleges should consider whether the reasons for the search, the search itself, or the outcome of the search give cause to suspect that the pupil is suffering, or is likely to suffer harm, and/or whether any specific support is needed. Where this may be the case, College staff should follow the College's safeguarding policy and speak to the designated safeguarding lead (or deputy) as set out in Part 1 of Keeping children safe in education. They will consider if pastoral support, an early help intervention or a referral to children's social care is appropriate. If any prohibited items are found during the search, the member of staff should follow the guidance set out below on confiscation.

Recording searches

Any search by a member of staff for a prohibited item listed above should be recorded on My Concern and Databridge, including whether or not an item is found. This will allow the designated safeguarding lead (or deputy) to identify possible risks and initiate a safeguarding response if required.

Include in the record of each search:

- the date, time, and location of the search
- which pupil was searched?
- who conducted the search and any other adults or pupils present?
- what was being searched for?
- the reason for searching.
- what items, if any, were found; and
- what follow-up action was taken as a consequence of the search.

Informing parents

Parents should always be informed of any search for a prohibited item listed above that has taken place, and the outcome of the search as soon as is practicable. A member of staff should inform the parents of what, if anything, has been confiscated and the resulting action the College has taken.

Any complaints about searching, screening or confiscation should be dealt with through the normal College complaints procedure.

Screening

Screening can help provide reassurance to pupils, staff, and parents that the College is taking measures to create a calm, safe and supportive environment. Screening will be considered should a member of staff suspect that a learner is in possession of any of the above list of prohibited items. The principal, a member of the College leadership team or a person identified by the learner are to carry out the screening process with the wand (hand-held metal detector).

Screening is the use of a walk-through or hand-held metal detector (arch or wand) to scan all pupils for weapons or **mobile phones** before they enter the College premises.

Learners and parents should be informed that a screening process is in place and of the circumstances under which screening will be actioned.

If a pupil refuses to be screened, the principal or member of college leadership team should consider why the pupil is not co-operating and make an assessment of whether it is necessary to carry out a search and proportionate measures to be actioned based on the assessment.

Confiscation

Items found as a result of a search.

An authorised staff member carrying out a search can confiscate any item that they have reasonable grounds for suspecting:

- poses a risk to staff or pupils.
- is prohibited, or identified in the College rules for which a search can be made (see above); or
- is evidence in relation to an offence.

Prohibited or illegal items

Controlled drugs must be delivered to the police as soon as possible unless there is a good reason not to do so. *Legally, Colleges do not have to give the name of the pupil from whom drugs have been taken to the police. Colleges should consider this on a case-by-case basis. Please see the DfE and ACPO drug advice for schools for more information on the relevant powers and duties in relation to powers to search for and confiscate drugs, liaison with the police and with parents.* In determining whether there is a good reason to dispose of controlled drugs, the member of staff must have regard to the following guidance issued by the Secretary of State. *The member of staff should consider all relevant circumstances and use their professional judgement to determine whether they can safely dispose of the controlled drug. When staff are unsure as to the legal status of a substance and have reason to believe it may be a controlled drug, they should treat it as such. If the member of staff is in doubt about the safe disposal of controlled drugs, they should deliver them to the police.*

Other substances which are not believed to be controlled should also be delivered to the police, or disposed of as above, if the member of staff believes they could be harmful.

Where a person conducting a search finds **alcohol, tobacco, cigarette papers (if under 18) or fireworks**, they may retain or dispose of them as they think appropriate but should not return them to the learner. They may be returned to the parent/primary care giver.

If a member of staff finds a **pornographic image**, and the learner is under eighteen years of age, they may dispose of the image unless they have reasonable grounds to suspect that its possession constitutes a specified offence (i.e., it is extreme or an indecent image of a child) in which case it must be delivered to the police as soon as reasonably practicable. Members of staff should never intentionally view any indecent image of a child (also sometimes known as nude or semi-nude images). Staff must never copy, print, share, store or save such images.

Where a member of staff finds **stolen items**, these must be delivered to the police as soon as reasonably practicable. However, if there is good reason to do so, the member of staff may also return the item to the owner or retain or dispose of it if returning them to their owner is not practicable. In determining whether there is a good reason to return the stolen item to its owner or retain or dispose of the item, the member of staff must have regard to the following guidance issued by the Secretary of State below.

The member of staff should consider all relevant circumstances and use their professional judgement to determine whether they can safely dispose of the seized article. In considering the relevant circumstances, the member of staff should consider the following:

- the value of the item - it would not be reasonable or desirable to involve the police in dealing with low value items such as pencil cases, though College staff may judge it appropriate to contact the police if the items are valuable.
- whether the item is banned by the College.
- whether retaining or returning the item to the owner may place any person at risk of harm; and
- whether the item can be disposed of safely

Any **weapons or items which are evidence of a suspected offence** must be passed to the police as soon as possible.

Items that **have been (or are likely to be) used to commit an offence or to cause personal injury or damage to property** should be delivered to the police as soon as reasonably practicable, returned to the owner, retained, or disposed of. In deciding what to do with such an item, the member of staff must have regard to the guidance issued by the Secretary of State below.

The member of staff should consider all relevant circumstances and use their professional judgement to determine whether the item should be delivered to the police, retained, returned to the owner, or disposed of. In considering all relevant circumstances the member of staff should consider:

- *whether it is safe to dispose of the item; and*
- *whether and when it is safe to return the item.*

If a member staff suspects a confiscated item has been used to commit an offence or is evidence in relation to an offence, the item should be delivered to the police.

Members of staff should use their judgement to decide to return, retain or dispose of any other items banned under St. Johns rules. In deciding what to do with such an item, the member of staff must have regard to the guidance issued by the Secretary of State below.

The member of staff should consider all relevant circumstances and use their professional judgement to determine whether they can safely dispose of the seized item. In considering all relevant circumstances, the member of staff should consider:

- *the value of the item.*
- *whether it is appropriate to return the item to the pupil or parent; and*
- *whether the item is likely to continue to disrupt learning or the calm, safe and supportive environment of the College.*

Electronic devices

Electronic devices, including mobile phones, can contain files or data which relate to an offence, or which may cause harm to another person. This includes, but is not limited to, indecent images of children, pornography, abusive messages, images or videos, or evidence relating to suspected criminal behaviour.

As with all prohibited items, staff should first consider the appropriate safeguarding response if they find images, data, or files on an electronic device that they reasonably suspect are likely to put a person at risk.

If the member of staff conducting the search suspects, they may find an indecent image of a child (sometimes known as nude or semi-nude images), the member of staff should never intentionally view the image, and must never copy, print, share, store or save such images. When an incident might involve an indecent image of a child and/or video, the member of staff should confiscate the device, avoid looking at the device and refer the incident to the designated safeguarding lead (or deputy) as the most appropriate person to advise on the College's response. Handling such reports or concerns can be especially complicated and college should follow the principles as set out in Keeping Children Safe in Education (KCSIE).

If a member of staff finds any image, data, or file that they suspect might constitute a specified offence, then they must be delivered to the police as soon as is reasonably practicable.

In exceptional circumstances members of staff may dispose of the image or data if there is a good reason to do so. In determining a 'good reason' to examine or erase the data or files, the member of staff must have regard to the following guidance issued by the Secretary of State below.

In determining whether there is a 'good reason' to examine the data or files, the member of staff should reasonably suspect that the data or file on the device has been, or could be used, to cause harm, undermine the safe environment of the College and disrupt teaching, or be used to commit an offence.

In determining whether there is a 'good reason' to erase any data or files from the device, the member of staff should consider whether the material found may constitute evidence relating to a suspected offence. In those instances, the data or files should not be deleted, and the device must be handed to the police as soon as it is reasonably practicable. If the data or files are not suspected to be evidence in relation to an offence, a member of staff may delete the data or files if the continued existence of the data or file is likely to continue to cause harm to any person and the pupil and/or the parent refuses to delete the data or files themselves.

In all cases this should be discussed and agreed by a member of the leadership team before any action is taken.

