

# DETENTION POLICY



## Oastlers Policy

<b>Approved by Governing Body On</b>	<b>December 2023</b>
<b>To be Reviewed On</b>	<b>December 2026</b>
<b>Signed on Behalf of the Governing Body</b>	<b>Sue Mawson</b>

## **DETENTION POLICY**

### **Policy Statement:**

Oastlers School aims to provide a safe, secure and successful learning environment for all its learners. This means we strive to ensure the school has a positive climate for learning so that everyone, both teachers and learners, can benefit from continued learning opportunities.

While we recognise that our school supports learners who have social, emotional and mental health challenges, this does not mean any of those difficulties are a reasonable excuse for the disruption of learning of the wider community. There are sanctions in place to manage unacceptable behaviour that we believe are just, fair and proportionate. These are further outlined in the school's Understanding Behaviour & Relationships Policy.

Detention is just one of those sanctions that will be applied for those children who repeatedly do not conform to the sanctions outlined in the Understanding Behaviour & Relationships Policy, one off incidents that are of a more serious nature or repeated disruption. Detention provides an opportunity for reflection and an opportunity for key staff to discuss strategies for limiting future incidents.

The school operates break time detention, lunchtime detention and after school detention where appropriate.

### **Detention – The Legal Position:**

The following section of the policy details the legal position for schools as laid down in the 2011 Education Act:

The Education Act 2011 removes the legal requirement to give parents 24 hours' notice before detaining learners after school. The Act confirms school's powers to use detentions by making it lawful for schools to put children aged under 18 in detention without parental consent at a variety of times outside school hours.

Moreover, along with all other disciplinary penalties apart from exclusion, this sanction is available to all school staff in lawful control or charge of learners, and not just to teachers. The exception would be if a Headteacher chose to limit the power of detention to certain groups of staff.

Other legal requirements as regards detentions remain unchanged:

1. Detention is only an available sanction to a school if the Headteacher has previously determined this, and made it generally known within the school and to the parents of registered learners of the school.
2. The sanction of detention can only be applied to children aged under 18.
3. In accordance with statute, the school will not provide parents/carers with 24-hours' notice, unless in exceptional agreed circumstances. The school will take careful account of the circumstances of the detention known to them, for example, family holidays and care duties, or other commitments of the family, since the legality of the detention would be called into question if the school was acting unreasonably.

**However, a mere inconvenience or disagreement with the penalty on the part of the parent/carers is no excuse for non-attendance.**

The times outside normal school hours when detention without parent/carer consent may be given are evenings, after school and will last until 4.30pm. Oastlers School does not currently operate detentions on weekends or during non-teaching times such as holidays.

### **What a detention can be used for:**

A range of activities will be arranged for the learner to take part in as a result of detention. They may include:

- Completing school work
- Assisting staff on tasks such as school displays or resource preparation (photocopying, laminating etc)
- Other school based tasks that do not raise health & safety risks or breach child protection guidance/rules

### **Notifying parents/carers about a detention:**

The school has adopted the 'no notice' detention guidance, as outlined in the 2011 Education Act but it will provide parents/carers with notice of its intention to detain a learner on any given day.

Parents/carers can expect to receive telephone, email or text communication to confirm the detention.

### **In best-practice verbal confirmation or return-message is proof that parents know about the detention, but this is not a requirement for the detention to proceed.**

The school will make any necessary alterations to taxi transport arrangements, where possible, and parents/carers will be expected to support transport arrangements in most cases. On some occasions, and by agreement of the headteacher, authorised staff who have appropriate insurance on their vehicles will ensure learners are transported safely home. There may also be occasions where learners are transported home by private taxi transfer.

The school is sensitive to those learners who have responsibilities at home that are of a caring nature. Learners who have appointments already agreed will be accommodated and the detention will be postponed to an alternative day and time.

### **Detention – Practicalities within Oastlers School:**

- Detentions will take place immediately after school at 3pm until no later than 4.30pm, unless in extenuating circumstances
- Parents/carers will be informed by telephone, ARBOR App, text or email of the schools intention to detain a child
- Necessary arrangements will be put in place to ensure the learner can get home either by re-arrangement of taxi, parents/carer collect or a member of Senior Leadership Team (SLT)
- The detention must be logged into ARBOR
- After-school detention must not be used for whole groups or classes

**Monitoring the policy:**

The use of detention as a sanction will be monitored by the behaviour manager and reported to SLT at the end of every term for review. The senior leader with overall responsibility for the system is the KS3 Assistant Headteacher, Mr Duncan Beckley, who will report to the headteacher and governors the effectiveness of the system.

**Linked policies:**

Understanding Behaviour & Relationships Policy  
Safe Touch Policy  
Safeguarding Policy Including Code of Conduct Policy  
Care & Safety Intervention Policy  
Parent/Carer Partnership Policy

**Other useful information about discipline and detentions:**

*School discipline and exclusions – GOV.UK (guidance)*

<https://www.gov.uk/school-discipline-exclusions/discipline>