



Brede Primary School

| | |
|---------------------------------|------------------|
| Policy name | Behaviour Policy |
| Policy status | Statutory |
| Date approved by governing body | April 2021 |
| Review date | April 2022 |



To be read in conjunction with the Policies for Safeguarding, Anti-Bullying and ESCC Positive Handling Guidance.

Rationale

At Brede Primary School we believe our school is a community and that it is vitally important that everyone is safe and happy within it. We aim to provide an environment in which our children are secure and confident, irrespective of race, gender, age, ability, background and religion.

Through our school policy we have stated the expectations as to how each member of our school community should conduct themselves. A common understanding is promoted that helps to ensure our school is a safe and orderly community of learners. A common understanding of, and approach to, agreed principles of behaviour and discipline, brings the advantages of;

- benefits to the pupils;
- guidance to staff;
- clearly informing parents;
- consistency with the expectations of other local schools and the community;
- working within national guidelines.

Role of Staff

Staff will recognise and praise children who behave in a polite, helpful, considerate and sensible manner. Verbal feedback on behaviour deserves a high priority around the whole school and during off-site visits. Good behaviour and positive attitudes should be discussed in PSHE lessons, Circle Time and assemblies. There are a variety of ways that staff can acknowledge and reinforce positive behaviour and other pupil achievements. For example:

- ✓ use verbal praise, including from the Head Teacher;
- ✓ golden time;
- ✓ stickers;
- ✓ certificates/ Star of the Week assembly;
- ✓ newsletters;
- ✓ reward charts;
- ✓ inform parents.

Staff will ensure that all learning activities are well planned, organised and resourced, as this will help the child to know what is expected of them. We need to teach behaviour as we need to teach other aspects of the curriculum. A calm, controlled, learning environment is conducive to positive learning and helps to give the child a feeling of security and confidence. The climate for learning, in or out of the classroom, can promote good behaviour.

All children will be treated with sensitivity to maintain and raise self-esteem. Comments made to a child should focus on the positive and be made positively and constructively. Where censure is used, it should focus on the behaviour rather than the child. Certain behaviour such as bullying, rudeness, fighting, swearing, is never acceptable and will be dealt with when encountered according to the child's age and level of understanding. Any behaviour that requires an investigation will be recorded on the school's welfare concern form held by the SENDCO.

Every effort will be made to diffuse potential problems before they arise. This may be done by discussion with the child, parent consultation or other strategies.

The school will work with the child's parent to help modify unsatisfactory behaviour through approaches that are applied consistently at home and school. Advice and assistance for the school and the pupil may be sought from other professionals. Extremely serious or persistent misconduct may result in the pupil receiving a formal exclusion (fixed term or permanent) from school. The headteacher will meet directly with parents should circumstances arise where a child is at risk of exclusion. Although exclusion is regarded as a final resort, to maintain the safety of pupils and to uphold the values of the school, the headteacher (and a panel of governors where appropriate) will make decisions based on individual cases.

Role of Pupils

To follow the School's Golden Rules which are negotiated as an individual set of class rules.

| The Golden Rules | |
|-------------------------|---|
| Do be gentle. | Do not hurt anyone. |
| Do be kind and helpful. | Do not hurt people's feelings. |
| Do work hard. | Do not waste your or other people's time. |
| Do look after property. | Do not waste or damage things. |
| Do listen to people. | Do not interrupt. |
| Do be honest. | Do not cover up the truth. |

Every child has:

The right to learn;

The right to be taught;

The right to feel safe (physically, psychologically, socially and emotionally) and

The right to be respected.

Each child will learn the consequences of their own actions and take responsibility for the way in which they behave.

Pupils will move about the school quietly when they are walking through the school as a whole class, for example when moving to assembly.

Pupils will show respect towards other children and adults by being polite, by allowing adults through doors first and by waiting to allow whole classes to pass.

Role of Parents

Parents have a vital role to play in their children's education. It is very important that they support their child's learning and co-operate with the school. We are very conscious of the importance of having strong links with parents and good communication between home and school. All parents are asked to sign a home/ school agreement which refers to supporting good behaviour.

We will inform parents if we have any concerns about their child's welfare or behaviour and we would appreciate it, if parents have concerns, that they make these known to the class teacher in the first instance.

Parents should not approach children or other parents in an attempt to resolve problems themselves.

Role of Governors

The Governors have endorsed this policy and, with the Headteacher, will review its effectiveness. Together, they will ensure that the policy is administered fairly and consistently.

Classroom behaviour

Rewards

Each class will decide on the reward they wish to achieve. The class teachers will develop their own merit system e.g. dojos enabling individual classes to work as a team to realise their target.

Each child will have their full quota of 15mins Golden Time at the beginning of each week.

For some pupils it may be necessary to build up lost Golden Time (teacher's discretion). If golden minutes are deducted children will remain with a member of the Senior Leadership Team for the appropriate period of time.

Sanctions

When children misbehave in class, there will be a clear, consistent set of stages followed by all staff:

1. Name on board
2. First cross or tick by name
3. Second cross or tick by name (a portion of golden time lost e.g. 1min. (At the beginning of each day the child has a fresh start, although lost golden time remains.)
4. Break or lunchtime detention (senior leaders' discretion)
5. Internal Exclusion/Formal exclusion when deemed appropriate by the senior leadership team or headteacher in the case of formal exclusion.

Behaviours that warrant an incident report

1. Rudeness/defiance to an adult
2. Violence
3. Encouraging violence
4. Swearing at adults
5. Bullying or an act of discrimination
6. Deliberate damage to property

If senior leaders are asked to deal with an incident, a report is completed and held by the SENCO.

Detention

If golden time has been forfeited a detention will be imposed. Time will be spent with a member of the senior leadership team. The child will be expected to reflect upon their actions during this period of time.

A lunchtime detention begins as soon as a child has eaten their lunch.

The Senior Leadership Team reserve the right to decide whether a misdemeanor is serious enough to bypass the early stages and warrant an immediate break or lunch detention.

Dealing with Hate Incidents (See also anti-bullying policy)

A requirement of the Equality Act 2010 requires schools to record all types of bullying and hate incidents, not just racist incidents, so that a school can show that it has 'due regard' for fostering good relations, as well as eliminating discrimination. A return is sent to the local authority through the census with counts of hate incidents recorded.

Schools must have measures in place to prevent all forms of bullying in order to comply with the Education and Inspections Act 2006. By recording and monitoring incidents, and showing that appropriate action has been taken, a school can demonstrate to Ofsted that it is serious about making all pupils feel safe.

What is a 'hate incident'?

Any incident, which may or may not constitute a criminal offence, which is perceived by the victim or any other person, as being motivated by prejudice or hate based on:

- race
- religion or belief
- sexual orientation
- disability and learning difficulties
- gender or gender identity
- peer-on-peer abuse

Examples of Hate Incidents

Hate incidents can consist of: verbal abuse or insults e.g. detrimental comments, abusive language and “jokes” relating to race, religion, disability/learning difficulties, gender/gender identity; insulting gestures, abusive telephone calls, social media posts, or other offensive messages.

Physical Restraint Statement

Staff at school will not use any form of physical punishment, even if invited to do so by individual parents.

Physical restraint is the positive application of force in order to protect a child from causing injury to him/herself or others or seriously damaging property. It will only be used as an exceptional measure – a last resort and not for disciplinary purposes.

1. Physical restraint should only be used as a last resort when:
 - a) There is a risk of injury to a person or significant damage to property;
 - b) When there is a risk of criminal offence being committed or as a personal self-defence measure.
2. Restraint must never be used as a threat or punishment or to gain adult compliance.
3. Any restraint must be administered calmly and rationally as a result of professional judgement that there is no other suitable alternative action. Assistance must be sought from other staff as soon as possible. Ideally two people should work together to restrain a child.
4. If restraint is used, it must involve the minimum force necessary; be applied only until the child is calm; and aim not to inflict pain. Any hold must take account of medical, respiration and circulation needs and the frailty of children’s joints, following techniques taught by accredited trainers.
5. Only trained staff are officially authorised by the Headteacher to use restraint following the above guidelines. We currently have three members of staff trained in the Team Teach physical restraint programme.
6. Every incident of restraint must be recorded on the schools central safeguarding system, and reported both to the Headteacher and the child’s parents.

Appendix: Exclusions

Contents

| | |
|---|----|
| 1. Aims..... | 7 |
| 2. Legislation and statutory guidance | 7 |
| 3. The decision to exclude | 7 |
| 4. Definition..... | 8 |
| 5. Roles and responsibilities | 8 |
| 6. Considering the reinstatement of a pupil | 10 |
| 7. An independent review | 11 |
| 8. School registers..... | 12 |
| 9. Returning from a fixed-term exclusion | 12 |
| 10. Monitoring arrangements | 12 |

1. Aims

Our school aims to ensure that:

- The exclusions process is applied fairly and consistently
- The exclusions process is understood by governors, staff, parents and pupils
- Pupils in school are safe and happy
- Pupils do not become NEET (not in education, employment or training)

2. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education: [Exclusion from maintained schools, academies and pupil referral units \(PRUs\) in England](#).

It is based on the following legislation, which outline schools' powers to exclude pupils:

- Section 52 of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

In addition, the policy is based on:

- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which looks at parental responsibility for excluded pupils
- Section 579 of the [Education Act 1996](#), which defines 'school day'
- The [Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) \(Amendment\) Regulations 2014](#)

3. The decision to exclude

Only the headteacher, or acting headteacher, can exclude a pupil from school. A permanent exclusion will be taken as a last resort.

Our school is aware that off-rolling is unlawful. Ofsted defines off-rolling as:

“...the practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil.”

We are committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.

A decision to exclude a pupil will be taken only:

- In response to serious or persistent breaches of the school's behaviour policy, **and**
- If allowing the pupil to remain in school would seriously harm the education or welfare of others

Before deciding whether to exclude a pupil, either permanently or for a fixed period, the headteacher will:

- Consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked
- Allow the pupil to give their version of events
- Consider if the pupil has special educational needs (SEN)

4. Definition

For the purposes of exclusions, school day is defined as any day on which there is a school session. Therefore, INSET or staff training days do not count as a school day.

5. Roles and responsibilities

5.1 The headteacher

Informing parents

The headteacher will immediately provide the following information, in writing, to the parents of an excluded pupil:

- The reason(s) for the exclusion
- The length of a fixed-term exclusion or, for a permanent exclusion, the fact that it is permanent
- Information about parents' right to make representations about the exclusion to the governing board and how the pupil may be involved in this
- How any representations should be made
- Where there is a legal requirement for the governing board to meet to consider the reinstatement of a pupil, and that parents have a right to attend a meeting, be represented at a meeting (at their own expense) and to bring a friend

The headteacher will also notify parents by the end of the afternoon session on the day their child is excluded that for the first 5 school days of an exclusion, or until the start date of any alternative provision where this is earlier, parents are legally required to

ensure that their child is not present in a public place during school hours without a good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this.

If alternative provision is being arranged, the following information will be included when notifying parents of an exclusion:

- The start date for any provision of full-time education that has been arranged
- The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant
- The address at which the provision will take place
- Any information required by the pupil to identify the person they should report to on the first day

Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session, it may be provided in a subsequent notice, but it will be provided no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of an exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.

Informing the governing board and local authority

The headteacher will immediately notify the governing board and the local authority (LA) of:

- A permanent exclusion, including when a fixed-period exclusion is followed by a decision to permanently exclude a pupil
- Exclusions which would result in the pupil being excluded for more than 5 school days (or more than 10 lunchtimes) in a term
- Exclusions which would result in the pupil missing a public examination

For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the headteacher will also immediately inform the pupil's 'home authority' of the exclusion and the reason(s) for it without delay.

For all other exclusions, the headteacher will notify the governing board and LA once a term.

5.2 The governing board

Responsibilities regarding exclusions are delegated to Exclusion Panel consisting of at least 3 governors.

The Exclusion Panel has a duty to consider the reinstatement of an excluded pupil (see section 6).

5.3 The LA

For permanent exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth day of the exclusion.

6. Considering the reinstatement of a pupil

The Exclusion Panel will consider the reinstatement of an excluded pupil within 15 school days of receiving the notice of the exclusion if:

- The exclusion is permanent
- It is a fixed-term exclusion which would bring the pupil's total number of school days of exclusion to more than 15 in a term
- It would result in a pupil missing a public examination or national curriculum test

If requested to do so by parents, the Exclusion Panel will consider the reinstatement of an excluded pupil within 50 school days of receiving notice of the exclusion if the pupil would be excluded from school for more than 5 school days, but less than 15, in a single term.

Where an exclusion would result in a pupil missing a public examination, the exclusion panel will consider the reinstatement of the pupil before the date of the examination. If this is not practicable, the chair of the governing board (or the vice-chair where the chair is unable to make this consideration) will consider the exclusion independently and decide whether or not to reinstate the pupil.

The Exclusion Panel can either:

- Decline to reinstate the pupil, or
- Direct the reinstatement of the pupil immediately, or on a particular date

In reaching a decision, the Exclusion Panel will consider whether the exclusion was lawful, reasonable and procedurally fair and whether the headteacher followed their legal duties. They will decide whether or not a fact is true 'on the balance of probabilities', which differs from the criminal standard of 'beyond reasonable doubt', as well as any evidence that was presented in relation to the decision to exclude.

Minutes will be taken of the meeting, and a record of evidence considered kept. The outcome will also be recorded on the pupil's educational record.

The Exclusion Panel will notify, in writing, the headteacher, parents and the LA of its decision, along with reasons for its decision, without delay.

Where an exclusion is permanent the Exclusion panel decision will also include the following:

- The fact that it is permanent
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel, and:
 - The date by which an application for an independent review must be made
 - The name and address to whom an application for a review should be submitted
 - That any application should set out the grounds on which it is being made and that, where appropriate, reference to how the pupil's SEN are considered to be relevant to the exclusion

- That, regardless of whether the excluded pupil has recognised SEN, parents have a right to require the LA to appoint an SEN expert to attend the review
- Details of the role of the SEN expert and that there would be no cost to parents for this appointment
- That parents must make clear if they wish for an SEN expert to be appointed in any application for a review
- That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review

➤ That if parents believe that the exclusion has occurred as a result of discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. A claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

7. An independent review

If parents apply for an independent review, the LA will arrange for an independent panel to review the decision of the governing board not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents by the Exclusion Panel of its decision to not reinstate a pupil.

A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school governors category and 2 members will come from the headteacher category.

- A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer
- School governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or headteachers during this time
- Headteachers or individuals who have been a headteacher within the last 5 years

A person may not serve as a member of a review panel if they:

- Are a member of the LA or governing board of the excluding school
- Are the headteacher of the excluding school, or have held this position in the last 5 years
- Are an employee of the LA or the governing board, of the excluding school (unless they are employed as a headteacher at another school)

- Have, or at any time have had, any connection with the LA, school, governing board, parents or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
- Have not had the required training within the last 2 years (see appendix 1 for what training must cover)

A clerk will be appointed to the panel.

The independent panel will decide one of the following:

- Uphold the governing board's decision
- Recommend that the governing board reconsiders reinstatement
- Quash the governing board's decision and direct that they reconsider reinstatement (only when the decision is judged to be flawed)

The panel's decision can be decided by a majority vote. In the case of a tied decision, the chair has the casting vote.

8. School registers

A pupil's name will be removed from the school admissions register if:

- 15 school days have passed since the parents were notified of the exclusion panel's decision to not reinstate the pupil and no application has been made for an independent review panel, or
- The parents have stated in writing that they will not be applying for an independent review panel

Where an application for an independent review has been made, the governing board will wait until that review has concluded before removing a pupil's name from the register.

Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

Where excluded pupils are not attending alternative provision, code E (absent) will be used.

9. Returning from a fixed-term exclusion

Following a fixed-term exclusion, a re-integration meeting will be held involving the pupil, parents, a member of senior staff and other staff, where appropriate.

The following measures may be implemented when a pupil returns from a fixed-term exclusion:

- Agreeing a behaviour contract

10. Monitoring arrangements

The Headteacher monitors the number of exclusions every term and reports back to the Governing Body. They also liaise with the local authority to ensure suitable full-time education for excluded pupils.

This policy will be reviewed as part of the Behaviour Policy