

St Peter's



St Peter's Church of England Primary School Behaviour Policy

Church of England
Primary School

"Pupils are exceptionally well behaved, confident and self-assured"
OFSTED May 2019

"...Behaviour is of the highest standard. Relationships are close and harmonious"
SIAMs February 2020

This policy aims to promote positive relationships so that all members of the school community can work together in a welcoming, safe and stimulating learning environment. It provides guidelines on how to encourage and reinforce behaviour which enables effective learning and the fostering of positive attitudes. This policy has been built in partnership with stakeholders from across the school and has been established following an evidence based approach, drawing on research and evidence from *Pivotal Education*. It is firmly rooted in our 5 pillars of excellent behaviour: first attention to best conduct; consistent, calm adult behaviour; relentless routines; scripting interventions; and restorative conversations so that children get what they need, not *just* what they deserve.

Rationale:

Excellence In All We Do – Excellence In Who We Are – Excellence In Our Service With Others

Be Ready, Be Safe, Be Respectful

We are a welcoming, inclusive family with a strong Christian ethos. We continually aim to be an excellent school where people care more than others think is wise, risk more than others think is safe, dream more than others think is practical and expect more than others think is possible.

Principle Aims:

- To promote a positive, inclusive ethos and calm learning environment through clear and consistent expectations for excellent behaviour.
- To develop children's self-esteem by feeling safe, secure and respected.
- To treat each pupil fairly and consistently.

- To instil and encourage self-discipline by enabling children to reflect on their behaviour, modify and sustain good behaviour through restorative practice
- To ensure all staff accept collective responsibility for excellent discipline and do this fairly and consistently and to set our expectation that staff will always act in a positive, pleasant and professional manner.
- To work with parents, carers and outside agencies to provide the best support and intervention for each individual.
- To ensure that children with SEND are treated fairly and all reasonable adjustments taken to support them in developing excellent behaviour whilst responding to the diverse needs of each child.

Roles and responsibilities – supporting each other towards Excellence in who we are

The Local Governing Body

The Local Governing Body is responsible for monitoring this behaviour policy's effectiveness and holding the headteacher to account for its implementation.

The Headteacher

The headteacher is responsible for reviewing and approving this behaviour policy.

The headteacher will ensure that the school environment encourages positive behaviour and that staff deal effectively with poor behaviour and will monitor how staff implement this policy to ensure rewards and sanctions are applied consistently.

Staff

Staff are responsible for:

- Implementing the behaviour policy consistently
- Modelling positive behaviour
- Providing a personalised approach to the specific behavioural needs of particular pupils
- Recording behaviour incidents in the agreed way
- Communicating negative behaviour incidents with parents in a timely manner and working with them to improve behaviours
- The senior leadership team will support staff in responding to behaviour incidents.

Parents

Parents play an enormous part in helping us set high expectations for our children. We ask that parents:

- Support their child in adhering to the school rules and this policy
- Inform the school of any changes in circumstances that may affect their child's behaviour
- Discuss any behavioural concerns with the class teacher promptly

Guidelines for promoting positive behaviour in our school:

We have three simple school rules:

- **Be Ready**
- **Be Safe**
- **Be Respectful**

These rules apply across the school, and in all situations, and are part of our expectation of Excellence in who we are. Furthermore, we expect that:

- **All adults are good role models of our rules and are positive, pleasant and professional.**
Children learn excellent behaviour through positive role models of calm, caring adults who have clear and consistent expectations which ensure that all members of the school community are Ready, Safe and Respected.
- **We have high expectations of all children.**
The school expects each child to behave in a way that enables effective learning for all. We expect exemplary behaviour which fosters a calm, ordered learning environment for all.
- **The whole school community has responsibility for upholding and following the three school rules.**
Children will be provided with opportunities to discuss school rules and how these are exemplified across the school and to identify associated appropriate and inappropriate behaviour. Whole school rules need to be applied consistently and fairly. Our three rules need to be displayed prominently and referred to when a child misbehaves.
- **Inappropriate Behaviour is always managed in a calm, emotionally intelligent manner by all staff**
When speaking with a child about unacceptable behaviour, staff will remind children of previous good effort or behaviour in order to reinforce that, not only is better expected, but is also achievable. At St Peter's we use the following script to discuss behaviour with children:
 - I have noticed that....
 - I need you to
 - Thank you for
- **Extreme Distressed behaviour will be managed in different ways because the child's needs are different** (See sections on SEND and Vulnerable children)
- **Good communication needs to exist between children, staff and parents.**
Expectations of behaviour will be made clear at all times and discussed in reference to our three school rules as this should reduce opportunities for confusion and misunderstandings. Parents will be contacted when there is cause for concern or when appropriate action has been taken. Good and appropriate behaviour will be shared and celebrated through an electronic system called 'Class Charts'. Every parent/carer has a login so they are able to view their child's achievements and merits.

- **Restorative conversations**

Children should be given the chance to reflect on their behaviour and the opportunity to learn from their mistakes. All members of the school community will treat each day as a new day and practice forgiveness in line with our principle aims. In order to facilitate learning we use restorative conversations with the following script:

- What happened?
- What were you thinking?
- What have you thought since?
- Who was affected as a result?
- What do we need to do to put things right?

It is important that the adult having the restorative conversation with the child comes back to the person who witnessed or experienced the unwanted behaviour. Where appropriate, they may be supported in this by a member of SLT

Rewards and Consequences:

Rewards

At St Peter's good behaviour for learning is reinforced through a structured reward system. Good behaviour for learning is celebrated in a number of different ways.

These include:

- First attention to best conduct
- St Peter's behaviour keys to show recognition of good behaviour for learning
- Merits awarded and recorded on 'Class Charts' and shared with parents
- Excellence card (school vision – tick and record detail on reverse)
- Whole-class reward
- St Peter's Citizen Award – presented in a ceremony led by the Head Teacher, 3 times a year

Consequences

Unfortunately, there may be times when behaviour is not acceptable or conducive to a calm learning environment for all. In these situations the school uses specific age-appropriate consequences to ensure a safe and positive learning environment for all children.

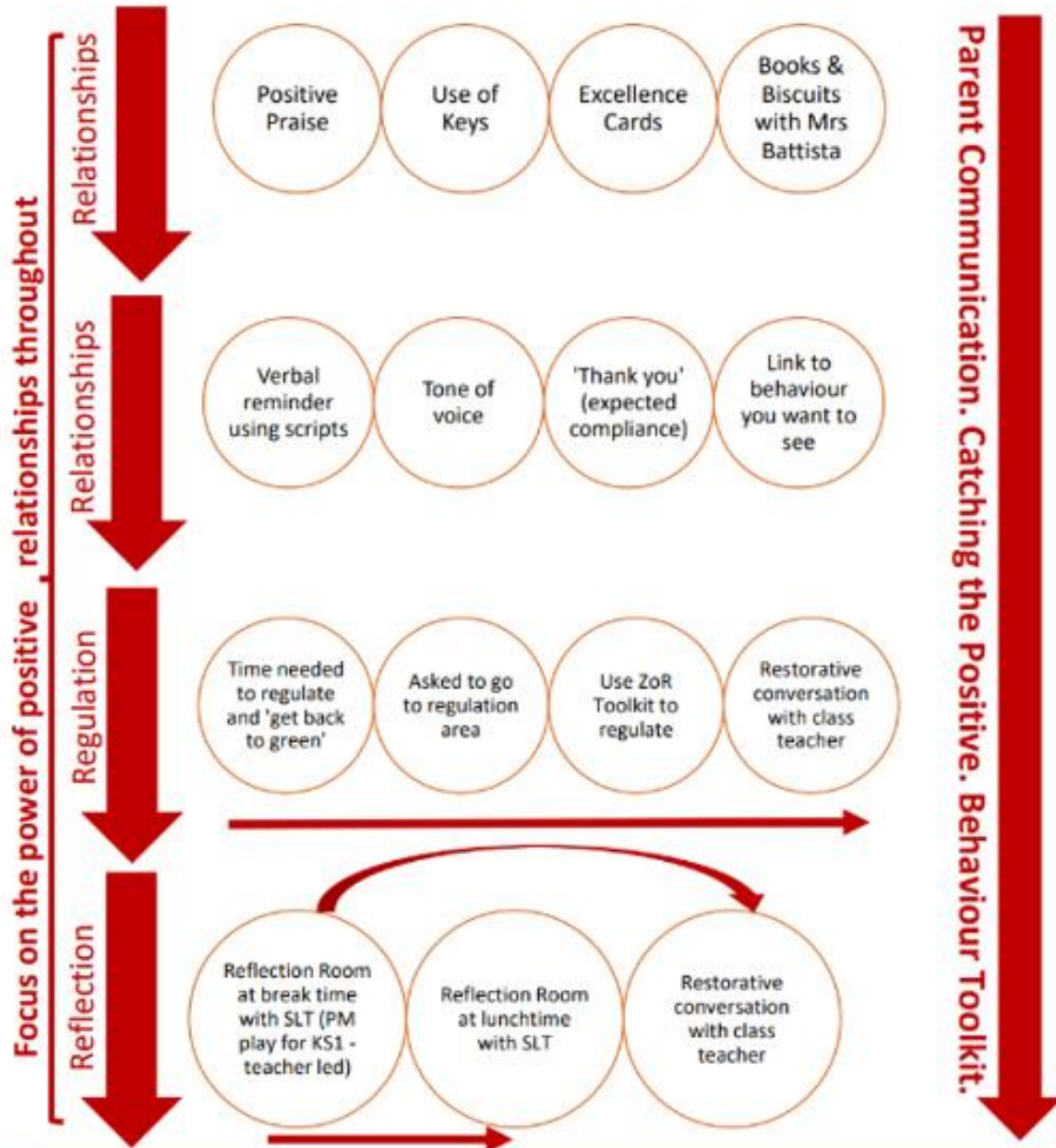
Consequences should be seen as inevitable and consistent. The concept of consequences should be linked to the concept of choice so that children see the connection between their own behaviour and its impact on themselves and others. This will lead to children taking an increasing responsibility for their own behaviour. Where behaviour has not improved following verbal requests and warnings, this will be recorded appropriately on 'Class Charts' and consequences may follow this e.g. reflection room. 'Reflection Room' is run daily at break time by a member of SLT. All of these systems of behaviour management are rooted in positivity and care, with the chance to improve, or start again, after reflecting on mistakes. In all circumstances, adults praise in public and reprimand in private, making a distinct effort to focus on 'first attention to best conduct'.

Parents and Carers will always be informed of consequences where a child has been sent to a phase leader or member of SLT. We will not necessarily inform parents of one-off minor occurrences where a child has taken responsibility and changed a behaviour.

At lunchtimes, behaviours are managed with reminders, restorative conversations and 'time in' with an adult.

Further details are outlined in the following behaviour flow charts:

St Peter's Behaviour Flowchart

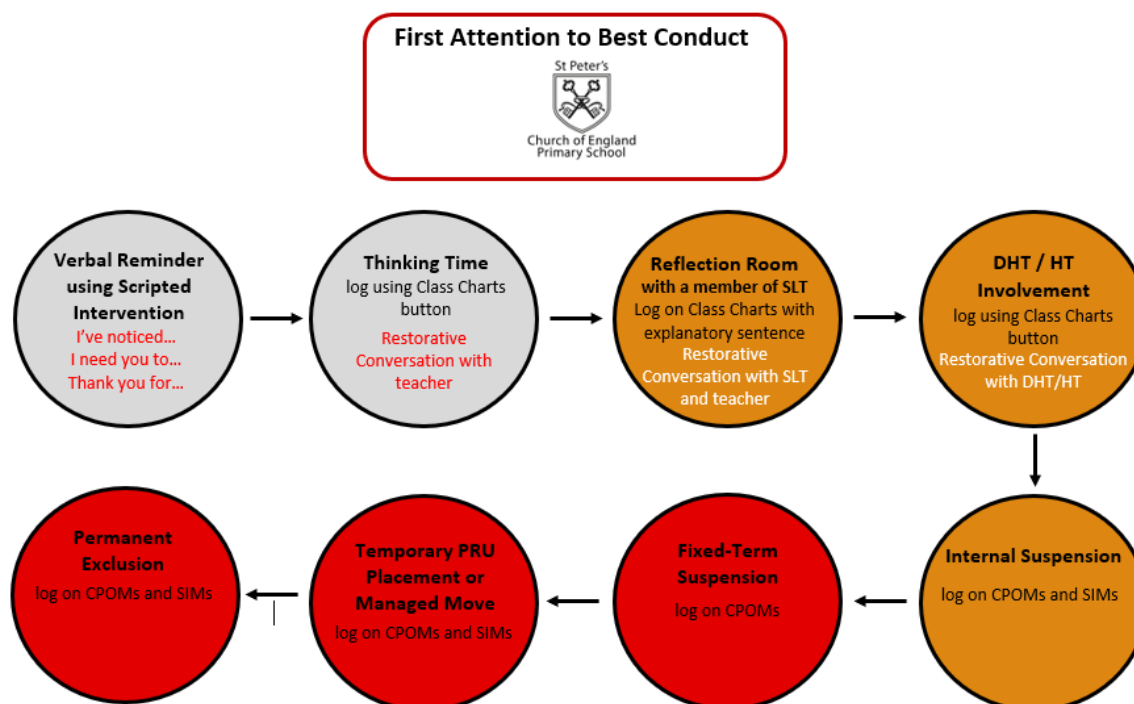


Some behaviours will require steps to be missed e.g. straight to reflection room or day/s with break and lunchtime reflection. Examples would include unsafe behaviour (i.e. physical altercations), damage to school property, bullying, continued repeated behaviours etc. **These will need to be reviewed on a case by case basis.**

Some children will have personalised behaviour plans / strategies to support with identified needs including children accessing The Cocoon.

St Peter's – Behaviour Flowchart

"Behaviour management is a team sport. It needs a team discipline, ethos and look. To get the behaviour you want there can be no gaps between the adults on what matters. It is this consistency that is most important."



Other support for behaviour

• Strategies for managing feelings

We also teach children how to recognise and manage feelings that may lead to inappropriate behaviour through PSHE and circle time activities using resources and activities from Jigsaw. Pupils will be taught strategies for conflict resolution, anger management and assertiveness skills in whole class, social skills groups or individually. We support each child in developing self-esteem and confidence. Children should take responsibility for their own behaviour and feel supported and confident to challenge poor behaviour when necessary. Where children have particular difficulties in managing their feelings, for any reason, they are supported by our Learning Mentor and Play worker.

• Transition

When children first start school, the induction period is gradual and strong links between pre-school settings and school enable teachers to set standards for acceptable behaviour for learning. Consistency of expectations of behaviour between year groups enables a smooth transition and continued effective learning. Information about behaviour will be shared between teachers during 'move-up' discussions. When moving on to KS3, children are supported with their transition with consistent expectations of behaviour for learning. Before moving onto Secondary School, vulnerable learners will be given additional transition support from staff at their new school. To ensure behaviour is continually monitored and the right support is in place, information related to pupil behaviour issues may be transferred to relevant staff at the start of the term or year. Information on behaviour issues may also be shared with new setting for those children transferring to other schools.

- **A sense of affiliation**

We support each child in developing a sense of belonging in various groups across the school so that they feel valued and welcomed. This will give children an affiliation with others within the school community developing a sense of mutual respect, empathy and support for others. The induction period at beginning of each academic year aims to set standards for learning across the school. Children are also grouped in 'Houses/Oceans' and, vertically arranged, 'Family Groups' so that they can build strong relationships with others from across the school. The school endeavours to be a welcoming place, with a safe and stimulating atmosphere where children feel secure and confident and can thrive socially, emotionally and academically.

Promoting Inclusion

Early behaviour patterns

We understand that younger children are not always able to manage their own emotions such as fear, anger or distress and require supportive adults to help them do this. Adults will offer a calm and patient approach to help children manage feelings and resolve issues through conflict resolution and restorative practice. Parents will be informed of these situations and, in some cases, may be supported and advised by our Learning Mentor and Pastoral Lead.

Some of these behaviours may include tantrums, over-exuberance and rough and tumble play which is considered normal for young children and acceptable within limits. As children move into KS1 then this behaviour is not considered appropriate.

Through direct teaching, everyday modelling and explaining as situations arise, children will be taught strategies to help deal with their emotions and lead them towards appropriate play. Where children need further provision, they may be supported by our Learning Mentor and Pastoral Lead.

Children with SEND and vulnerable learners

The school recognises that pupils' behaviour may be impacted by a special educational need or disability (SEND). St Peter's recognises its legal duty under the Equality Act 2010 to prevent pupils with protected characteristic from being at a disadvantage. Our approach may be differentiated to cater for the needs of pupils.

When incidents of misbehaviour arise, we will consider them in relation to a pupil's SEND, although we recognise that not every incident of misbehaviour will be connected to their SEND. Decisions on whether a pupil's SEND had an impact on an incident of misbehaviour will be made on a case-by-case basis.

When dealing with misbehaviour from pupils with SEND, especially where their SEND affects their behaviour, the school will balance their legal duties when making decisions about enforcing the behaviour policy. The legal duties include:

- Taking reasonable steps to avoid causing any substantial disadvantage to a disabled pupil caused by the school's policies or practices ([Equality Act 2010](#))
- Using our best endeavours to meet the needs of pupils with SEND ([Children and Families Act 2014](#))

If a pupil has an education, health and care (EHC) plan, the provisions set out in that plan must be secured and the school must co-operate with the local authority and other bodies.

As part of meeting these duties, the school will anticipate, as far as possible, all likely triggers of misbehaviour, and put in place support to prevent these from occurring. Any preventative measures will take into account the specific circumstances and requirements of the pupil concerned.

We recognise that patterns of behaviour for some children may differ and that there will be times when children display distressed behaviours. Distressed Behaviour will be dealt with calmly and with the needs of the individual child in mind. This will be using the same scripts, if appropriate for the language and communication skills of the child, as outlined above. Rewards and sanctions may be adapted to suit the age and the needs of the individual. Children who are at risk of exclusion will be monitored by being added to our vulnerable learners register. This will involve regular PSP meetings with outside agencies, parents and school.

In particular cases children may require a personal behaviour plan outlining strategies for managing their behaviour. This will be drawn up by the Class Teacher in conjunction with the child and, if appropriate the Special Educational Needs Coordinator, Learning Mentor and Pastoral Lead and parents. Children may be referred to the Learning Mentor and Pastoral Lead for individual or group support when their behaviour patterns become a cause for concern. Advice may also be taken from the LSP Behaviour Support Lead, Educational Psychologist, medical practitioners or outside agencies. Where a child is displaying particularly challenging behaviour a risk assessment may be drawn up by the Head or Deputy and SENCO, to ensure the safety of all.

Adapting sanctions for pupils with SEND

When considering a behavioural sanction for a pupil with SEND, the school will take into account:

- Whether the pupil was unable to understand the rule or instruction?
- Whether the pupil was unable to act differently at the time as a result of their SEND?
- Whether the pupil is likely to behave aggressively due to their particular SEND?

If the answer to any of these questions is yes, it may be unlawful for the school to sanction the pupil for the behaviour. The school will then assess if it is appropriate to use a sanction and if so, whether any reasonable adjustments need to be made to the sanction.

Considering whether a pupil displaying challenging behaviour may have unidentified SEND

The school's special educational needs co-ordinator (SENCO) may evaluate a pupil who exhibits challenging behaviour to determine whether they have any underlying needs that are not currently being met. Where necessary, support and advice will also be sought from specialist teachers, an educational psychologist, medical practitioners and/or others, to identify or support specific needs. When acute needs are identified in a pupil, we will liaise with external agencies and plan support programmes for that child. We will work with parents to create the plan and review it on a regular basis.

Pupils with an education, health and care (EHC) plan

The provisions set out in the EHC plan must be secured and the school will co-operate with the local authority and other bodies. If the school has a concern about the behaviour of a pupil with

an EHC plan, it will make contact with the local authority to discuss the issue. If appropriate, the school may request an emergency review of the EHC plan.

Reasonable force/Physical intervention

Reasonable force covers a range of interventions that involve physical intervention with pupils. All members of staff have a duty to use reasonable force/ physical intervention, in the following circumstances, to prevent a pupil from:

- Causing disorder
- Hurting themselves or others
- Damaging property
- Committing an offence
- Incidents of reasonable force must:
 - Always be used as a last resort
 - Be applied using the minimum amount of force and for the minimum amount of time possible
 - Be used in a way that maintains the safety and dignity of all concerned
 - Never be used as a form of punishment
 - Be recorded and reported to parents

When considering using reasonable force, staff should, in considering the risks, carefully recognise any specific vulnerabilities of the pupil, including SEND, mental health needs or medical conditions.

St Peter's follows a 'Team Teach' approach to physical intervention. All members of the senior leadership team and selected members of the wider teaching team are trained in this approach.

Partnership with Parents and Carers

The school works in partnership with parents and carers so children receive consistent messages about how to behave at home and at school. It is essential that information about a child's good or unacceptable behaviour is shared. This information should be shared from home to school and from school to home to ensure a full picture of the child and their circumstances is understood by all. We use 'Class Charts' as the key method of communication for parents so that they can share and celebrate in their child's positive learning and behaviour achievements. Where there has been verbal or written communication with parents around behaviour concerns, this is logged.

Information can also be passed on from school either verbally or using our behaviour cards and letters as outlined in our rewards and sanctions section. Mid-year and end of year reports and parents' evenings also inform parents and carers of their child's behaviour.

Further clarification on standards and behaviour

Confiscation of children's property

Any prohibited items (listed in Definitions section) found in pupils' possession will be confiscated. These items will not be returned to pupils.

We will also confiscate any item which is harmful or detrimental to school discipline. These items will be returned to pupils after discussion with senior leaders and parents, if appropriate.

Searching and screening pupils is conducted in line with the DfE's latest guidance on searching, screening and confiscation.

More serious consequences for behaviour

From time to time there is a need to use more serious consequences to support behaviour in school which is deemed to be at a more serious level.

Informal Internal Suspension

Where a child is not learning to adapt their behaviour and persistently breaks a school rule or where there is a more serious incident either between pupils or against a staff member, the Headteacher may consider an internal suspension for a session to a Senior Leaders' room. In this case the child will work quietly for the session and not mix with fellow pupils. Parents will be informed of an informal internal suspension and a note of this made on CPOMS.

Suspension from School

In the most serious cases, it may be deemed necessary to suspend a pupil. When deciding whether a suspension is a necessary sanction, the school follows DfE statutory guidance on suspension or permanent exclusions:

Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement Guidance for maintained schools, academies, and pupil referral units in England September 2022

The following legislation outlines schools' powers to suspend or 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
Sections 64-68 of the School Standards and Framework Act 1998.*

Additionally, part 7, chapter 2 of the Education and Inspections Act 2006, sets out parental responsibility for excluded pupils and section 579 of the Education Act 1996, 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 set out the obligations of the school/proprietor to provide education for pupils extended for a fixed term.

The school and Academy Trust will also comply with the funding agreement and articles of association.

The Headteacher can decide to suspend a pupil from school for up to 45 days in a school year for serious breaches of the school's behaviour policy. The Headteacher (or in his/her absence, the nominated Senior member of staff) makes the decision to suspend. Parents will be informed of the reason(s) for the suspension in line with statutory guidance. Following a suspension, a reintegration meeting will be held for the child and his/her parent/s where further support and monitoring will be discussed and agreed. A formal record of any investigation and the reintegration meeting are kept in school and parents can ask for copies of both documents. Suspensions are included in a child's formal attendance record.

The school will provide work for the child to do at home for the first five days of a suspension. Where a suspension is for more than five days, the governing body/Trust must arrange suitable full-time education for any pupil of compulsory school age.

On occasions, where the Headteacher decides that a pupil should have a suspension, but is better placed to be in school to serve this (for Safeguarding or other reasons), the pupil will be placed in the Headteacher's office and will be provided with work to complete.

Seeking Additional Support

In a very small number of situations it may become clear that a child's placement in the school is breaking down. In these situations a number of actions should be taken:

1. Draw up a Pastoral Support Plan

A pastoral support plan (PSP) is a school-based intervention to help pupils better manage their behaviour. It is used particularly for those whose behaviour is deteriorating rapidly. It should be set up for any child who has had one or more suspensions. The plan will be drawn up between the school, parents and relevant external agencies. A PSP may also be drawn up for a child with social, emotional or mental health concerns to provide further support. For high level SEND children it may be that this kind of support will have already been clearly noted in a variety of other reports from agencies. In this case, it is really important that there is clear evidence of all advice being implemented.

2. Seek additional support for children with EHCPs and Looked After Children

Where the school has concerns about the behaviour, or risk of suspension or permanent exclusion, of a child with additional needs, a pupil with an EHC plan or a looked after child, it should, in partnership with The Local Authority and Trust consider what additional support or alternative placement may be required. This should involve assessing the suitability of provision for a pupil's special educational needs. Where a child has an EHC plan, schools should consider requesting an early annual review or interim/emergency review.

3. Referral to LA Inclusion Panel

The school will also seek parental agreement to have the child's needs discussed at North Somerset's Inclusion panel. This discussion helps ensure that the school has considered all possible avenues of support.

Moving Towards Permanent Exclusion

1. Advice from the Trust, Lighthouse Schools Partnership (LSP)

Where the Headteacher considers the pupil to be at risk of permanent exclusion and always before making a decision to permanently exclude a child with diagnosed or possible SEND the Headteacher will seek advice from Lighthouse Schools Partnership CEO, and a Special Educational Needs Coordinator from another school or the Trust's Lead Teacher for Engagement.

2. Call a Governors' Disciplinary Panel Hearing

The Headteacher may also decide, where the pupil is at risk of permanent exclusion to convene a Governors' Disciplinary Panel Hearing to review the provision for a child/young person deemed to be at risk of Permanent Exclusion. This is particularly important in a case where there are persistent breaches of the school policy. This will be an opportunity to bring the child's parents and other agencies together and raise awareness of the situation. The Panel will:

- Hear representation from the School, Parents, Child (where appropriate) and other agencies involved.
- thoroughly review the current situation with reference to the school's Behaviour Policy and the child/young person's behaviour;
- review the PSP in place
- review SEND support, where appropriate;
- ensure that all parties are clear about the risk of Permanent Exclusion if noncompliance with the behaviour persists;
- Consider any further reasonable adjustments that can be made to improve the pupils behaviour.
- Set reasonable targets to recognise behaviour improvements
- set a date for a review of progress.

The Panel may also:

- make recommendations for future provision.

Decisions on exclusion are delegated to the Headteacher and will not be taken by a Governors' Panel reviewing provision for a child at risk of Permanent Exclusion.

Permanent Exclusion

This represents the ultimate sanction. The decision to permanently exclude a pupil is taken by the Headteacher in line with statutory guidelines and reviewed by a panel of Governors from the Local Governing Body or Trust Board. The decision to permanently exclude a child is a serious one. A decision to exclude a child permanently should only be taken:

- in response to a serious breach or persistent breaches of the school's behaviour policy; and
- where allowing the child to remain in school would seriously harm the education or welfare of the child or others in the school.

Beyond School

If unacceptable behaviour beyond the school gate (non-criminal bad behaviour and bullying) is witnessed by a member of staff or reported to the school, the Head teacher will respond appropriately. This may be when a child is:

- taking part in any school-organised or school-related activity
- travelling to or from school
- is wearing school uniform.

Action may also be taken by the Head teacher for inappropriate behaviour, whether or not the conditions above apply, that:

- could have repercussions for the orderly running of the school or
- poses a threat to another pupil or member of the public or
- could adversely affect the reputation of the school.

In all of these circumstances the head teacher will consider and apply appropriate sanctions and also discuss the behaviour of the child concerned. The head teacher should also consider whether it is appropriate to notify the police or anti-social behaviour coordinator in their local authority of the actions taken against a pupil. If the behaviour is criminal or poses a serious threat to a member of the public, the police should always be informed. In addition, school staff should consider whether the misbehaviour may be linked to the child suffering, or being likely to suffer, significant harm. In this case the school staff should follow its safeguarding policy.

Online misbehaviour

The school can issue behaviour sanctions to pupils for online misbehaviour when:

- It poses a threat or causes harm to another pupil
- It could have repercussions for the orderly running of the school
- It adversely affects the reputation of the school
- The pupil is identifiable as a member of the school

Sanctions will only be given out on school premises or elsewhere when the pupil is under the lawful control of a staff member.

Suspected criminal behaviour

If a pupil is suspected of criminal behaviour, the school will make an initial assessment of whether to report the incident to the police. When establishing the facts, the school will endeavour to preserve any relevant evidence to hand over to the police. If a decision is made to report the matter to the police, the [headteacher / member of the senior leadership team / pastoral lead] will make the report. The school will not interfere with any police action taken. However, the school may continue to follow its own investigation procedure and enforce sanctions, as long as it does not conflict with police action. If a report to the police is made, the designated safeguarding lead (DSL) will make a tandem report to children's social care, if appropriate.

Zero-tolerance approach to sexual harassment and sexual violence

The school will ensure that all incidents of sexual harassment and/or violence are met with a suitable response, and never ignored.

Pupils are encouraged to report anything that makes them uncomfortable, no matter how 'small' they feel it might be.

The school's response will be:

- Proportionate
- Considered
- Supportive
- Decided on a case-by-case basis

The school has procedures in place to respond to any allegations or concerns regarding a child's safety or wellbeing. These include clear processes for:

- Responding to a report
- Carrying out risk assessments, where appropriate, to help determine whether to:
 - Manage the incident internally
 - Refer to early help
 - Refer to children’s social care
 - Report to the police

Please refer to [our child protection and safeguarding policy](#) for more information.

Malicious allegations

Where a pupil makes an allegation against a member of staff and that allegation is shown to have been deliberately invented or malicious, the school will consider whether to discipline the pupil in accordance with this policy. Where a pupil makes an allegation of sexual violence or sexual harassment against another pupil and that allegation is shown to have been deliberately invented or malicious, the school will consider whether to discipline the pupil in accordance with this policy. In all cases where an allegation is determined to be unsubstantiated, unfounded, false or malicious, the school (in collaboration with the local authority designated officer (LADO), where relevant) will consider whether the pupil who made the allegation is in need of help, or the allegation may have been a cry for help. If so, a referral to children’s social care may be appropriate. The school will also consider the pastoral needs of staff and pupils accused of misconduct.

Training

Our staff are provided with training on managing behaviour as part of their induction process and regular updates are provided. A number of staff are also trained in the proper use of restraint – we currently use ‘Team Teach’ training for this purpose where appropriate. Behaviour management will also form part of continuing professional development.

Complaints procedure and pastoral support for school staff

The school follows the LSP complaints procedure. This will be followed should a parent wish to make a complaint. The Head Teacher/Governing Body will investigate thoroughly and fairly any matters of complaint against all members of staff and support them through training, induction and advice on the management of children’s behaviour. Allegations concerning child protection will be passed to the designated DOFA officer (Designated Officer for Allegations) for full investigation.

Monitoring

- Phase leaders monitor the behaviour of the children in their phases each term to identify any patterns or trends and discuss appropriate support for children who are regularly involved in incidents.
- It is the responsibility of the Governing Body to monitor the rate of exclusions, and to ensure the school policy is administered fairly and consistently.
- Class Charts buttons are used to record to any incidents of unacceptable behaviour from circle 3 (time in) on our flow chart onwards. Visits to the reflection room are logged with a button and one explanatory sentence.
- CPOMs is used to record any incidents of reported bullying or parental contact.
- LSP Trustees are informed of all fixed term and permanent exclusion.

The school will collect data on the following:

- Behavioural incidents, including removal from the classroom
- Attendance, permanent exclusion and suspension
- Use of pupil support units, off-site directions and managed moves
- Incidents of searching, screening and confiscation
- Anonymous surveys for staff, pupils, governors, trustees and other stakeholders on their perceptions and experiences of the school behaviour culture
- The data will be analysed every [insert timeframe] by [insert name and role].
- The data will be analysed from a variety of perspectives including:
 - At school level
 - By age group
 - At the level of individual members of staff
 - By time of day/week/term
 - By protected characteristic

The school will use the results of this analysis to make sure it is meeting its duties under the Equality Act 2010. If any trends or disparities between groups of pupils are identified by this analysis, the school will review its policies to tackle it.

The following groups were involved in the consultation process prior to writing this policy:

- School Council and all children
- School Staff including SMSAs, Teaching Assistants and Teachers.
- Parents
- Governors

Monitoring this policy

This behaviour policy will be reviewed by the headteacher and the full governing board at least annually, or more frequently, if needed, to address findings from the regular monitoring of the behaviour data. At each review, the policy will be approved by the chair of governors.

Links with other policies

This behaviour policy is linked to the following policies:

- [Child protection and safeguarding policy](#)
- [Anti-bullying policy](#)
- [School uniform policy](#)
- [SEND policy](#)

Agreed by LGB on

To be reviewed annually

Version Control

Date	Version	Information (<i>What is this version, what changes have been made and why</i>)	Approval (<i>the approval body or individual e.g.</i>
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			<i>Governors, Headteacher)</i>
01.09.2021	1.0	Update to flow chart. Review from staff inset	Govs Oct 21
01.09.2022	2.0	<ul style="list-style-type: none"> - Update in line with statutory changes to 'exclusions' and 'suspensions'. - Flow chart reviewed - Adjustments as vision – e.g. excellence cards 	TBC LGB October
14.10.22	2.1	<ul style="list-style-type: none"> - Further update following LSP guidance with additional appendix and statutory wording for SEND within body of policy 	LGB October
21.11.22	2.2	<ul style="list-style-type: none"> - Flowchart updated 	
06.03.23	2.3	<ul style="list-style-type: none"> - Additional behaviour flowchart added 	

Appendix 1:

Legislation and statutory requirements

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

- [Behaviour and discipline in schools: advice for headteachers and school staff, 2016](#)
- [Behaviour in schools: advice for headteachers and school staff 2022](#)
- [Searching, screening and confiscation at school 2018](#)
- [Searching, screening and confiscation: advice for schools 2022](#)
- [The Equality Act 2010](#)
- [Keeping Children Safe in Education](#)
- [Exclusion from maintained schools, academies and pupil referral units in England 2017](#)
- [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement - 2022](#)
- [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:

- Section 175 of the [Education Act 2002](#), which outlines a school's duty to safeguard and promote the welfare of its pupils
- Sections 88 to 94 of the [Education and Inspections Act 2006](#), which requires 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

This policy complies with our funding agreement and articles of association.

This policy is written in conjunction with the following school policies:

- Anti Bullying policy
- Safeguarding policy
- Inclusion and SEND policy
- Positive handling policy
- The Equality Statement

Appendix 2:

Definitions

Inappropriate behaviour is defined as:

- Stopping others from learning
- Ignoring instructions from adults

- Acting in a way that others are hurt or upset
- Refusal to work in class

Serious misbehaviour is defined as:

- Repeated breaches of the school rules
- Any form of bullying
- Sexual harassment or assault, which is any unwanted sexual behaviour that causes humiliation, pain, fear or intimidation
- Swearing at adults in school
- Vandalism
- Theft
- Physical harm towards another child or member of staff
- Racist, sexist, homophobic or discriminatory behaviour
- Possession of any article a staff member 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 pupil)

Bullying is defined as the repetitive, intentional harming of one person or group by another person or group, where the relationship involves an imbalance of power.

Bullying is, therefore:

- Deliberately hurtful
- Repeated, often over a period of time
- Difficult to defend against

Bullying can include:

Type of bullying	Definition
Emotional	Being unfriendly, excluding, tormenting
Physical	Hitting, kicking, pushing, taking another's belongings, any use of violence
Racial	Racial taunts, graffiti, gestures
Sexual	Explicit sexual remarks, display of sexual material, sexual gestures, unwanted physical attention, comments about

	sexual reputation or performance, or inappropriate touching
Direct or indirect verbal	Name-calling, sarcasm, spreading rumours, teasing
Cyber-bullying	Bullying that takes place online, such as through social networking sites, messaging apps or gaming sites

Details of our school's approach to preventing and addressing bullying are set out in our anti-bullying policy.

Appendix 3:

Arrangements for Governor panel to review HT's decision to permanently exclude

This is a statutory process.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/641418/20170831_Exclusion_Stat_guidance_Web_version.pdf

The Headteacher takes the decision to permanently exclude a pupil. A panel of three Governors will consider the reinstatement of an excluded pupil.

A decision by the Headteacher to exclude a pupil permanently should only be taken:

- in response to a serious breach or persistent breaches of the school's Behaviour Policy; and
- where allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school.

Where the governing board is legally required to consider reinstating an excluded pupil they must consider the interests and circumstances of the excluded pupil, including the circumstances in which the student was excluded, and have regard to the interests of other students and people working at the school.

In addition to the Headteacher, who will explain their decision to the panel, the pupil and parent/carer should be encouraged to make their case for reinstatement.

When establishing the facts in relation to an exclusion the governing board must apply the civil standard of proof; i.e. 'on the balance of probabilities'. The Governing body has a choice of two decisions:

- decline to reinstate the pupil; or
- direct reinstatement of the pupil immediately or on a particular date.

Clear minutes of this meeting will be taken by the Clerk to the Governors and used as evidence if the family choose to appeal the decision of the Governing Body.

It is vital that the Governing Body question and minute:

- Whether the pupil and parents feel that the school has taken all reasonable steps to keep the student in school.
- If the pupil has additional needs, have they been met by the school? Or, has the school made every reasonable attempt to engage with the student and family to meet those needs?
- Has the school offered sound evidence, addressing the two criteria, noted above, for exclusion?
- Governors should expect to see signed and dated witness statements.
- CCTV evidence may be appropriate but should be anonymised for all other pupils. Any transcripts must record everything but anonymised for all other **pupils**.

Copies of documentation from the panel must be kept in line with retention of records rules and in line with GDPR requirements.

Appendix – Suspensions and Exclusions

Definitions

Informal Internal Suspension:

When a child is removed from their classroom and peers for a fixed period of time. They would usually complete the suspension with a member of senior staff

Suspension:

Where a pupil is temporarily removed from the school.

A pupil may be suspended for one or more fixed periods¹⁴ (up to a maximum of 45 school days in a single academic year). A suspension does not have to be for a continuous period.

A suspension may be used to provide a clear signal of what is unacceptable behaviour as part of the school's behaviour policy and show a pupil that their current behaviour is putting them at risk of permanent exclusion. Where suspensions are becoming a regular occurrence for a pupil, headteachers and schools should consider whether suspension alone is an effective sanction for the pupil and whether additional strategies need to be put in place to address behaviour. It is important that during a suspension, pupils still receive their education. Headteachers should take steps to ensure that work is set and marked for pupils during the first five school days of a suspension. This can include utilising any online pathways such as Oak National Academy.

The school's legal duties to pupils with disabilities or special educational needs remain in force, for example, to make reasonable adjustments in how they support disabled pupils during this period. Any time a pupil is sent home due to disciplinary reasons and asked to log on or utilise online pathways should always be recorded as a suspension.

A suspension can also be for parts of the school day. For example, if a pupil's behaviour at lunchtime is disruptive, they may be suspended from the school premises for the duration of the lunchtime period. The legal requirements relating to the suspension, such as the headteacher's duty to notify parents, apply in all cases. Lunchtime suspensions are counted as half a school day in determining whether a governing board meeting is triggered.

The law does not allow for extending a suspension or 'converting' a suspension into a permanent exclusion. In exceptional cases, usually where further evidence has come light, a further

suspension may be issued to begin immediately after the first period ends; or a permanent exclusion may be issued to begin immediately after the end of the suspension.

Permanent exclusion

A permanent exclusion is when a pupil is no longer allowed to attend a school (unless the pupil is reinstated). The decision to exclude a pupil permanently should only be taken:

- in response to a serious breach or persistent breaches of the school's behaviour policy; and
- where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as staff or pupils in the school.

For any permanent exclusion, headteachers should take reasonable steps to ensure that work is set and marked for pupils during the first five school days where the pupil will not be attending alternative provision. Any appropriate referrals to support services or notifying key workers (such as a pupil's social worker) should also be considered.

Managed move – when a pupil is transferred to another school permanently. All parties, including parents and the admission authority for the new school, should consent before a managed move occurs.

The headteacher's powers to use exclusion

Only the headteacher of a school can suspend or permanently exclude a pupil on disciplinary grounds. A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or permanently excluded.

A pupil's behaviour outside school can be considered grounds for a suspension or permanent exclusion. Any decision of a headteacher, including suspension or permanent exclusion, must be made in line with the principles of administrative law, i.e., that it is: lawful (with respect to the legislation relating directly to suspensions and permanent exclusions and a school's wider legal duties); reasonable; fair; and proportionate.

When establishing the facts in relation to a suspension or permanent exclusion decision the headteacher must apply the civil standard of proof, i.e., 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt.' This means that the headteacher should accept that something happened if it is more likely that it happened than that it did not happen. The headteacher must take account of their legal duty of care when sending a pupil home following an exclusion.

Headteachers should also take the pupil's views into account, considering these in light of their age and understanding, before deciding to exclude, unless it would not be appropriate to do so.

Cancelling exclusions

The headteacher may cancel any exclusion that has already begun, but this should only be done where it has not yet been reviewed by the governing board. Where an exclusion is cancelled, then:

- Parents, the governing board, and the LA should be notified without delay and, if relevant, the social worker and VSH;
- Parents should be offered the opportunity to meet with the headteacher to discuss the circumstances that led to the exclusion being cancelled;
- Schools should report to the governing board once per term on the number of exclusions which have been cancelled. This should include the circumstances and reasons for the cancellation enabling governing boards to have appropriate oversight and;
- The pupil should be allowed back into school.

Safeguarding, including guidance concerning pupils who have abused another pupil (commonly known as child-on-child abuse)

If there is an ongoing safeguarding investigation (whether that includes a criminal investigation or not) that may result in the permanent exclusion of a pupil or if a pupil has been reinstated following a governing board review, it is likely that there will be complex and difficult decisions that need to be made. It is important that these decisions are made alongside a school's duty to safeguard and support children and their duty to provide an education.

Schools have a statutory duty to make arrangements for safeguarding and promoting the welfare of their pupils.

Schools have a statutory duty to co-operate with safeguarding partners once designated as relevant agencies. Equally, safeguarding partners are expected to name schools as relevant agencies and engage with them in a meaningful way. Ultimately, any decisions are for the school to make on a case-by-case basis, with the designated safeguarding lead (or a deputy) taking a leading role and using their professional judgement, supported by other agencies, such as children's social care and the police as required.

Section 5 of Keeping Children Safe in Education sets out the safeguarding process for cases of reports that relate to rape or assault by penetration and those that lead to a conviction or caution: "When there has been a report of sexual violence, the designated safeguarding lead (or a deputy) should make an immediate risk and needs assessment. Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis." As always when concerned about the welfare of a child, the best interests of the child should come first. In all cases, schools should follow general safeguarding principles as found in Keeping Children Safe in Education.

Factors to consider before making a decision to exclude

The very best Alternative Provision (AP) can be important co-experts in managing behaviour and providing alternatives to exclusion. This could include outreach support for pupils in mainstream schools and offering short-term places to pupils who need a time limited intervention away from their mainstream school. Schools should work with high quality AP providers to ensure a continuum of support is available for pupils for whom good behaviour cultures and policies are not working.

Preventative measures to school exclusion

In addition to the strategies set out in initial intervention headteachers should also consider the following as measures to prevent school exclusion:

- a) an off-site direction (temporary measure that maintained schools and academies for similar purposes can use) or
- b) managed moves (permanent measure) as preventative measures to exclusion.

Any use of AP should be based on an understanding of the support a child or young person needs in order to improve their behaviour, as well as any SEND or health needs. Off-site direction may only be used as a way to improve future behaviour and not as a sanction or punishment for past misconduct. Off-site direction should only be used where in-school interventions and/or outreach have been unsuccessful or are deemed inappropriate and should only be used to arrange a temporary stay in AP.

The nature of the intervention, its objectives, and the timeline to achieve these objectives should be clearly defined and agreed with the provider upfront. The plan should then be frequently monitored and reviewed. Pupils must continue to receive a broad and balanced education, and this will support reintegration into mainstream schooling.

Pupils with disabilities and Special Educational Needs (SEN) including those with Education, Health and Care plans (EHC plans)

The Equality Act 2010 requires schools to make reasonable adjustments for disabled pupils. This duty can, in principle, apply both to the suspensions and permanent exclusions process and to the disciplinary sanctions imposed. Under the Children and Families Act 2014, governing boards of relevant settings must use their 'best endeavours' to ensure the appropriate special educational provision is made for pupils with SEN, which will include any support in relation to behaviour management that they need because of their SEN.

Schools should engage proactively with parents in supporting the behaviour of pupils with additional needs. Where a school has concerns about the behaviour, or risk of suspension and permanent exclusion, of a pupil with SEN, a disability or an EHC plan it should, in partnership with others (including where relevant, the local authority), consider what additional support or alternative placement may be required. This should involve assessing the suitability of provision for a pupil's SEN or disability.

Where a pupil has an EHC plan, schools should contact the local authority about any behavioural concerns at an early stage and consider requesting an early annual review prior to making the decision to suspend or permanently exclude. For those with SEN but without an EHC plan, the school should review, with external specialists as appropriate, whether the current support arrangements are appropriate and what changes may be required. This may provide a point for schools to request an EHC assessment or a review of the pupil's current package of support.

Pupils who have a social worker, including looked-after children, and previously looked-after children

For the majority of children who have a social worker, this is due to known safeguarding risks at home or in the community: over half are in need due to abuse or neglect. For children with a social worker, education is an important protective factor, providing a safe space for children to access support, be visible to professionals and realise their potential. When children are not in school, they miss the protection and opportunities it can provide, and become more vulnerable to harm. However, headteachers should balance this important reality with the need to ensure calm and safe environments for all pupils and staff, so should devise strategies that take both of these aspects into account.

Where a pupil has a social worker, e.g., because they are the subject of a Child in Need Plan or a Child Protection Plan, and they are at risk of suspension or permanent exclusion, the headteacher should inform their social worker, the Designated Safeguarding Lead (DSL) and the pupil's parents to involve them all as early as possible in relevant conversations.

Where a looked-after child (LAC) is likely to be subject to a suspension or permanent exclusion, the Designated Teacher (DT) should contact the local authority's VSH as soon as possible. The VSH, working with the DT and others, should consider what additional assessment and support need to be put in place to help the school address the factors affecting the child's behaviour and reduce the need for suspension or permanent exclusion. Where relevant, the school should also engage with a child's social worker, foster carers, or children's home workers.

All looked-after children should have a Personal Education Plan (PEP) which is part of the child's care plan or detention placement plan. This should be reviewed every term and any concerns about the pupil's behaviour should be recorded, as well as how the pupil is being supported to improve their behaviour and reduce the likelihood of exclusion. Monitoring of PEPs can be an effective way for VSHs to check on this.

The Headteacher's duty to inform parties about an exclusion/ suspension **Informing parents**

If a pupil is at risk of suspension or exclusion the headteacher will inform the parents as early as possible, in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.

If the headteacher decides to suspend or exclude a pupil, the parents will be informed of the period of the suspension or exclusion and the reason(s) for it, without delay.

The parents will also be provided with the following information in writing, without delay:

- The reason(s) for the suspension or exclusion
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- Information about parents' right to make representations about the suspension or permanent 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 hold a meeting to consider the reinstatement of a pupil, and that parents (or the pupil if they are 18 years old) have a right to attend the meeting, be represented at the meeting (at their own expense) and to bring a friend

The headteacher will also notify parents without delay and by the end of the afternoon session on the first day their child is suspended or permanently excluded, that:

- For the first 5 school days of an exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. This will include specifying on which days this duty applies
- 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, if possible:

- 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 the pupil needs in order to identify the person they should report to on the first day

If the headteacher does not have the all the information about the alternative provision arrangements by the end of the afternoon session on the first day of the suspension or permanent exclusion, they can provide the information at a later date, without delay and 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 a suspension or permanent exclusion, in which case the school reserves the right to provide the information with less than 48 hours' notice, with parents' consent.

Informing the governing board

The headteacher will, without delay, notify the governing board of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil
- Any suspension or permanent exclusion which would result in the pupil being suspended or permanently excluded for a total of more than 5 school days (or more than 10 lunchtimes) in a term
- Any suspension or permanent exclusion which would result in the pupil missing a National Curriculum test or public exam

The headteacher will notify the governing board once per term of any other suspensions of which they have not previously been notified, and the number of suspensions and exclusions which have been cancelled, including the circumstances and reasons for the cancellation.

Informing the local authority (LA)

The headteacher will notify the LA of all suspensions and permanent exclusions without delay, regardless of the length of a suspension.

The notification will include:

- The reason(s) for the suspension or permanent exclusion
- The length of a suspension or, for a permanent exclusion, the fact that it is permanent

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

Informing the pupil's social worker and/or virtual school head (VSH)

If a:

- **Pupil with a social worker** is at risk of suspension or permanent exclusion, the headteacher will inform **the social worker** as early as possible
- **Pupil who is a looked-after child (LAC)** is at risk of suspension or exclusion, the headteacher will inform **the VSH** as early as possible

This is in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.

If the headteacher decides to suspend or permanently exclude a pupil with a social worker / a pupil who is looked after, they will inform the pupil's social worker / the VSH, as appropriate, without delay, that:

- They have decided to suspend or permanently exclude the pupil
- The reason(s) for the decision
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- The suspension or permanent exclusion affects the pupils ability to sit a National Curriculum test or public exam (where relevant)

The social worker / VSH will be invited to any meeting of the governing board about the suspension or permanent exclusion. This is so they can provide advice on how the pupil's background and/or circumstances may have influenced the circumstances of their suspension or permanent exclusion. The social worker should also help ensure safeguarding needs and risks and the pupil's welfare are taken into account.

Providing education during the first 5 days of a suspension or permanent exclusion

During the first 5 days of a suspension, if the pupil is not attending alternative (AP) provision, the headteacher will take steps to ensure that achievable and accessible work is set and marked for the pupil. Online pathways such as Oak Academy may be used for this. If the pupil has a special educational need or disability, the headteacher will make sure that reasonable adjustments are made to the provision where necessary.

If the pupil is looked after or if they have a social worker, the school will work with the LA to arrange AP from the first day following the suspension or permanent exclusion. Where this isn't possible, the school will take reasonable steps to set and mark work for the pupil, including the use of online pathways.

The education of pupils from the sixth day of an exclusion

For a suspension of more than five school days, the governing board (or local authority about a pupil suspended from a PRU) must arrange suitable full-time education for any pupil of compulsory school age. This provision is commonly called alternative provision and must begin no later than the sixth school day of the suspension. Where a child receives consecutive suspensions, these are regarded as a cumulative period of suspension for the purposes of this duty. This means that if a child has more than five consecutive school days of suspension, then education must be arranged for the sixth school day of suspension, regardless of whether this is because of one decision to suspend the pupil for the full period or multiple decisions to suspend the pupil for several periods in a row.

For permanent exclusions, the local authority must arrange suitable full-time education for the pupil to begin from the sixth school day after the first day the permanent exclusion took place.

This will be the pupil's 'home authority' in cases where the school is in a different local authority area. The school should collaborate with the local authority when the pupil might be eligible for free home to school travel, arranged by the local authority, to the place where they will be receiving education.

In addition, where a pupil has an EHCP, the local authority may need to review the plan or reassess the child's needs, in consultation with parents, with a view to identifying a new placement.

The local authority must have regard to the relevant statutory guidance when carrying out its duties in relation to the education of looked-after children, which can be found here: [Promoting the education of looked-after children and previously looked-after children \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/612222/promoting-the-education-of-looked-after-children-and-previously-looked-after-children.pdf). Where a looked-after child is excluded, the school should document the provision of immediate suitable education in the child's PEP.

Provision does not have to be arranged by either the school or the local authority for a pupil in the final year of compulsory education who does not have any further public examinations to sit.

Considering suspensions and permanent exclusions

The governing board has a duty to consider parents' representations about a suspension or permanent exclusion. The requirements on a governing board to consider the reinstatement of a suspended or permanently excluded pupil depend upon a number of factors.

The governing board must consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving notice of a suspension or permanent exclusion from the headteacher if:

- it is a permanent exclusion;
- it is a suspension which would bring the pupil's total number of school days out of school to more than 15 in a term; or
- it would result in the pupil missing a public examination or national curriculum test.

The requirements are different for suspensions where a pupil would be suspended for more than five but less than 16 school days in a term. In this case, if the parents make representations, the governing board must consider and decide within 50 school days of receiving the notice of suspension whether the suspended pupil should be reinstated.

In the absence of any representations from the parents, the governing board is not required to meet and cannot direct the reinstatement of the pupil.

Where a suspension or permanent exclusion would result in a pupil missing a public examination or national curriculum test, there is a further requirement for a governing board. It must, so far as is reasonably practicable, consider and decide on the suspension or permanent exclusion before the date of the examination or test. If it is not practical for sufficient governors to consider the reinstatement before the examination or test, the chair of governors, in the case of a maintained school, may consider the suspension or permanent exclusion alone and decide whether or not to reinstate the pupil.

In the case of an academy the pupil's reinstatement may be considered by a committee of the trust board, including a local governing body, if the trust's articles of association allow them to do so.

The following parties must be invited to a meeting of the governing board and allowed to make representations or share information:

- parents (and, where requested, a representative or friend);
- the pupil if they are 18 years or over;
- the headteacher;
- a representative of the local authority (in the case of a maintained school or PRU);
- the child's social worker if the pupil has one; and

- the VSH if the child is LAC

The governing board must make reasonable endeavours to arrange the meeting within the statutory time limits set out above and must try to have it at a time that suits all relevant parties. However, its decision will not be invalid simply on the grounds that it was not made within these time limits.

In the case of a suspension which does not bring the pupil's total number of days of suspension to more than five in a term, the governing board must consider any representations made by parents, but it cannot direct reinstatement and is not required to arrange a meeting with parents.

Taking into account, the pupil's age and understanding, the pupil or their parents should also be made aware of their right to attend and participate in governing board meetings and the pupil should be enabled to make a representation on their own behalf if they wish to do so.

Monitoring and analysing suspensions and exclusions data

The governing board will challenge and evaluate the data on the school's use of suspension, exclusion, off-site direction to alternative provision and managed moves.

The governing board will consider:

- How effectively and consistently the school's behaviour policy is being implemented
- The school register and absence codes
- Instances where pupils receive repeat suspensions
- Interventions in place to support pupils at risk of suspension or permanent exclusion
- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary
- Timing of moves and permanent exclusions, and whether there are any patterns, including any indications which may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded pupils, and why this is taking place
- Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure that the education is achieving its objectives and that pupils are benefiting from it
- The cost implications of directing pupils off-site

Considering the reinstatement of a pupil

The governing board will consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving the notice of the suspension or exclusion if:

- The exclusion is permanent
- It is a suspension which would bring the pupil's total number of days out of school to more than 15 in a term; or
- It would result in a pupil missing a public exam or National Curriculum test

Where the pupil has been suspended, and the suspension does not bring the pupil's total number of days of suspension to more than 5 in a term, the governing board must consider any representations made by parents. However, it is not required to arrange a meeting with parents and it cannot direct the headteacher to reinstate the pupil.

Where the pupil has been suspended for more than 5 days, but less than 16 days, in a single term, and the parents make representations to the board, the governing board will consider and decide on the reinstatement of a suspended pupil within 50 school days of receiving notice of the suspension. If the parents do not make representations, the board is not required to meet and it cannot direct the headteacher to reinstate the pupil.

Where a suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test, the governing board will, as far as reasonably practicable, consider and decide on the reinstatement of the pupil before the date of the exam or test. If this is not

practicable, the governing board may consider the suspension or permanent exclusion and decide whether or not to reinstate the pupil.

The following parties will be invited to a meeting of the governing board and allowed to make representations or share information:

- Parents, or the pupil if they are 18 or over (and, where requested, a representative or friend)
- The pupil, if they are aged 17 or younger and it would be appropriate to their age and understanding (and, where requested, a representative or friend)
- The headteacher
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after
- The governing board will try to arrange the meeting within the statutory time limits set out above and must try to have it at a time that suits all relevant parties. However, its decision will not be invalid simply on the grounds that it was not made within these time limits.

The governing board can either:

- Decline to reinstate the pupil, or
- Direct the reinstatement of the pupil immediately, or on a particular date (except in cases where the board cannot do this – see earlier in this section)

In reaching a decision, the governing board will consider:

- Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair
- Whether the headteacher followed their legal duties
- The welfare and safeguarding of the pupil and their peers
- Any evidence that was presented to the governing board

They will decide whether or not a fact is true 'on the balance of probabilities'.

Minutes will be taken of the meeting, and a record kept of the evidence that was considered. The outcome will also be recorded on the pupil's educational record, and copies of relevant papers will be kept with this record.

The governing board will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

- The parents, or the pupil, if they are 18 or older
- The headteacher
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after
- The local authority
- The pupil's home authority, if it differs from the school's

Where an exclusion is permanent and the governing board has decided not to reinstate the pupil, the notification of decision will also include the following:

- The fact that it is a permanent exclusion
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel
- The date by which an application for an independent review must be made (15 school days from the date on which notice in writing of the governing board's decision is given to parents)
- The name and address to which an application for a review and any written evidence should be submitted
- That any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the pupil's special educational needs (SEN) are considered to be relevant to the permanent exclusion
- That, regardless of whether the excluded pupil has recognised SEN, parents have a right to require the governing board to appoint an SEN expert to advise the review panel

- 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 permanent exclusion has occurred as a result of unlawful 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. Also that any 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

Independent review

If parents apply for an independent review within the legal timeframe, the academy trust 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 governing board of its decision to not reinstate the pupil **or**, if after this time, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 regarding the permanent exclusion.

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 governor category and 2 members will come from the headteacher category. At all times during the review process there must be the required representation on the panel.

- 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
- Current or former 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 or trustee of the academy trust 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 academy trust 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 academy trust 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)

The panel must consider the interests and circumstances of the pupil, including the circumstances in which the pupil was permanently excluded, and have regard to the interests of other pupils and people working at the school.

Taking into account the pupil's age and understanding, the pupil or their parents will be made aware of their right to attend and participate in the review meeting and the pupil should be enabled to make representations on their own behalf, should they desire to.

Where a SEN expert is present, the panel must seek and have regard to the SEN expert's view of how SEN may be relevant to the pupil's permanent exclusion.

Where a social worker is present, the panel must have regard to any representation made by the social worker of how the pupil's experiences, needs, safeguarding risks and/or welfare may be relevant to the pupil's permanent exclusion.

Where a VSH is present, the panel must have regard to any representation made by the social worker of how any of the child's background, education and safeguarding needs were considered by the headteacher in the lead up to the permanent exclusion, or are relevant to the pupil's permanent exclusion.

Following its review, the independent panel will decide to do 1 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 if it judges that the decision was flawed)

New evidence may be presented, though the school cannot introduce new reasons for the permanent exclusion or the decision not to reinstate. The panel must disregard any new reasons that are introduced.

In deciding whether the decision was flawed, and therefore whether to quash the decision not to reinstate, the panel must only take account of the evidence that was available to the governing board at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the governing board and that it ought to have considered if it had been acting reasonably.

If evidence is presented that the panel considers it is unreasonable to expect the governing board to have been aware of at the time of its decision, the panel can take account of the evidence when deciding whether to recommend that the governing board reconsider reinstatement.

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

Once the panel has reached its decision, the panel will notify all parties in writing without delay. This notification will include:

- The panel's decision and the reasons for it
- Where relevant, details of any financial readjustment or payment to be made if the governing board does not subsequently decide to offer to reinstate the pupil within 10 school days
- Any information that the panel has directed the governing board to place on the pupil's educational record

School registers

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

- 15 school days have passed since the parents were notified of the governing board'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 within 15 school days, the governing board will wait until that review has concluded before removing a pupil's name from the register.

While the pupil's name remains on the school's admission register, the pupil's attendance will still be recorded appropriately. 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.

Making a return to the LA

Where a pupil's name is to be removed from the school admissions register because of a permanent exclusion, the school will make a return to the LA. The return will include:

- The pupil's full name
- The full name and address of any parent with whom the pupil normally resides
- At least 1 telephone number at which any parent with whom the pupil normally resides can be contacted in an emergency
- The grounds upon which their name is to be deleted from the admissions register (i.e., permanent exclusion)
- Details of the new school the pupil will attend, including the name of that school and the first date when the pupil attended or is due to attend there, if the parents have told the school the pupil is moving to another school
- Details of the pupil's new address, including the new address, the name of the parent(s) the pupil is going to live there with, and the date when the pupil is going to start living there, if the parents have informed the school that the pupil is moving house

This return must be made as soon as the grounds for removal is met and no later than the removal of the pupil's name.

Reintegration after a suspension or off-site direction

Schools should support pupils to reintegrate successfully into school life and full-time education following a suspension or period of off-site direction. They should design a reintegration strategy that offers the pupil a fresh start; helps them understand the impact of their behaviour on themselves and others; teaches them to how meet the high expectations of behaviour in line with the school culture; fosters a renewed sense of belonging within the school community; and builds engagement with learning.

The reintegration strategy should be clearly communicated at a reintegration meeting before or at the beginning of the pupil's return to school. During a reintegration meeting, the school should communicate to the pupil that they are valued, and their previous behaviour should not be seen as an obstacle to future success. Where possible this meeting should include the pupil's parents. However, it is important to note that a pupil should not be prevented from returning to a mainstream classroom if parents are unable or unwilling to attend a reintegration meeting. To ensure ongoing progress, the strategy should be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the pupil, parents, and other relevant parties.

Where necessary, schools should work with relevant staff and multi-agency organisations, such as teachers, pastoral staff, mentors, social workers, educational psychologists or the safer schools team, to identify if the pupil has any SEND and/or health needs.

A part-time timetable should not be used to manage a pupil's behaviour and must only be in place for the shortest time necessary. Any pastoral support programme or other agreement should have a time limit by which point the pupil is expected to attend full-time, either at school or alternative provision. There should also be formal arrangements in place for regularly reviewing it with the pupil and their parents. In agreeing to a part-time timetable, a school has agreed to a pupil being absent from school for part of the week or day and therefore must treat absence as authorised.

Schools can consider a range of measures to enable the pupil's successful reintegration which can include, but are not limited to:

- Maintaining regular contact during the suspension or off-site direction and welcoming the pupil back to school;
- Daily contact with a designated pastoral professional in-school;
 - Use of a report card with personalised targets leading to personalised rewards;
- Ensuring the pupil follows an equivalent curriculum during their suspension or off-site direction or receives academic support upon return to catch up on any lost progress; 18
- Planned pastoral interventions;
- Mentoring by a trusted adult or a local mentoring charity;
- Regular reviews with the pupil and parents to praise progress being made and raise and address any concerns at an early stage;
- Informing the pupil, parents and staff of potential external support.

Monitoring arrangements

The school will collect data on the following:

- Attendance, permanent exclusions and suspensions
- Use of pupil referral units, off-site directions and managed moves
- Anonymous surveys of staff, pupils, governors and other stakeholders on their perceptions and experiences

The data will be analysed every term by the Ben Hughes as data presented in the HT's report.

Ben Hughes will report back to the governing board as appropriate.

The data will be analysed from a variety of perspectives including:

- At school level
- By age group
- By time of day/week/term
- By protected characteristic

The school will use the results of this analysis to make sure it is meeting its duties under the Equality Act 2010. If any patterns or disparities between groups of pupils are identified by this analysis, the school will review its policies in order to tackle it.

The multi academy trust will work with its academies to consider this data and to analysis whether there are patterns across the trust, recognizing that number sin one academy may be too low to allow for meaningful statistical analysis.