



# Our Good Behaviour Promise Policy

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<b>Signed:</b>  <b>Chair of Governors: Julian Campbell</b>	<b>Date:</b>  
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***'We Promise to Shine Together'*****Let the light of your face shine upon us.- Psalm 4:6**

Through this vision we are reminded of the promise God made to us, a promise to love and care for us and the world as he shines down upon us. In turn, we make a promise to ourselves and to each other to be the best we can be and to shine brightly to glorify him and all of his works. Together we learn to become more like Jesus recognising that it is in a relationship with each other that we all achieve more and shine brighter.

**INTRODUCTION**

As a Church of England school, our behaviour policy is informed by Christian values which underpin every aspect of our community's life and work, including our curriculum. These values are firmly rooted in the teachings of Jesus. We live out this vision through the words:

***'We Promise to Shine Together'*****Let the light of your face shine upon us.- Psalm 4:6**

Through this vision we are reminded of the promise God made to us, a promise to love and care for us and the world as he shines down upon us. In turn, we make a promise to ourselves and to each other to be the best we can be and to shine brightly to glorify him and all of his works. Together we learn to become more like Jesus recognising that it is in a relationship with each other that we all achieve more and shine brighter.

Our values guide us, ground us and bind us together as a community. Our Christian values are:

- Respect - We recognise the rights of others and our responsibilities towards them.
- Acceptance - We accept others for who they are, as they are.
- Compassion - We share in the lives of each other through our relationships.
- Forgiveness - We request and show forgiveness to each other.
- Integrity - We show integrity through our words and actions being the same in public as in private.
- Courage - We take risks, learn from mistakes and work for justice.

We create a positive and compassionate learning environment in which all children can flourish, shine and reach their full potential as God intended. We aim for all to experience what it means to live as a member of an accepting and forgiving community, a place where everyone has the right to equal individual recognition and respect, together with the responsibility to ensure others receive it. We are committed to the continuous development and flourishing of every child and celebrate achievement in all its forms. We develop relationships based on respect, acceptance, forgiveness and compassion between all members of the school community, including parents and members of the Governing Body. Everyone within the school family has an important role to play in sharing responsibility for the development of positive behaviour and attitudes.

## 1. AIMS

This policy aims to:

- Create a positive culture that promotes excellent behaviour, ensuring that all children have the opportunity to learn in a calm, safe and supportive environment
- Establish a whole-school approach to maintaining high standards of behaviour that reflect the values of the school
- Outline the expectations and consequences of behaviour
- Provide a consistent approach to behaviour management that is applied equally to all children
- Define what we consider to be unacceptable behaviour, including bullying and discrimination

## 2. LEGISLATION, STATUTORY REQUIREMENTS AND STATUTORY GUIDANCE

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

- Behaviour and discipline in schools: advice for Executive Principals and school staff, 2016
- Behaviour in schools: advice for Executive Principals 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 child referral units in England 2017
- suspension and permanent exclusion from maintained schools, academies and child referral units in England, including child movement - 2022
- Use of reasonable force in schools
- Supporting children with medical conditions at school

It is also based on the:

- Special Educational Needs and Disability (SEND) Code of Practice.
- 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.**

## 3. DEFINITIONS

Misbehaviour is defined as:

- Disruption in lessons, in corridors between lessons, and at break and lunchtimes
- Non-completion of classwork or homework
- Poor attitude
- Incorrect uniform

Serious misbehaviour is defined as:

- Repeated breaches of the school rules
- Any form of bullying
- Sexual violence, such as rape, assault by penetration, or sexual assault (intentional sexual touching without consent)
- Sexual harassment, meaning unwanted conduct of a sexual nature, such as:
  - ❖ Sexual comments
  - ❖ Sexual jokes or taunting
  - ❖ Physical behaviour like interfering with clothes
  - ❖ Online sexual harassment, such as unwanted sexual comments and messages (including on social media), upskirting, sharing of nude or semi-nude images and/or videos, or sharing of unwanted explicit content
- Vandalism
- Theft
- Fighting
- Smoking
- Racist, sexist, homophobic or discriminatory behaviour
- Possession of any prohibited items. These are:
  - ❖ Knives or weapons
  - ❖ Alcohol
  - ❖ Illegal drugs
  - ❖ Stolen items
  - ❖ Tobacco and cigarette papers
  - ❖ Fireworks
  - ❖ Pornographic images

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 child).

#### **4. SCHOOL BEHAVIOUR CURRICULUM**

- 4.1. Teachers and support staff work to give every child the skills and confidence that will enable them to shine brightly and make good choices in their lives; this extends to the choices that are made in terms of behaviour.
- 4.2. We expect the highest standards of good behaviour from everyone in our school; all members of staff, children, parents and visitors.
- 4.3. We want all to shine brightly together.
- 4.4. Our expectations and this policy applies equally to all school based activities, educational visits and extended school events.
- 4.5. As well as the above, we ensure that we:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010;
- advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- foster good relations between people who share a protected characteristic and people who do not share it.

## 5. THE PIVOTAL APPROACH

At St Mary's, our policy is based on the Five Pillars of Pivotal Practice.



### Expectations

We have 3 promises that we follow at all times:



We set the following promises for behaviour at St Mary's to ensure we all shine brightly. These expectations are set out as follows:

## 6. ADULTS WILL

- Model Be 'Ready, Respectful, Safe'
- treat all members of our school community with respect and compassion
- Be calm, consistent and fair - not shouting or responding emotionally to poor behaviour
- Meet and greet children at the door of their classrooms
- Model positive relationships and respect when building relationships
- Plan lessons that engage, challenge and meet the needs of all children
- Use visible recognition boards throughout the school day to reinforce positive behaviour
- Model forgiveness and a new beginning in their relationships with both adults and children



- Prevent before sanctions - staff make use of non-verbal and quiet reminders to help children remain on task or get the attention of the class
- Follow up behaviours with reflective dialogues
- Accept others for who they are, as they are
- Never ignore a child who is behaving badly

## **7. CHILDREN WILL**

- Be respectful and thoughtful towards all members of our school community
- Adhere to "Be ready, Be respectful, Be safe" both in school and outside on the playground
- Speak politely, listen carefully, looking at the person speaking to them and share considerate manners at all times
- Walk around school quietly, hold doors open and share a polite message e.g. "Have a good day", "You're welcome", "Can I help you?"
- Enter the hall for collective worship and lunch in a calm, quiet manner
- Use lesson time for learning, concentrate on their work and allow others to concentrate on theirs
- Seek to avoid confrontation and demonstrate compassion through active listening and forgiveness where there is an acknowledgement of wrong-doing
- Maintain the same high standards of behaviour in after school clubs
- Appreciate that they are representing the school when taking part in educational visits or tournaments, maintaining an exemplary standard of behaviour at all times.

## **8. PARENTS WILL**

- Make children aware of the appropriate good behaviour required in school
- Encourage independence and self-discipline
- Show an interest in all their child does in school
- Support the school in implementing this policy
- Be aware of the school rules
- Keep school informed of behaviour difficulties or traumas experiences at home that may affect their child's behaviour in school
- Behave in a respectful manner towards all school staff - incidents of verbal or physical aggression to staff by parents/guardians/carers of children in the school will not be accepted, and may result in further action being taken.
- We give high priority to clear communication within the school and to a positive partnership with parents, since these are crucial in promoting and maintaining high standards of behaviour. We will inform parents immediately if we have concerns about their child's welfare or behaviour.

## **9. CONSISTENCY IN PRACTICE**

At St Mary's, every adult takes responsibility for behaviour. Routines and habits are relentlessly taught and maintained. These include:

- Consistent language; consistent response: Referring to the agreement made between staff and learners, simple and clear expectations reflected in all conversations about behaviour and our school promise to shine brightly

- Consistent follow up: Ensuring 'certainty' at the classroom, key stage and senior management level. Never passing problems up the line, staff taking responsibility for behaviour interventions, seeking support but never delegating
- Consistent positive reinforcement: Routine procedures for reinforcing, encouraging and celebrating appropriate behaviour
- Consistent consequences: Defined, agreed and applied at the classroom level as well as established structures for more serious behaviours
- Consistent, simple rules: referencing promoting appropriate behaviours that are accessible through icons, symbols and visual cues, interesting and creative signage
- Consistent respect from the adults: Even in the face of disrespectful learners
- Consistent models of emotional control: Emotional restraint that is modelled and not just taught, staff as role models for learning, staff learning alongside learners
- Consistently reinforced rituals and routines for behaviour around the site: In classrooms, around the site, at reception
- Consistent environment: Display the quality of a good Church of England primary school, consistent visual messages and echoes of our vision and core Christian values, positive images of learners rather than marketing slogans.

## 10. RECOGNITION FOR SHINING BRIGHTLY

“Save your emotion, passion, enthusiasm and excitement for when it has most impact - when behaviour is over and above”

Paul Dix

- 10.1. Here at St. Mary's we want all children to shine brightly. We reward positive behaviour rather than merely deterring poor behaviour. We promote and model our values. For example, through demonstrating respect, integrity and compassion. We praise and reward acceptable behaviour rather than repeatedly focusing on undesirable behaviour.
- 10.2. We make use of 'Recognition Boards' in classrooms to identify where children are caught demonstrating the behaviours we value at St Mary's. We celebrate this as a community together.
- 10.3. We use the language of 'choice' and 'promise' and stress that children must choose to either behave in an acceptable manner or accept the consequences. At all times, children are encouraged to 'fix' their behaviour so that no further consequences need apply.

“It's not what you give, but the way that you give that counts”

Paul Dix

- 10.4. Children are rewarded for shining together in the following ways:

- Positive verbal praise
- Positive personal notes
- Positive phone calls home



10.5. We further recognise those children who will always go 'over and above', who shine even brighter, when demonstrating good behaviour. For these children additional recognition is made through:

- Values certificates in celebration assembly
- Principal's awards

## 11. CONSISTENT BEHAVIOUR STRATEGIES

Steps:	Actions:
1) Redirection	Gentle encouragement, a reminder' in the right direction, small act of kindness.
2) Reminder	A reminder of the expectation Ready, Respectful, Safe delivered <i>privately</i> wherever possible. Give children "take up time" to get back on track. Repeat reminders if necessary. De-escalate and decelerate where reasonable and possible. Take the initiative to keep things at this stage wherever possible..
3) Warning and a minute	A clear verbal caution delivered <i>privately</i> wherever possible, making the learner aware of their behaviour and clearly outlining the consequences if they continue. It may be necessary to give the child a minute of positive attention to help them get back on track.
4) Last chance, script and two minutes after the lesson	Speaking to the teacher for two minutes at the end of the lesson will be enough for most children to remember whilst making careful use of scripted conversations to remove adult emotion from the conversation.
5) Triage 1	Give the child a chance to reflect away from others- no more than 5 minutes. Speak to the child privately and give them a final opportunity to engage. Offer a positive choice to do so.
6) Triage 2	Give the child a chance to work away from others in another classroom - no more than 15 minutes. Speak to the child privately on their return to reinforce the message that it is a fresh start to behave positively.
7) Restorative Conversation	A restorative conversation should take place before the next lesson. If additional support is needed, a member of SLT will support and, if necessary, facilitate.
Occasionally, after Triage and Restorative Conversations, where a child has not made adjustments to their behaviour, or in the instance of a more serious breach of behaviour, further sanctions may become necessary:	
8) Internal Referral	At this point the child will be referred internally to another room in the key stage for the remainder of the lesson. All internal referrals must be recorded on CPOMS and parents informed.

9) Formal Meeting	A meeting with the teacher, child, a senior leader and parent{s} to take place and recorded on CPOMS with agreed targets that will be monitored over the next 2 weeks.
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- 11.1. In the event of persistent offences, a different response would be made. There may be further consequences that are required in addition to those listed above.

## 12. UNACCEPTABLE BEHAVIOUR

- 12.1. Under no circumstances will illegal or inappropriate items be brought into school, and all children will respect and look after the school premises and environment. The following behaviours are regarded as completely unacceptable and will result in serious actions and possibly exclusion, depending on the circumstances:

- Verbal abuse to staff and others
- Verbal abuse to children
- Physical abuse to/attacks on staff
- Physical abuse to/attacks on children
- Bullying (including cyberbullying in any form)
- Damage to property with intent
- Misuse of illegal or legal drugs
- Theft
- Serious actual or threatened violence against another child or member of staff
- Sexual abuse or assault
- Supplying and illegal or legal drug
- Carrying and offensive weapon
- Arson
- Unacceptable behaviour which has previously been reported and for which school sanctions and other intervention have not been successful in modifying the child's behaviour

- 12.2. Unacceptable behaviour could lead to suspension or permanent exclusion (see Appendix 2).

### 12.3. Outside Of School Grounds

It should be noted that our Behaviour Policy will apply on all organised school trips and other activities outside the school (e.g. sports fixtures, educational visits etc.). The school reserves the right not to take a child outside the school grounds if they have behaviour issues that impact on the health, safety and well being of other children and staff.

- 12.4. Buses and Taxis - It is important that children understand that they are expected to behave in line with the schools expectations whilst on their journey to and from school on the transport provided.

### 13. RESTORATIVE CONVERSATIONS - FORGIVENESS IN PRACTICE

- 13.1. At St Mary's restorative conversations are a key tool in helping a child to recognise and understand the impact of their behaviour and ultimately make a situation better and restore a sense of belonging to our school community. These conversations, underpinned by the principles of Christian forgiveness and the opportunity for a new beginning, focus on harm done to individuals, repair and apology rather than blame and guilt. They take into account the needs behind the behaviour and how to put things right.
- 13.2. What is being restored depends on the context and on the needs of those involved. It is often something between the people involved such as effective communication, a relationship or friendship, empathy and understanding for the other's perspective, respect, understanding the impact of one's own behaviour on others or reparation for material loss or damage. However, something may also be restored within an individual. For example, a sense of security, self-confidence, self-respect, and dignity. These conversations take the form of a coaching conversation between a member of staff and the child, using the following 5 following steps:

1. What's happened?
2. What were your choices at the time?
3. Who else was affected by your behaviour?
4. What have you thought since?
5. How can we make this right now?

### 14. BULLYING

- 14.1. Bullying can be verbal or physical; in person or online/written means and directed at both children and staff.
- 14.2. At St Mary's we aim to prevent bullying through our PSHE curriculum and we aim to ensure children are clear on what is expected of them through showing respect to their peers, staff and members of the public. Any intentional breach of this expectation will result in disciplinary action.
- 14.3. If an allegation of bullying (including cyberbullying) does occur the school will:
- Take it seriously
  - Act as quickly as possible to establish the facts
  - Report the incident to the Principal and record on CPOMS
  - Provide support and reassurance to the victim

- Inform parents of the victim and perpetrator
- Make it clear to the perpetrator that this behaviour will not be tolerated. If there is a group of people involved, they will be spoken to individually and as a whole group.
- Ensure that a sanction is used, it will correlate to the seriousness of the incident and the perpetrator will be told why it is being used
- Consider a fixed term exclusion in cases of repeated bullying

14.4. Bullying is defined as the repetitive, intentional harming of 1 person or group by another person or group, where the relationship involves an imbalance of power.

14.5. Bullying is, therefore:

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

14.6. Bullying can include:

TYPE OF BULLYING	DEFINITION
Emotional	Being unfriendly, excluding, tormenting
Physical	Hitting, kicking, pushing, taking another's belongings, any use of violence
Prejudice-based and discriminatory, including: <ul style="list-style-type: none"> <li>• Racial</li> <li>• Faith-based</li> <li>• Gendered (sexist)</li> <li>• Homophobic/biphobia</li> <li>• Transphobic</li> <li>• Disability-based</li> </ul>	Taunts, gestures, graffiti or physical abuse focused on a particular characteristic (e.g. gender, race, sexuality)
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

## 15. BEHAVIOUR PLANS

15.1. For the vast majority of children in most circumstances, we promote a consistent approach to dealing with all incidences of undesirable behaviour. We do, however, recognise that our children are individuals

and that they each have unique strengths, areas of difficulty, and in some cases very specific emotional/behavioural problems. Therefore, we recognise that, at times it may be necessary to be more flexible than usual if a child acts out of character and against the agreed rules.

15.2. Consideration will always be given to the cause of unusual behaviour when dealing with a situation.

15.3. Childs with recognised and specific emotional/behavioural problems require a prescribed and planned response which must be followed by all staff members. Details of behaviour plans are on CPOMs and should be shared with all staff so a consistent approach is applied to support the child.

#### 15.4. **Safeguarding**

The school recognises that changes in behaviour may be an indicator that a child is in need of help or protection. We will consider whether a child's misbehaviour may be linked to them suffering, or being likely to suffer, significant harm.

Where this may be the case, we will follow our child protection and safeguarding policy, and consider whether pastoral support, an early help intervention or a referral to children's social care is appropriate.

Please refer to our child protection and safeguarding policy for more information.

### 16. **Reasonable force**

Reasonable force covers a range of interventions that involve physical contact with childs. All members of staff have a duty to use reasonable force, in the following circumstances, to prevent a child 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 (see appendix 3 for a behaviour log)

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

#### 16.1. **Confiscation, searches, screening**

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

#### 16.2. **Confiscation**

Any prohibited items (listed in section 3) found in a child's possession as a result of a search will be confiscated. These items will not be returned to the child. We will also confiscate any item that is harmful or detrimental to school discipline. These items will be returned to children after discussion with senior leaders and parents, if appropriate.

### 16.3. Searching a child

Searches will only be carried out by a member of staff who has been authorised to do so by the Executive Principal, or by the Executive Principal themselves.

Subject to the exception below, the authorised member of staff carrying out the search will be of the same sex as the child, and there will be another member of staff present as a witness to the search.

An authorised member of staff of a different sex to the child can carry out a search without another member of staff as a witness if:

- The authorised member of staff carrying out the search reasonably believes there is risk that serious harm will be caused to a person if the search is not carried out as a matter of urgency; and
- In the time available, it is not reasonably practicable for the search to be carried out by a member of staff who is the same sex as the child; or
- It is not reasonably practicable for the search to be carried out in the presence of another member of staff
- When an authorised member of staff conducts a search without a witness they should immediately report this to another member of staff, and ensure a written record of the search is kept.

If the authorised member of staff considers a search to be necessary, but is not required urgently, they will seek the advice of the Executive Principal, Designated Safeguarding Lead (or deputy) or pastoral member of staff who may have more information about the child. During this time the child will be supervised and kept away from other children.

A search can be carried out if the authorised member of staff has reasonable grounds for suspecting that the child is in possession of a prohibited item or any item identified in the school rules for which a search can be made, or if the child has agreed.

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

Before carrying out a search the authorised member of staff will:

- Assess whether there is an urgent need for a search
- Assess whether not doing the search would put other children or staff at risk
- Consider whether the search would pose a safeguarding risk to the child
- Explain to the child why they are being searched
- Explain to the child what a search entails – e.g. I will ask you to turn out your pockets and remove your scarf
- Explain how and where the search will be carried out

- Give the child the opportunity to ask questions
- Seek the child's cooperation

If the child refuses to agree to a search, the member of staff can give an appropriate behaviour sanction.

If they still refuse to cooperate, the member of staff will contact the Executive Principal, to try and determine why the child is refusing to comply.

The authorised member of staff will then decide whether to use reasonable force to search the child. This decision will be made on a case-by-case basis, taking into consideration whether conducting the search will prevent the child harming themselves or others, damaging property or from causing disorder.

The authorised member of staff can use reasonable force to search for any prohibited items identified in section 3, but not to search for items that are only identified in the school rules.

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

An authorised member of staff may search a child's outer clothing, pockets, possessions, desks or lockers.

**Outer clothing includes:**

- Any item of clothing that is not worn immediately over a garment that is being worn wholly next to the skin or being worn as underwear (e.g. a jumper or jacket being worn over a t-shirt)
- Hats, scarves, gloves, shoes, boots

**Searching a child's possessions**

Possessions means any items that the child has or appears to have control of, including:

- Desks
- Trays
- Lockers
- Bags

A child's possessions can be searched for any item if the child agrees to the search. If the child does not agree to the search, staff can still carry out a search for prohibited items (listed in section 3) and items identified in the school rules.

An authorised member of staff can search a child's possessions when the child and another member of staff are present.

If there is a serious risk of harm if the search is not conducted immediately, or it is not reasonably practicable to summon another member of staff, the search can be carried out by a single authorised member of staff.

**Informing the Designated Safeguarding Lead (DSL)**

The staff member who carried out the search should inform the DSL without delay:




- Of any incidents where the member of staff had reasonable grounds to suspect a child was in possession of a prohibited item as listed in section 3
- If they believe that a search has revealed a safeguarding risk
- All searches for prohibited items (listed in section 3), including incidents where no items were found, will be recorded in the school's safeguarding system.

## **17. MONITORING AND REVIEW ARRANGEMENTS**

This policy will be reviewed by the Executive Principal every 2 years. At every review, the policy will be approved by the Trust board.



## APPENDIX 1 – SHINING AT ST MARY'S




Achievement  
for All

### Shining at St Mary's

**Adults promise to:**

- Be calm, consistent and fair - not shouting or responding emotionally to poor behaviour
- Model positive relationships
- Follow up with reflective dialogues
- Never ignore bad behaviour



**First attention for best conduct:**

- Positive verbal praise
- Positive personal notes
- Positive phone calls home

### Relentless Routines

Calm and easy on every step, with plenty of take-up time.  
Resist the urge to jump steps.

<p><b>Reminder</b> Take-up time...</p>	<p><b>Warning and a minute</b> Give child up to a minute of positive attention to help them back on track</p>	<p><b>Last chance, script and two minutes after the lesson/activity</b> Make use of scripted conversations to remove emotion from the conversation</p>	<p><b>Triage</b> Give the child time to reflect away from others - no more than 5 minutes. This may require the support from a colleague.</p>	<p><b>Restorative Conversation</b> A restorative conversation needs to take place with the adult who has dealt with the behaviour before moving to the next lesson/activity</p>
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Serious breaches: These behaviours will require immediate Triage

**30 Second Intervention:**

- 1) Gentle approach, personal, non-threatening, side on, eye level or lower
- 2) State the behaviour that was observed and which expectation it contravenes
- 3) Tell the child what the sanction is
- 4) Walk away; allow the child take-up time to decide what to do next. If there are comments as you walk away, make a note and follow up later
- 5) Look around the room/area with a view to catch somebody following the rules

**Refocusing lines:**

<p><b>Learner</b> It wasn't me But they were doing the same thing I was only... You're not being fair It's boring You're a ...</p>	<p><b>Adult</b> I hear what you're saying I understand Maybe you were... and yet... Be that as it may... There may be some truth in that, but... I am sorry that you are having a bad day</p>
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**If the conversation is becoming unproductive what line will you leave on e.g.**

"I am stopping this conversation now. I'm going to walk away and give you a chance to think about your conduct. I know that when I come back we can have a polite, productive conversation."

## APPENDIX 2 - FIXED-TERM AND PERMANENT EXCLUSIONS

### 1. Aims

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

#### Our school aims to:

- Ensure that the exclusions process is applied fairly and consistently
- Help governors, staff, parents and children understand the exclusions process
- Ensure that children in school are safe and happy
- Ensure all suspensions and permanent exclusions are carried out lawfully

#### A note on off-rolling

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

“The practice of removing a child 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 child.”

We will not suspend or exclude children unlawfully by directing them off site, or not allowing children to attend school:

- Without following the statutory procedure or formally recording the event, e.g. sending them home to 'cool off'
- Because they have special educational needs and/or a disability (SEND) that the school feels unable to support
- Due to poor academic performance
- Because they haven't met a specific condition, such as attending a reintegration meeting

**By exerting undue influence on a parent to encourage them to remove their child from the school**

### 2. Legislation and Statutory Guidance

This policy is based on statutory guidance from the Department for Education:

[Exclusion from maintained schools, academies and child referral units \(PRUs\) in England.](#)

[Suspension and Permanent Exclusion from maintained schools, academies and child referral units in England, including child movement](#) September 2022

It is based on the following legislation, which outlines schools' powers to exclude children:

- Section 51a of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Child 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 sets out parental responsibility for excluded children
- Section 579 of the [Education Act 1996](#), which defines 'school day'
- The [Education \(Provision of Full-Time Education for Excluded Children\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Children\) \(England\) \(Amendment\) Regulations 2014](#)
- [The Equality Act 2010](#)
- [Children and Families Act 2014](#)

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

### 3. Definitions

**Suspension** – when a child is removed from the school for a fixed period. This was previously referred to as a 'fixed-term exclusion'.

**Permanent exclusion** – when a child is removed from the school permanently and taken off the school roll. This is sometimes referred to as an 'exclusion'.

**Off-site direction** – when a governing board of a maintained school requires a child to attend another education setting temporarily, to improve their behaviour.

**Parent** – any person who has parental responsibility and any person who has care of the child.

**Managed move** – when a child 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

### 4. Roles And Responsibilities

#### **The Executive Principal - Deciding whether to suspend or exclude**

Only the Executive Principal, or acting Executive Principal, can suspend or permanently exclude a child from school on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school.

The Executive Principal will only use permanent exclusion as a last resort.

A decision to suspend or exclude a child will be taken only:

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

Before deciding whether to suspend or exclude a child, the Executive Principal will:

- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked
- Allow the child to give their version of events
- Consider whether the child has special educational needs (SEN)
- Consider whether the child is especially vulnerable (e.g. the child has a social worker, or is a looked-after child (LAC))

- Consider whether all alternative solutions have been explored, such as off-site direction or managed moves

The Executive Principal will consider the views of the child, in light of their age and understanding, before deciding to suspend or exclude, unless it would not be appropriate to do so.

Children who need support to express their views will be allowed to have their views expressed through an advocate, such as a parent or social worker.

The Executive Principal will not reach their decision until they have heard from the child, and will inform the child of how their views were taken into account when making the decision.

### **Informing Parents**

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

If the Executive Principal decides to suspend or exclude a child, 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 child 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 child, and that parents (or the child 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 Executive Principal 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 child needs in order to identify the person they should report to on the first day

If the Executive Principal does not have 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 Executive Principal will, without delay, notify the governing board of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a child
- Any suspension or permanent exclusion which would result in the child 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 child missing a National Curriculum test or public exam

The Executive Principal 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 Executive Principal 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 child lives outside the LA in which the school is located, the Executive Principal will also, without delay, inform the child's 'home authority' of the exclusion and the reason(s) for it.

### **Informing the child's social worker and/or virtual school head (VSH)**

If a:

**Child with a social worker** is at risk of suspension or permanent exclusion, the Executive Principal will inform the social worker as early as possible

**Child who is a looked-after child (LAC)** is at risk of suspension or exclusion, the Executive Principal will inform the VSH as early as possible

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

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

- They have decided to suspend or permanently exclude the child
- 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 child's 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 child'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 child's welfare are taken into account.

### **Cancelling suspensions and permanent exclusions**

The Executive Principal may cancel a suspension or permanent exclusion that has already begun, but this will only be done where it has not yet been reviewed by the governing board. Where there is a cancellation:

- The parents, governing board and LA will be notified without delay
- Where relevant, any social worker and VSH will be notified without delay
- Parents will be offered the opportunity to meet with the Executive Principal to discuss the cancellation
- As referred to above, the Executive Principal will report to the governing board once per term on the number of cancellations
- The child will be allowed back in school

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

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

If the child 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 child, including the use of online pathways.

## **The Governing Board - Considering suspensions and permanent exclusions**

Responsibilities regarding exclusions are delegated to the Governors' Disciplinary Panel – this can be no smaller than 3 governors].

The Governors' Disciplinary Panel has a duty to consider parents' representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded child (see sections 5 and 6) in certain circumstances.

Within 14 days of receiving a request, the governing board will provide the secretary of state with information about any suspensions or exclusions within the last 12 months.

For any suspension of more than 5 school days, the governing board will arrange suitable full-time education for the child. This provision will begin no later than the sixth day of the suspension.

## **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 children receive repeat suspensions
- Interventions in place to support children 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 children, and why this is taking place
- Whether the placements of children directed off-site into alternative provision are reviewed at sufficient intervals to assure that the education is achieving its objectives and that children are benefiting from it
- The cost implications of directing children off-site

## **The Local Authority (LA)**

For permanent exclusions, the LA will arrange suitable full-time education to begin no later than the sixth school day after the first day of the exclusion.

For children who are LAC or have social workers, the LA and the school will work together to arrange suitable full-time education to begin from the first day of the exclusion.

## **5. Considering The Reinstatement Of A Child**

The Governors' Disciplinary Panel will consider and decide on the reinstatement of a suspended or permanently excluded child 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 child's total number of days out of school to more than 15 in a term; or
- It would result in a child missing a public exam or National Curriculum test

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

Where the child 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 Governors' Disciplinary Panel will consider and decide on the reinstatement of a suspended child 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 Executive Principal to reinstate the child.

Where a suspension or permanent exclusion would result in a child missing a public exam or National Curriculum test, the Governors' Disciplinary Panel will, as far as reasonably practicable, consider and decide on the reinstatement of the child before the date of the exam or test. If this is not practicable, the Governors' Disciplinary Panel may consider the suspension or permanent exclusion and decide whether or not to reinstate the child.

The following parties will 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 child, 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 Executive Principal
- The child's social worker, if they have one
- The VSH, if the child 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 limit

The Governors' Disciplinary Panel can either:

- Decline to reinstate the child, or
- Direct the reinstatement of the child 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 Governors' Disciplinary Panel will consider:

- Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair
- Whether the Executive Principal followed their legal duties



- The welfare and safeguarding of the child 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 child's educational record, and copies of relevant papers will be kept with this record.

The Governors' Disciplinary Panel will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

- The parents
- The Executive Principal
- The child's social worker, if they have one
- The VSH, if the child is looked after
- The local authority
- The child's home authority, if it differs from the school's

Where an exclusion is permanent and the Governors' Disciplinary Panel has decided not to reinstate the child, 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 child's special educational needs (SEN) are considered to be relevant to the permanent exclusion
- That, regardless of whether the excluded child has recognised SEN, parents have a right to require the Academy 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

## 6. 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 child.

Applications for an independent review must be made within 15 school days of notice being given to the parents by the Governors' Disciplinary Panel of its decision to not reinstate the child 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 Principal/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 Executive Principals during this time
- Principal/Headteacher or individuals who have been Principal/Headteacher within the last 5 years

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

- Are a trustee/member of St Mary's C of E Academy Trust, the excluding school
- Are the Executive Principal of the excluding school, or have held this position in the last 5 years
- Are an employee of the St Mary's C of E Academy Trust or the governing board, of the excluding school (unless they are employed as Principal at another school)
- Have, or at any time have had, any connection with the St Mary's C of E Academy Trust, school, governing board, parents or child, 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

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

Taking into account the child's age and understanding, the child or their parents will be made aware of their right to attend and participate in the review meeting and the child 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 child'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 child's experiences, needs, safeguarding risks and/or welfare may be relevant to the child'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 Executive Principal in the lead up to the permanent exclusion, or are relevant to the child'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 child within 10 school days
- Any information that the panel has directed the governing board to place on the child's educational record

## 7. School Registers

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

- 15 school days have passed since the parents were notified of the Governors' Disciplinary Panel decision to not reinstate the child 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 child's name from the register.

While the child's name remains on the school's admission register, the child's attendance will still be recorded appropriately. Where alternative provision has been made for an excluded child and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register. Where excluded children 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 child's full name
- The full name and address of any parent with whom the child normally resides
- At least 1 telephone number at which any parent with whom the child 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 child will attend, including the name of that school and the first date when the child attended or is due to attend there, if the parents have told the school the child is moving to another school
- Details of the child's new address, including the new address, the name of the parent(s) the child is going to live there with, and the date when the child is going to start living there, if the parents have informed the school that the child is moving house

This return is the responsibility of the Executive Principal, and must be made as soon as the grounds for removal is met and no later than the removal of the child's name.

## **8. Returning From A Suspension**

### **Reintegration strategy**

Following suspension, the school will put in place a strategy to help the child reintegrate successfully into school life and full-time education.

Where necessary, the school will work with third-party organisations to identify whether the child has any unmet special educational and/or health needs.

The following measures may be implemented, as part of the strategy, to ensure a successful reintegration into school life:

- Maintain regular contact during the suspension of off-site direction and welcoming the child back to school
- Daily contact in school with a designated pastoral professional
- Mentored by a trusted adult



- Regular reviews with the child and parents to praise progress being made and raise and address any concerns at an early stage
- Informing the child, parents and staff of potential external support

Part-time timetables will not be used as a tool to manage behaviour and, if used, will be put in place for the minimum time necessary, and with the support of the Local Authority Attendance team.

The strategy will be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the child, parents, and other relevant parties.

### **Reintegration meetings**

The school will explain the reintegration strategy to the child in a reintegration meeting before or on the child's return to school. During the meeting the school will communicate to the child that they are getting a fresh start and that they are a valued member of the school community.

The child, parents, a member of senior staff, and any other relevant staff will be invited to attend the meeting.

The meeting can proceed without the parents in the event that they cannot or do not attend.

The school expects all returning children and their parents to attend their reintegration meeting, but children who do not attend will not be prevented from returning to the classroom.

## **9. Monitoring Arrangements**

The school will collect data on the following:

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

The data will be analysed at the end of a term by the Education Social Worker, who will report back to the Executive Principal.

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 children are identified by this analysis, the school will review its policies in order to tackle it.



## 10. Links With Other Policies

This exclusions policy is linked to our:

- Behaviour policy
- SEN policy and information report
- Safeguarding Policy