



Education
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BEHAVIOUR, DISCIPLINE AND REWARD POLICY

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Contents

1.0	PRINCIPLE.....	4
2.0	LEGISLATION AND STATUTORY REQUIREMENTS.....	4
3.0	PURPOSE.....	4
4.0	BULLYING.....	5
5.0	ROLES AND RESPONSIBILITIES.....	6
6.0	PRACTICE.....	8
7.0	REWARDS.....	8
8.0	MONITORING.....	9
9.0	EVALUATION.....	9
	APPENDIX 1 – SEARCHING STUDENTS.....	10
	APPENDIX 2 – EXCLUSIONS ARRANGEMENTS.....	11
2.0	LEGISLATION AND STATUTORY GUIDANCE.....	11
3.0	THE DECISION TO EXCLUDE.....	11
4.0	DEFINITION.....	11
5.0	ROLES AND RESPONSIBILITIES.....	12
6.0	CONSIDERING THE REINSTATEMENT OF A STUDENT.....	13
7.0	AN INDEPENDENT REVIEW.....	14
8.0	SCHOOL REGISTERS.....	15
9.0	RETURNING FROM A FIXED TERM EXCLUSION.....	15
10.0	MONITORING ARRANGEMENTS.....	16
11.0	LINKS WITH OTHER POLICIES.....	16
12.0	INDEPENDENT REVIEW PANEL TRAINING.....	16

1.0 PRINCIPLE

- 1.1 To ensure support for the school ethos, the School expects all students to display high standards of behaviour at all times. Students will learn best in a safe and calm atmosphere, and good behaviour is essential to enable students to feel secure. Good behaviour will allow for teaching and learning to take place at a high standard. The Behaviour, Discipline and Rewards Policy is intended to ensure consistency across the school, reward good behaviour and promote the teaching of high expectations using behaviour for learning in the classroom.

2.0 LEGISLATION AND STATUTORY REQUIREMENTS

- 2.1 This policy is based on advice from the Department for Education (DfE) on:
- Behaviour and discipline in schools
 - Searching, screening and confiscation at school
 - The Equality Act 2010
 - Use of reasonable force in schools
 - Supporting students with medical conditions at school
- 2.2 It is also based on the special educational needs and disability (SEND) code of practice.
- 2.3 In addition, this policy is based on:
- 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 online.

3.0 PURPOSE

- To promote good behaviour, self-discipline and respect.
 - To prevent bullying.
 - To provide a broad, balanced and relevant curriculum related to the needs of individual students
 - To provide a lively and stimulating learning environment.
 - To ensure students are aware of school's expectations and create a positive ethos.
 - To work with parents and carers in fostering a sense of pastoral and social responsibility in their children.
 - To encourage staff to respond to all cases of poor behaviour in a constructive and consistent manner.
 - To use the Behaviour for Learning system to ensure a respectful climate across all areas of the school.
- 3.1 The school will
- Share Behaviour and Discipline procedures with students, parents and staff alike so that behaviour for learning is at the centre of learning at school.
 - Share with all staff the School Behaviour Management Booklet which outlines the school's systems for managing behaviour.
 - Ensure that all staff use the 'Behaviour Stages' and the ClassCharts behaviour management system to ensure a consistent approach.

- Ensure students are made aware of the need to display high standards of behaviour, by recognising the rights of the residents and local communities, when travelling to and from the school and when participating in activities off the school site.
 - Treat students in a professional manner, applying sanctions fairly and consistently.
 - Encourage good behaviour through a mixture of high expectations, clear policy and an ethos, which fosters discipline and mutual respect between students, and between staff and students.
 - Praise students for hard work, cooperation, helpfulness, improvement and excellence, using the rewards system where appropriate.
 - Take seriously any complaint of bullying or unfair treatment in line with the school Anti-Bullying policy.
 - Utilise a range of disciplinary measures using the Behaviour for Learning system.
 - Sanction poor behaviour of students both on and off the school site where it feels it is appropriate.
 - Ensure punishments are reasonable and proportionate and do not breach any other legislation.
 - Monitor persistent poor behaviour through the school’s behaviour management systems and implement relevant interventions.
 - Take seriously its legal duties under the Equality Act 2010 and in respect of students with special educational needs.
 - Consider whether poor behaviour gives cause to suspect that a child is suffering or is likely to suffer significant harm. Where this may be the case, school staff should follow the schools’ safeguarding policy.
- 3.2 Teachers and other staff have statutory authority to discipline students whose behaviour is unacceptable, who break the school rules or who fail to follow a reasonable instruction. This means that if a student misbehaves, breaks a school rule or fails to follow a reasonable instruction the teacher can impose a punishment on that student.

4.0 BULLYING

4.1 Bullying may be defined as any wilful and hurtful behaviour, usually repeated, consistently over a period of time, designed to intentionally hurt another student or group physically or emotionally, where it is difficult for those being bullied to defend themselves. Bullying is often motivated by prejudice. Bullying may follow a pattern and is directed towards a student by another student or group of students. Bullying can take many forms. It is a serious and complex matter, which can have profound consequences for children and parents. We recognise that both victims and bullies may need help to stop the behaviour recurring.

4.2 Bullying can include:

Type of bullying	Definition
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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

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

5.0 ROLES AND RESPONSIBILITIES

The Governing Body

5.1 The governing body is responsible for monitoring the effectiveness of the Behaviour Policy and for holding the Headteacher accountable for its implementation.

The Headteacher

5.2 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

5.3 Staff are responsible for:

- Implementing the behaviour policy consistently.
- Modelling positive behaviour.
- Providing a personalised approach to the specific behavioural needs of particular students.
- Recording behaviour incidents.
- The senior leadership team will support staff in responding to behaviour incidents.

Parents

5.4 Are expected to:

- Support their child in adhering to the student Code of Conduct outlined in the Home School Agreement
- Inform the school of any changes in circumstances that may affect their child's behaviour
- Immediately discuss any behavioural concerns with the class teacher

Students

5.5 Are expected to:

- Behave in an orderly and self-controlled way.
- Show respect to members of staff and each other.
- In class, make it possible for all students to learn.
- Move quietly around the school.
- Treat the school buildings and school property with respect.
- Wear the correct uniform at all times.
- Accept sanctions when given.
- Refrain from behaving in a way that brings the school into disrepute, including when outside school.

Teachers' powers to discipline include:

- Restorative meetings.
- The power to impose detention outside school hours and discipline students even when they are not at school or in the charge of a member of staff.
- Withdrawal of privileges.
- The power to confiscate students' property: any item which is harmful or detrimental to school discipline. These items will be returned to students after discussion with senior leaders and parents, if appropriate.
- The power to screen and search students.
- The power to use reasonable force and other reasonable physical contact/restraint (see guidance on Positive handling within the Behaviour Management Booklet) to avoid students causing disorder, hurting themselves/others or damaging property.
- The power to discipline beyond the school gate.
- Short term removal from lessons to a designated colleague in a department area.
- A fixed period of time isolated from class in the school exclusion unit.
- Fixed term exclusion from school.
- Attendance at governor behaviour panels.
- Permanent exclusion.
- Malicious allegations.
- Where a student makes an accusation against a member of staff and that accusation is shown to have been malicious, the Headteacher will discipline the student in accordance with this policy. The Headteacher will also consider the pastoral needs of staff accused of misconduct.

Student support

- 5.6 The school recognises its legal duty under the Equality Act 2010 to prevent students with a protected characteristic from being at a disadvantage. Consequently, our approach to challenging behaviour may be differentiated to cater to the needs of the student.

- 5.7 The school's special educational needs co-ordinator in collaboration with the behaviour team will evaluate a student who exhibits challenging behaviour to determine whether they have any underlying needs that are not currently being met.
- 5.8 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.
- 5.9 When acute needs are identified in a student, 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.

6.0 PRACTICE

- 6.1 Students and parents are kept fully aware of the standard of behaviour expected by the school through:

- Behaviour and conduct expectations are shared during initial transition to school.
- Parents Evenings and other informal meetings throughout the academic year
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- The publication of the school rules found in handbooks, planners and on the school website.
- Communications from school to home such as Headteacher letters and student reports.
- Behaviour Stages that are regularly shared with students.
- The Home School Agreement signed by all parents at the start of their child's school career.
- The theme of good behaviour is regularly reinforced through the pastoral system, during assemblies delivered by senior staff and Learning Managers and through the PSHE programme.
- Students who are good role models are selected/elected to positions of responsibility e.g. Head boy/girl, school council, Anti-Bullying Ambassadors.
- All students are encouraged to take responsibility for their actions by preventing the escalation of problems through use of the Anti-Bullying Ambassadors (empathy team) and or consultation with teaching and non-teaching staff.
- Detentions and rewards are recorded on the computerised system allowing for analysis to identify problems at an early stage.
- Support for students with identified problems is provided through:
 - The Learning Support Department
 - Heads of Year
 - Pastoral Support Programmes
 - Daily/weekly/subject report sheets/booklets
 - SLT report monitoring sheets

7.0 REWARDS

- Praise and encouragement in lessons to recognise achievement.
- Positive written comments in books.
- School rewards trips.
- Certificate/prizes to recognise achievement.

- Departmental awards.
- Year group certificates and prizes.
- Display of quality work around classrooms and school.
- Attendance certificate and prizes.
- Invitation to take part in school activities and trips.
- Charity awards.

8.0 MONITORING

8.1 Of behaviour and discipline is carried out by: -

- Staff being equally responsible for the monitoring of student behaviour around school.
- Tutors, Learning Managers and departmental leaders making use of the weekly behaviour reports.
- Duty staff before and after school, during and after break and lunchtimes.
- Subject leaders/teachers/TA's during lesson times.
- Parents through individual school records.
- SLT.
- Governing Body.
- Recording incidents on the SIMS Behaviour management system

9.0 EVALUATION

9.1 The following aspects will be regularly analysed as part of the Schools Behaviour and Attendance Profile, in order to inform practice:

- Impact on student attainment, especially underachievers.
- Number of incidents pertaining to protected characteristics.
- Percentages of students who receive fixed term and permanent exclusions.
- Number of positive and negative events in each form/year group.
- Feedback from parents through school forums and parents' evening.
- Feedback from external agencies, i.e. EWO, Ofsted, Local Authority.

APPENDIX 1 – SEARCHING STUDENTS

This guidance relates to the 2014 DFE guidance on Searching, screening and confiscation.

Key Points to Note:

- School staff can search students and their possessions *with their consent* for any item.
- The school is not required to inform parents before a search takes place or seek to their consent to search a student. There is also no legal requirement to inform parents of the outcome of a search, although it is best practice to do so where a prohibited item is found.
- Head teachers and staff authorised by the Head teacher have the power to search students or their possessions *without consent* where they suspect the students has a 'prohibited item'.

Examples of prohibited items are:

- Knives and weapons
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco and cigarette papers
- Fireworks
- Pornographic images
- Any article that has been or is likely to be used to cause an offence
- Any item banned by the school rules/policy that has been named as something that may be searched for e.g:
 - Chewing gum
 - Lighters/matches
 - Surveillance equipment
 - E-Cigs
- Students can be required to remove outer clothing, including hats, boots, shoes, coats and jackets, gloves and scarves.
- The contents of pockets must be produced by the student.
- The member of staff carrying out the personal search should be of the same sex as the student involved. There should also be a witness of the same sex.
- If, however, a member of staff suspects that serious harm could occur because of something a student has in his or her possession, then an immediate search by a person of the opposite sex and without a witness is permissible.
- Staff are protected from liability for damage to, or loss of any confiscated items.
- The school is authorised to dispose of confiscated items as it sees fit unless it is an illegal item, which should always be handed in to the police. Any disposal of confiscated goods should be discussed with a member of SLT first.
- The school has powers to seize electronic devices without consent and for the person conducting the search to examine any data or files on the device if they think there is good reason to do so.
- The school also has powers to erase any data or files found on the device should it suspect that the material has been or could be used to cause harm, disrupt teaching or break school rules.

APPENDIX 2 – EXCLUSIONS ARRANGEMENTS

1.0 AIMS

Our school aims to ensure that:

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

2.0 LEGISLATION AND STATUTORY GUIDANCE

2.1 These arrangements are based on statutory guidance from the Department for Education: Exclusion from maintained schools, academies and student referral units (PRUs) in England.

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

- Section 52 of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Student exclusions and Reviews) (England) Regulations 2012
- Sections 64-68 of the School Standards and Framework Act 1998 In addition, the arrangements are based on:
 - Part 7, chapter 2 of the Education and Inspections Act 2006, which looks at parental responsibility for excluded students
 - Section 579 of the Education Act 1996, which defines 'school day'
 - The Education (Provision of Full-Time Education for Excluded Students) (England) Regulations 2007, as amended by The Education (Provision of Full-Time Education for Excluded Students) (England) (Amendment) Regulations 2014

3.0 THE DECISION TO EXCLUDE

3.1 Only the Headteacher, or a person acting with the Headteacher's authority, can exclude a student from school. Permanent exclusions will be taken as a last resort.

3.2 A decision to exclude a student will be taken only:

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

3.3 Before deciding whether to exclude a student, either permanently or for a fixed period, the Headteacher will:

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

4.0 DEFINITION

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

5.0 ROLES AND RESPONSIBILITIES

The Headteacher

Informing parents

- 5.1 The Headteacher will immediately provide the following information, in writing, to the parents of an excluded student:
- The reason(s) for the exclusion.
 - The length of a fixed-term exclusion or, for a permanent exclusion, the fact that it is permanent.
 - Information about parents' right to make representations about the exclusion to the Governing Body and how the student may be involved in this.
 - Where there is a legal requirement for The Governing Body to meet to consider the reinstatement of a student, and that parents have a right to attend a meeting, be represented at a meeting (at their own expense) and to bring a friend.
- 5.2 The Headteacher will also notify parents by the end of the afternoon session on the day their child is excluded that for the first 5 school days of an exclusion, or until the start date of any alternative provision where this is earlier, parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this.
- 5.3 If alternative provision is being arranged, the following information will be included when notifying parents of an exclusion:
- The start date for any provision of full-time education that has been arranged.
 - The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant.
 - The address at which the provision will take place.
 - Any information required by the student to identify the person they should report to on the first day.
- 5.4 Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session, it may be provided in a subsequent notice, but it will be provided no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of an exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.

Informing the Governing Body and local authority

- 5.5 The Headteacher will immediately notify The Governing Body and the local authority (LA) of:
- A permanent exclusion, including when a fixed-period exclusion is made permanent.
 - Exclusions which would result in the student being excluded for more than 5 school days (or more than 10 lunchtimes) in a term.
 - Exclusions which would result in the student missing a public examination.

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

5.7 For all other exclusions, the Headteacher will notify The Governing Body and LA once a term.

The Governing Body

5.8 Responsibilities regarding exclusions are delegated to the Headteacher.

5.9 The Local Governing Body has a duty to consider the reinstatement of an excluded student.

5.10 Provision does not have to be arranged for students in the final year of compulsory education who do not have any further public examinations to sit.

The LA

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

6.0 CONSIDERING THE REINSTATEMENT OF A STUDENT

6.1 The Governing Body will consider the reinstatement of an excluded student within 15 school days of receiving the notice of the exclusion if:

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

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

6.3 Where an exclusion would result in a student missing a public examination, the Governing Body will consider the reinstatement of the student before the date of the examination. If this is not practicable, the Governing Body will consider the exclusion and decide whether or not to reinstate the student.

6.4 The Governing Body can either:

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

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

- 6.6 Minutes will be taken of the meeting, and a record of evidence considered kept. The outcome will also be recorded on the student's educational record.
- 6.7 The Governing Body will notify, in writing, the Headteacher, parents and the LA of its decision, along with reasons for its decision, without delay.
- 6.8 Where the exclusion is permanent, the Governing Body decision will also include the following:
- The fact that it is permanent
 - Notice of parents' right to ask for the decision to be reviewed by an independent review panel, and:
 - The date by which an application for an independent review must be made.
 - The name and address to whom an application for a review should be submitted .
 - That any application should set out the grounds on which it is being made and that, where appropriate, reference to how the student's SEN are considered to be relevant to the exclusion.
 - That, regardless of whether the excluded student has recognised SEN, parents have a right to request a SEN expert to attend the review.
 - The Governing Body to appoint an SEN expert to attend the review.
 - Details of the role of the SEN expert and that there would be no cost to parents for this appointment
 - That parents must make clear if they wish for an SEN expert to be appointed in any application for a review.
 - That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review.
 - That if parents believe that the exclusion has occurred as a result of discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. A claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place.

7.0 AN INDEPENDENT REVIEW

- 7.1 If parents apply for an independent review, the Governing Body will arrange for an independent panel to review the decision of The Governing Body not to reinstate a permanently excluded student.
- 7.2 Applications for an independent review must be made within 15 school days of notice being given to the parents by The Governing Body [of its decision to not reinstate a student.
- 7.3 A panel of 3 or 5 members will be constituted with representatives from each of the categories below.
- 7.4 Where a 5-member panel is constituted, 2 members will come from the school governor's category and 2 members will come from the Headteacher category.

- A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer.
- School governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or Headteacher during this time.
- Headteacher 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 director of the Governing Body or governing board of the excluding school.
 - Are the Headteacher of the excluding school or have held this position in the last 5 years.
 - Are an employee of the Governing Body, or The Governing Body, 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 Atherton Community School governing board, parents or student, 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 point 12 below for what training must cover) A clerk will be appointed to the panel.

7.5 The independent panel will decide one of the following:

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

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

8.0 SCHOOL REGISTERS

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

- 15 school days have passed since the parents were notified of the exclusion panel's decision to not reinstate the student 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

8.2 Where an application for an independent review has been made, The Governing Body will wait until that review has concluded before removing a student's name from the register.

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

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

9.0 RETURNING FROM A FIXED TERM EXCLUSION

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

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

- Agreeing a behaviour contract in agreement with parent/carer support
- Putting a student 'on report' to their form tutor, head of year or member of the senior leadership team as appropriate
- Internal isolation for a specified period of time
- Regular meetings with their in-school mentor

10.0 MONITORING ARRANGEMENTS

10.1 The Pastoral Team monitors the number of exclusions every term and reports back to the Headteacher. They also liaise with the local authority to ensure suitable full-time education for excluded students. These arrangements will be reviewed every 2 years. At every review, the policy will be shared with the governing body.

11.0 LINKS WITH OTHER POLICIES

11.1 These exclusions arrangements are linked to our SEND policy and information report.

12.0 INDEPENDENT REVIEW PANEL TRAINING

12.1 The Governing Body must ensure that all members of an independent review panel and clerks have received training within the 2 years prior to the date of the review.

12.2 Training must have covered:

- The requirements of the primary legislation, regulations and statutory guidance governing exclusions, which would include an understanding of how the principles applicable in an application for judicial review relate to the panel's decision making.
- The need for the panel to observe procedural fairness and the rules of natural justice.
- The role of the chair and the clerk of a review panel.
- The duties of head teachers, governing boards and the panel under the Equality Act 2010.
- The effect of section 6 of the Human Rights Act 1998 (acts of public authorities unlawful if not compatible with certain human rights) and the need to act in a manner compatible with human rights protected by that Act.