

**TICKHILL ESTFELD PRIMARY SCHOOL**

**BEHAVIOUR and EXCLUSIONS POLICY**

Reviewed September 2015 by members of the SLT (Review in Sept 2018)

**Headteacher : Miss D M Risley**

**Assistant Head : Mrs F Martin**

**Assistant Head : Mrs A Painter**

## **Rationale**

Good behaviour and discipline are the foundations of sound education. At Estfeld we aim to promote an atmosphere conducive to effective learning and teaching.

## **Aims**

To encourage children to develop independence, to recognise their responsibilities and contribute to society by being morally, physically and academically aware of the world in which they live.

## **Objectives**

- To foster and develop an attitude of pride in their work.
- To encourage each child to show tolerance, compassion, respect and courtesy to others.
- To promote honesty, trust and fairness.
- To encourage a respect for the school environment and others' personal property.
- To encourage an attitude of healthy competition with an awareness that physical aggression is unacceptable, and to celebrate individual achievement.
- To develop their own self-discipline, motivation and self-confidence appropriate to their own level of maturity.

## **Recognition of Achievement and Good Behaviour**

This could be acknowledged by:

- The Headteacher
- A child's own class teacher
- Another class teacher
- Non-teaching members of staff
- Members of the wider community
- The pupils themselves

## **Green is Good**

Throughout school a "traffic light" behaviour system operates. In each class there is a display of all pupils' names and whether or not their behaviour is currently Green, Amber or Red.

The system is a positive one. It is a visible reminder to pupils of how well they are behaving. We expect all pupils to be Green. The system also allows pupils to think about their behaviour and give them the chance to modify their behaviour if they are at Amber, and there is a consequence if a pupil reaches Red.

"Green" – the pupil is meeting school's behaviour expectations.

"Amber" – the pupil is not meeting the school's behaviour but can modify behaviour and so move back to Green.

"Red" – the pupil has not modified their behaviour despite a warning and so is on Red. There will be a consequence for Red.

The system gives continual recognition and positive reinforcement to those pupils who are “Green”. It also allows pupils to think about their behaviour and give them the opportunity to modify their behaviour if they are at Amber. Pupils know that there will be a consequence if they reach Red

“**Silver**” / “**Gold**”– pupils who are consistently exceeding expectations will be awarded a Silver or Gold and will receive a special mention at the weekly Achiever’s Assembly.

### **Achievers’ Assembly**

Pupils producing good work or displaying good behaviour will often be asked to see the Headteacher with the possibility of receiving a Headteacher’s Award and a mention during the weekly Achievers’ Assembly. There will be occasions where particular good behaviour and effort is conveyed either verbally or in writing to parents.

The positive activities of pupils within the community are valued and will be recognised and acknowledged in school.

One hundred percent attendance for each school term and also for the school year will be acknowledged and rewarded during the final school assembly of the academic year.

In conclusion good discipline in school is essential to ensure that all pupils can benefit from the opportunities provided by education. It is essential that lessons are not disrupted and that pupils feel safe and secure in the school environment.

### **General Code of Conduct**

Pupils are expected to:

1. Take pride in all that they do and in their personal appearance
2. Be polite and well-mannered to everyone at all times.
3. Walk round school quietly and sensibly.
4. Show care and respect for others and their property
5. Look after the school environment: the building, equipment and grounds.
6. Work hard and ensure that they contribute to maintaining a good working environment for all.

### **Playground Code of Conduct**

1. On the playground pupils must not climb, lift or carry another pupil, fight, kick, push or be unpleasant in any way.
2. The use of the field and certain grassed areas are restricted to drier times of the year and the garden areas should never be a play area.
3. There are rotas for use of play equipment that ensure fair access for all pupils.

4. Any inappropriate behaviour should be reported to the adults supervising the playground. Pupils must not take the resolution of matters into their own hands.
6. Pupils may return into school to collect coats or use the toilet with permission of the adult supervising the playground. Pupils must not remain in school without permission.
7. When the bell is rung to end break times pupils must stand still. The second bell is a signal for pupils to line up with their class. A member of staff will tell pupils when to enter school.

### **Lunchtime Supervision**

The Lunchtime Supervisors may verbally reprimand a child who misbehaves. If the bad behaviour continues then a Senior Supervisor will be notified. Children will be reported by the Senior Supervisor to the Assistant Head or Headteacher. If persistent bad behaviour continues, sanctions as outlined below will apply.

### **The consequences of failing to follow the codes of conduct are as follows:**

1. Verbal warnings from the class teacher or member of staff supervising.
2. A child may be made to stand outside the classroom or to work in isolation outside the classroom. The class teacher may also ask a pupil to miss playtimes as a sanction or to complete work.
3. The class teacher may refer the pupil to the Head or Assistant Head. The pupil may then be made to work in isolation from the class and miss playtimes for an appropriate period.
4. If there is no improvement, parents will be notified and asked to come in to discuss the pupil's behaviour.
5. Pupils with persistent behavioural problems may be referred to the school's Learning Mentor or the Inclusion Manager so that any additional needs may be identified and support put in place.
6. If school-based sanctions and support are ineffective, outside support agencies may need to be involved.
7. The ultimate sanction is exclusion. This is a last resort and will only be considered in extreme circumstances or when all other avenues of support have been exhausted.

### **Specific Strategies for Bullying**

Bullying can be defined as deliberately hurtful behaviour, repeated often over a period of time and directed towards those unable to defend themselves. It can take the form of:

**Physical:** hitting, kicking, taking belongings

**Verbal:** name-calling, insulting, making offensive remarks

**Indirect:** spreading nasty stories about someone, exclusions from social groups, being made the subject of malicious rumours, sending malicious e mails or text messages

Name calling is the most common direct form. This may be because of individual characteristics, but pupils can be called nasty names because of their ethnic origin, nationality or colour, sexual orientation or some form of disability. All such behaviour is of course unacceptable and will not be tolerated.

Minor incidents of bullying should be dealt with by the pupil's teacher. More serious incidents should be referred to the Head or Deputy and a written record kept. If the problem continues, parents will be notified and asked to come in to discuss the related issues. Often the Head will monitor the problem over a period of time and give regular feedback to all concerned. In extreme cases, pupils involved in persistent bullying incidents, may face exclusion.

Five key points for dealing with bullying:

- Never ignore suspected bullying
- Don't make premature assumptions
- Listen carefully to all accounts-several pupils saying the same thing does not necessarily mean they are telling the truth
- Adopt a problem-solving approach which moves pupils on from justifying themselves
- Follow-up repeatedly, checking bullying has not resumed

Anti-bullying themes are incorporated into many aspects of the curriculum and dealt with frequently during assemblies, Circle Time and Circle of Friends. The school also has a separate and specific Anti-bullying Policy.

### **Physical Restraint**

At the Governors' meeting of Monday 25<sup>th</sup> February 2013 it was agreed that it was sometimes necessary for staff to restrain pupils. Restraint of pupils is only used in exceptional circumstances, when there is likelihood of the pupil harming themselves or others, and staff should not put themselves in any unnecessary danger. Only trained members of staff are authorised to use restraint.

### **Special Needs**

If a child's behaviour gives cause for concern, and there are found to be additional needs that are contributing to this, in consultation with the Inclusion Manager, parents and Head, the child will be placed on the Special Needs register and monitored in accordance with school policy. It may become necessary to complete a Common Assessment and involve outside agencies.

There may be occasions when children enter school who have an established pattern of bad behaviour. If this is the case then the parents will be involved immediately and reports (if they are available) will be sought from the relevant outside agencies. The problems associated with this child will be discussed

with the whole staff and a positive programme for behaviour modification, agreed on by the whole staff, will be introduced.

### **Parents**

At Estfeld we value the partnership we have with the parents of our pupils in supporting their child's education and wellbeing. On their child's entry to school all parents and pupils sign our Home & School Agreement agreeing to support the school in maintaining good discipline and behaviour, support school policies, and in encourage courtesy and respect for others. We expect all adults on school premises to act as good role models in their actions and interactions with others at all times.

## Exclusions

A decision to exclude a pupil permanently should only be taken in response to a serious breach, or persistent breaches, of the school's behaviour policy and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

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

When taking the decision to exclude a pupil the headteacher will do so in accordance with the law at that time. The current legislation to which this guidance relates is:

- The Education Act 2002, as amended by the Education Act 2011;
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012;
- The Education and Inspections Act 2006; and
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007.

Current guidance is effective from 1<sup>st</sup> September 2012 and applies to all maintained schools, academies, free schools and pupil referral units.

Once the decision to exclude has been taken the headteacher will inform the parents of the pupil as soon as possible.

### **The headteacher will inform the parents of the following:**

- the period of a fixed period exclusion or, for a permanent exclusion, the fact that it is permanent;
- parents' right to make representations about the exclusion to the governing body and how the pupil may be involved in this;
- how any representations should be made; and
- where there is a legal requirement for the governing body to consider the exclusion, that parents have a right to attend a meeting, be represented at this meeting (at their own expense) and to bring a friend.

Written notification of the information can be provided by: delivering it directly to the parents; leaving it at their last known address; or by posting it to this address.

### **: Parents will also be informed:**

- that for the first five 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 reasonable justification, and that parents may be given a fixed penalty notice or prosecuted if they fail to do so.

## **Alternative Provision**

If alternative provision is being arranged then the following information must be included with this notice where it can reasonably be found out within the timescale:

- the start date for any provision of full-time education that has been arranged for the pupil during the exclusion;
- 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; and
- any information required by the pupil to identify the person he/she should report to on the first day.

## **Lunchtime Exclusion**

Pupils whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period. In such cases the legal requirements in relation to exclusion, such as the head teacher's duty to notify parents, still apply. Lunchtime exclusions are counted as half a school day for statistical purposes and in determining whether a governing body meeting is triggered.

## **Notification to the Governing Body, Local Authority and Secretary of State**

The headteacher must notify the Governing Body and the LA of any permanent exclusion and of fixed exclusions that exceed five days or exclusions that cause a pupil to miss a statutory test, without delay. For all other exclusions the headteacher must inform the LA and the Governing Body once a term.

The headteacher must also provide information about all exclusions in the last 12 months within 14 days of receiving a request for information from the Governing Body, LA or Secretary of State.

## **The Governing Body's Duties**

The governing body has a duty to consider parents' representations about an exclusion. The governing body may delegate their functions with respect to the consideration of an exclusion decision to a designated sub-committee consisting of at least three governors.

The governing body must consider the reinstatement of an excluded pupil within 15 school days of receiving notice of the exclusion if:

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

The following parties must be invited to a meeting of the governing body and allowed to make representations:

- parents;
- the head teacher; and
- a representative of the local authority

After due consideration, the governing body can uphold the exclusion or reinstate the pupil. In reaching their decision the governing body must consider whether or not the decision to exclude was lawful, reasonable and procedurally fair, taking account of the head teacher's legal duties.

Having reached a decision the governing body must notify parents, the head teacher and the local authority of their decision, and the reasons for their decision, in writing and without delay.

When a governing body upholds an exclusion they must inform the parents in writing of their decision, the rights of the parent to seek a review of the decision and details of where the parents can find free information and advice on the review process. This must include the following:

- a link to this statutory guidance on exclusions: exclusion guidance; <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>
- a link to guidance on making a claim of discrimination to the First-tier Tribunal <http://www.justice.gov.uk/tribunals/send/appeals>;
- a link to the Coram Children's Legal Centre: [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com) 08088 020 008; and,
- where considered relevant by the governing body, links to local services, such as Traveller Education Services or the local parent partnership ([www.parentpartnership.org.uk](http://www.parentpartnership.org.uk)).

### **Duties of the Local Authority**

Once the governing body has upheld the decision to permanently exclude the LA must convene an independent review panel, if the parents request a review, within fifteen school days of the governing body's decision.

It is for the LA to appoint appropriately qualified members of the review panel in accordance with the DfE guidance.

When considering the governing body's decision in light of the principles applicable in an application for judicial review, the panel should apply the following tests:

- Illegality – did the head teacher and / or governing body act outside the scope of their legal powers in taking the decision to exclude?
- Irrationality – was the decision of the governing body not to reinstate the pupil so unreasonable that it was not one a sensible person could have made?

- Procedural impropriety – was the process of exclusion and the governing body’s consideration so unfair or flawed that justice was clearly not done?

The clerk to a review panel should ensure that minutes of the proceedings are taken, including details of the attendance, the voting and the decision.

The clerk must inform the parents, governing body and LA of the decision, if the decision of the governing body is upheld.

The panel can request that the governing body reconsiders the decision to exclude and reinstate the pupils within 10 days. Failure to do so will result in the school having £4000 withdrawn from its budget.

### **Statutory Guidance**

Statutory guidance relating to exclusions can be found on the DfE website. The document “Exclusion from maintained schools, Academies and Pupil Referral Units in England - A guide for those with legal responsibilities in relation to exclusion” has all of the information needed by those legally responsible for managing school exclusions.