

East Midlands Academy Trust

Behaviour Policy 2021/2022

'Every child deserves to be the best they can be'

Scope: East Midlands Academy Trust & Academies within the Trust	
Version: V4	Filename: EMAT Behaviour Policy
Approval: June 2021	Next Review: July 2022 This policy will be reviewed every year by the Trust Board.
Owner: East Midlands Academy Trust Board of Trustees	Union Status: Not Applicable
Policy type:	
Statutory	Replaces Academy's previous policy
<p>Note:</p> <p>On Monday 22nd February 2021, The Prime Minister announced the government's roadmap to cautiously ease lockdown restrictions in England. This included a direction that from 8 March 2021, all pupils should attend school.</p> <p>Linked with re-opening, there are some elements of risk-minimisation which need to be considered. The Trust has conducted a COVID-19 Risk Assessment across the MAT and each school has adapted the document to suit their own unique circumstances. The Risk Assessments will be kept under constant review during the duration of the crisis. Behaviour is addressed in the document.</p> <p>Any pupil who commits serious or persistent breach of the new COVID-19 protection rules may be sanctioned by the Headteacher using the full range of sanctions available, dependent on the seriousness of the breach, up to and including in extreme cases permanent exclusion.</p>	

Revision History

RevisionDate	Revisor	Description of Revision
April2021 – v4	M Juan	Updates to include (in line with policy provided by legal team): <ul style="list-style-type: none"> • Pupils with Special Educational Needs and/or Disabilities • Complaints • New list of prohibited items • Revision of policy aims • Revision on roles & responsibilities
April 2021 – v3	M Juan	Updates to include: <ul style="list-style-type: none"> • Everyone’s invited EMAT statement
March 2021 – v2	M Juan	Updates to include wording reflecting COVID 19 guidance: <ul style="list-style-type: none"> • serious or persistent breach of the new COVID-19 protection rules may be sanctioned by the Headteacher, including in extreme cases permanent exclusion.
May 2020 – v1	M Juan	New EMAT Behaviour Policy issued to all schools



The Everyone's Invited campaign has rightly served to focus our minds on the need to continue to work together to protect children.

We, at EMAT, believe that schools play a crucial role in teaching pupils about sex and relationships, equality and diversity and modern citizenship as well as preparing them for the modern world. This is enacted through each school's culture, its curriculum, and all policies. We aim to give all pupils and staff a voice to enable them to act in a protective manner towards themselves and others. This includes developing a robust whistleblowing culture as well as fostering a culture of integrity and mutual respect.

We recognise that we have the responsibility of tackling sexual violence and harassment, instilling values in our stakeholders and encourage all to be driven by their strong moral compass. Like so much of education, our work must complement that undertaken by parents and carers so that young people receive a consistent message, and they can go about their lives free from harassment and abuse.

All of our schools will continue to engage with their stakeholders, listen to their concerns and signpost necessary support and provision within and beyond its schools. We ask that anyone who has experienced such behaviour, or who is suffering because of it, to report it to an appropriate adult either in the school or within the EMAT team so they can be supported, and steps can be taken to address the issue.

A dedicated NSPCC helpline is now available to support anyone who has experienced sexual abuse in educational settings or has concerns about someone or the issues raised. The dedicated **NSPCC helpline number is 0800 136 663 or by emailing help@nspcc.org.uk**

Staff members can also seek support from **Employee's Assist on 08000 305 182.**

If you are troubled about possible wrongdoing at work, please don't keep it to yourself. Our [Whistleblowing Policy](#) is there to reassure you that it is safe and acceptable to speak up and to enable you to raise any concern you may have at an early stage and in the right way. If you feel unable to raise the matter with your manager, for whatever reason, please raise the matter with:

- **EMAT Head of Governance & Compliance** – Monica Juan – monica.juan@emat.uk
- **EMAT Senior Workforce Planning & HRBP** – Ruhena Mahmood – Ruhena.mahmood@emat.uk

If you are unsure about raising a concern you can get free and independent advice from **Protect helpline on 020 3117 2520 or by emailing whistle@protect-advice.org.uk**

EMAT - BEHAVIOUR POLICY – 2021-2022

1 Introduction

At East Midlands Academy Trust we believe the most important function of the academies across the Trust is to maintain an environment in which every member of the academy is able to achieve success and self-fulfillment.

All staff endeavour to create an environment where pride in their academy and its environment are very important. We encourage the children to develop a caring, responsible and helpful attitude towards each other and those who work with them. Our aims are to:

- Develop respect for other people and their opinions, regardless of race, gender, physical and intellectual abilities
- Create a positive environment where children feel happy and secure
- promote positive relationships that safeguard and promote the welfare of pupils, creating an effective learning environment
- Help children realise their own self-worth and potential
- Develop self-control and independence
- enable pupils to understand the implications of their behaviour, to control their own behaviour and most importantly to take responsibility for their behaviour;
- Develop a sense of responsibility and pride for their academy
- Respond to any concerns about bullying, investigating them thoroughly and resolving, without delay.
- raise awareness amongst pupils to ensure that their behaviour does not put their peers or staff at an increased risk in respect of health and safety;
- raise awareness amongst pupils for the need to recognise and manage their emotions and reactions; and
- support pupils whose behaviour within the academy environment is challenging or who may find friendship and co-operation difficult.

We provide a safe environment where we promote pupils' welfare. Within this environment we work hard to build pupils' resilience to radicalisation and extremism by promoting fundamental British values and for everyone to understand the risks associated with terrorism. We want pupils to develop their knowledge and skills in order to challenge extremist views.

This policy outlines the high behavioural standards the Trust expects from all our pupils and sets out the sanctions that will follow if this policy is not adhered to. This policy will be reviewed annually by the Board of Trustees.

2 Behaviour Principles

- All members of the academies should be able to learn in a calm, safe and purposeful environment
- The behaviour principles are the foundation for a clear, shared understanding between pupils, teaching staff, support staff, parents/carers and governors
- Behaviour is everybody's responsibility and staff should feel empowered to take action
- All adults in the Academy Trust are responsible for being a model of positive and respectful behaviour towards students and each other
- Behaviour is more effective when action to address it is taken immediately and appropriately
- An essential part of behaviour management is that a pupil understands that unacceptable behaviour results in sanctions being imposed and that good behaviour results in rewards
- Corporal punishment will **never** be used
- High expectations of all members of the academy must be clear and explicit
- Establishing and rewarding good behaviour affecting as many pupils as possible
- Good behaviour can be best promoted through outstanding teaching (linked to the Teaching and Learning Policy.)

3 Roles and Responsibilities

The proprietors of Academies have a duty under paragraph 7 of Schedule 1 to the Education (Independent School Standards) (England) Regulations 2010 to ensure that arrangements are made to safeguard and promote the welfare of pupils.

All members of the Trust community are expected to follow this policy. Roles, responsibilities and expectations of each section of the Trust community are set out in detail below:

Board of Trustees

The Trustees will work with the Executive Team and Headteachers to set the ethos and a set of core values that promote high standards of expected behaviour from pupils attending its academies. Trustees will monitor and evaluate the impact of the policy and will hold the CEO and Heads to account for its implementation. Trustees will ensure that they and local governors receive relevant training on exclusions, behaviour and discipline regularly.

Chief Executive Officer

The CEO will ensure that this Behaviour Policy is applied consistently across all academies within the Trust and will report back to the Trustees on educational outcomes, behaviour management, support strategies and early intervention for pupils requiring additional support. They will ensure that senior staff receive regular continued professional development and receive regular training on behaviour management.

Local Advisory Board

Local governors in each academy will review and monitor the application and implementation of this policy by receiving regular reports from the Headteacher on behavioural sanctions and support put in place for pupils at the respective academy. Local governors will scrutinise relevant data, review relevant exclusion decisions and act as a point of challenge for decisions taken by the Head.

Headteachers

Each Headteacher, with support from their Senior Leadership Team, will ensure that staff are supported and up to date with policy changes. They will ensure that lessons are well led, effectively managed and that staff regularly and effectively self-evaluate their behaviour management strategies. The Head will monitor how staff implement this policy to ensure rewards and sanctions are applied fairly and consistently. The Head will act as a source of support and guidance for staff on behaviour management strategies and discipline.

Staff

All staff across the EMAT will apply this policy fairly, proportionately, and without discrimination, taking into account SEND as well as the additional challenges that some vulnerable pupils may face.

Specific roles and responsibilities at all levels from class teacher to the Senior Leadership Team (SLT) can be found in Appendix 5; in an EYFS setting there will be a nominated person with responsibility for behaviour.

Staff, including teachers, support staff and volunteers, will be responsible for ensuring that the Behaviour Principles and Behaviour Policy and procedures are followed, and consistently and fairly applied. Mutual support amongst all staff in the implementation of the principles and policy is essential.

All staff should use positive behaviour management strategies in order to focus pupils on their learning.

Staff have a key role in advising the Trust Board, CEO, LABs and Headteachers on the effectiveness of the behaviour principles, policy and procedures. They also have responsibility, with the support of the SLT, for creating a high-quality learning environment, teaching good behaviour and implementing the agreed policy and procedures (including sanctions and rewards) consistently.

Staff have the power to discipline pupils for misbehaviour which occurs in the academy, and, in some circumstances, outside the academy.

Parents/carers

Parents and carers will be expected to take responsibility for the behaviour of their child/ren both inside and outside the academy. They will be encouraged to work in partnership with the academy to assist the academy in maintaining high standards of behaviour and will have the opportunity to raise any issues arising from the application of this policy.

Pupils

Pupils will be expected to take responsibility for their own behaviour and will be made fully aware of the Academy Trust's Principles, academy policy, procedure and expectations. Pupils also have a responsibility to ensure that incidents of disruption, violence, bullying and any form of harassment are reported.

4 Procedures

The policy will make clear to pupils how acceptable standards of behaviour can be achieved and will have a clear rationale which is made explicit to staff, pupils and parents/carers. The policy will be consistently and fairly applied and promote the idea of personal responsibility and that every member of the academy has a responsibility towards the whole community.

Initial investigations of minor infractions of the policy may be carried out by a member of staff/teacher on their own. Further investigations or initial investigations of more serious offences must be carried out by two staff together. In secondary academies pupils who have witnessed the behaviour will be asked to provide written, signed and dated statements. In primary academies pupils who have witnessed the behaviour may be asked to provide a written account or may be asked to describe to staff what they saw and the member of staff will make a note of the response. Any questions raised by staff will be open and non-leading. If the police wish to question the pupil, the academy will ensure that a responsible adult is present at all times and will inform the pupil's parents of what has happened as soon as possible.

When more than one pupil is involved in an incident and the interpretations of an event differ, then every effort will be made to try to find the truth. If this still remains unclear, then the staff members involved will use their professional judgement to come to a conclusion on the balance of probabilities.

In exceptional circumstances, pupils may receive a fixed term exclusion pending an investigation, as a neutral act, if there is a possibility that the welfare of other pupils may be compromised by that pupil remaining in the academy.

5 Recognition of Positive Behaviour

An ethos of encouragement is central to the promotion of good behaviour. It is our duty to promote and encourage positive behaviour and not just to react to unacceptable behaviour. Rewards are one means of achieving this. They have a motivational role in helping pupils to realise that good behaviour is valued, and the rewards systems are clearly defined in the academy's Behaviour Policy. Integral to the system of rewards is an emphasis on praise, both informal and formal, to individuals and groups.

At EMAT we believe that when a child demonstrates unacceptable behaviour, it is the behaviour which is unacceptable, not the child.

6 Reward Systems

The reward systems used in the academy are constantly reviewed to ensure consistency of use. Our aim is to celebrate success which will raise the self-esteem of our children and their corresponding behaviour at home and in our academies. Good behaviour is encouraged through a mixture of high expectations, clear policy and an ethos which fosters discipline and mutual respect between pupils and between staff and pupils. The reward system for the academy is detailed in *Appendix 2*.

7 Sanctions

Sanctions are needed to respond to inappropriate behaviour. The sanctions used will be characterised by clarity of why the sanction is being applied and what changes in behaviour are required to avoid future sanctions.

The use of sanctions in the academy is detailed in *Appendix 2*. The sanctions are guidelines, the individual needs of the child and their circumstances are crucial to good behaviour management. Knowledge of the child and their situation is paramount. Sanctions may include the use of detentions, including detention outside academy hours.

Detention

a) What the law allows

Teachers have the power to issue detention to pupils (aged under 18), including detention outside academy hours. The times outside normal academy hours when detention can be given (the 'permitted day of detention') include:

- Any academy day where the pupil does not have permission to be absent
- Weekends - except the weekend preceding or following the half term break and
- Non-teaching days – usually referred to as 'training days', 'inset days' or 'non-contact days'.

The Headteacher can decide which members of staff can issue pupils with a detention.

b) Matters academies should consider when imposing detentions

- Parental consent is not required for detentions
- As with any disciplinary penalty a member of staff must act reasonably and appropriately given all the circumstances, when imposing a detention
- With lunchtime detentions, staff should allow reasonable time for the pupil to eat, drink and use the toilet

c) Detentions outside academy hours

Academy staff should not issue a detention where they know that doing so would compromise a child's safety. When ensuring that a detention outside academy hours is reasonable, staff issuing the detention should consider the following points:

- Whether the detention is likely to put the pupil at risk
- Whether the pupil has known caring responsibilities which mean that the detention is unreasonable
- Whether the parents ought to be informed of the detention. In many cases it will be necessary to do so, but this will depend on the circumstances. For instance, notice may not be necessary for a short end-of-day detention where the pupil can get home safely and
- Whether suitable travel arrangements can be made by the parent for the pupil. It does not matter if making these arrangements is inconvenient for the parent.

8 Pupils with Special Educational Needs and/or Disabilities

In the context of this policy, a child is considered to have SEND if he or she:

- has difficulties in learning which are significantly greater than the majority of other pupils of the same age; or
- has a disability which prevents or limits them from accessing the curriculum; or
- has behavioural, emotional or social difficulties which impact adversely on their learning and progress.

The Trust is aware that continuous disruptive behaviour can be a result of unmet needs. If such needs are identified, the academy will do all it can to ensure that the pupil receives appropriate support. The Trust is conscious of its legal duties under the Equality Act 2010 in respect of pupils with disabilities and will make reasonable adjustments to this policy to avoid any substantial disadvantage that a pupil may face as a consequence of their disability compared to their non-disabled peers. A reasonable adjustment that may be made would be to impose a lesser sanction for a pupil whose behaviour is in consequence of their disability than would be imposed for a pupil exhibiting the same behaviour who does not have that disability.

An Individual Behaviour Plan and/or Pastoral Support Plan and/or Individual Provision Maps will be used for children with SEND whose condition causes them to display challenging behaviour and advice will be sought from external agencies where necessary to assist with putting in place appropriate support strategies, which will be monitored and reviewed. *Please consult EMAT SEND policy for more information.*

9 Searching, Confiscation and Screening

Searching

If an investigation or an allegation leads to reasonable suspicion and the search of a pupil's clothes, bags and lockers is deemed appropriate, a search may be carried out. Staff will follow the latest DfE guidance on searching, screening and confiscation when conducting a search.

A teacher or someone who has lawful control of the child can search a pupil with their consent to look for any item banned by the academy rules. Pupils must be first asked to empty pockets and bags themselves. If the pupil refuses to give permission the academy may impose a sanction for failing to follow a reasonable instruction.

Headteachers and staff authorised by them have a statutory power to search pupils or their possessions, **without consent**, where they have reasonable grounds for suspecting that the pupil may have a prohibited item.

Prohibited items are:

- Knives or weapons
- Alcohol
- Illegal drugs
- 'legal highs'
- Stolen items
- E-cigarettes, tobacco and cigarette papers
- Fireworks
- Pornographic images
- Any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of, any person (including the pupil)

Headteachers and authorised staff can also search for any item banned by the academy rules which has been identified in the rules as an item which may be searched for.

Any search **without consent** must be conducted by a member of staff of the same sex as the pupil in the presence of another member of staff. A member of staff can only carry out a search of a pupil of the opposite sex and/or without a witness present, where the member of staff reasonably believes that there is a risk that serious harm will be caused to a person if they do not conduct the search immediately and where it is not reasonably practicable to summon another member of staff.

Academies should make clear in their behaviour policy and in communications to parents and pupils which items are banned.

During the search

The power to search without consent enables a personal search, involving removal of outer clothing and searching of pockets, but not an intimate search going further than that, which only a person with more extensive powers (e.g. a police officer) can do.

Where the pupil refuses to remove outer clothing, the searcher can use reasonable force to remove, for example, an overcoat. Staff must not require a searched pupil to remove, and must not themselves remove, clothes beneath outerwear.

Confiscation

Academy staff can seize any prohibited item found as a result of a search. They can also seize any item, however found, which they consider harmful or detrimental to academy discipline or for health and safety reasons.

Screening

Academies can require pupils to undergo screening by a walk-through or hand-held metal detector (arch or wand) even if they do not suspect them of having a weapon and without the consent of the pupils.

Academies' statutory power to make rules on pupil behaviour and their duty as an employer to manage the safety of staff, pupils and visitors enables them to impose a requirement that pupils undergo screening. Any member of academy staff can screen pupils.

If a pupil refuses to be screened, the academy may refuse to have the pupil on the premises. Health and Safety legislation requires an academy to be managed in a way which does not expose pupils or staff to risks to their health and safety and this would include making reasonable rules as a condition of admittance.

If a pupil fails to comply, and the academy does not let the pupil in, the academy has not excluded the pupil and the pupil's absence should be treated as unauthorised. The pupil should comply with the rules and attend.

This type of screening, without physical contact, is not subject to the same conditions as apply to the powers to search without consent.

10 Use of Reasonable Force

The Trust strives to provide a safe learning environment for all pupils. All members of staff (and anyone whom the Headteacher has given the responsibility to be in charge or in control of the pupils) are lawfully permitted to use reasonable force to prevent pupils committing an offence, injuring themselves or others, damaging property, and to maintain good order and discipline in the classroom.

This power extends to times when staff are lawfully in charge of pupils but are off the academy premises i.e. on a school trip. There is no definition of when it is reasonable to use force and every situation will have to be judged by the person in charge at that time. The degree of force used should be the minimum needed to achieve the desired result.

Sometimes, pupils may get anxious or agitated and strategies used to help pupils calm down such as using communication skills, distraction techniques and removing triggers may not yield results. On rare occasions staff may have to use physical interventions to ensure the pupil's own safety, the safety of other pupils and staff, or to ensure that property is not seriously damaged.

All incidents where pupils need to be held to help them to calm down will be recorded, if necessary any individual Behaviour Plan and/or Pastoral Support Plan and/or Individual Provision Maps reviewed and parents will be informed as a matter of course.

11 Serious breaches of academy discipline

Certain actions by pupils at the academy constitute serious breaches of discipline. Such breaches may attract a period of fixed term exclusion, to be served either internally or externally depending on the circumstances, or in extreme cases permanent exclusion may be considered. Reference should be made to the DfE statutory guidance for those with legal responsibilities in relation to exclusion. Serious breaches of discipline may include:

- Physical assault on staff
- Verbal abuse of staff
- Damage to academy property including the building
- Substance abuse
- Racially motivated incidents
- Other behaviour which is against the criminal law
- Carrying an offensive weapon

Further guidance can be found in Appendix 6 and 7.

Where serious breaches of academy discipline occur, they must be brought to the attention of the Headteacher or, in his/her absence, the Deputy Headteacher and/or Assistant Headteacher, as soon as practicable.

12 Bullying

East Midlands Academy Trust is completely opposed to bullying and will not tolerate it. It is entirely contrary to the values and principles we work and live by. Bullying is anti-social behaviour and affects everyone; it is unacceptable and will not be tolerated in any of our academies.

The Trust will take all reasonable measures to ensure the safety and wellbeing of all pupils and staff and this includes protection from bullying. Bullying is defined as the **repetitive, intentional harming of one person or group by another person or group, where the relationship involves an imbalance of power**. This can include emotional, physical, racial, sexual, verbal (direct or indirect) and cyber-bullying.

Bullying will be dealt with in accordance with **East Midlands Academy Trust Anti-Bullying Policy**.

13 Cyber Bullying

Academy leaders, teachers, school staff, parents and pupils all have rights and responsibilities in relation to cyber bullying and should work together to create an environment in which pupils can learn and develop and staff can have fulfilling careers free from harassment and bullying.

The academy will offer support to parents on how to help their children engage safely and responsibly with social media, through parents' evening, advice in the academy newsletter or signposting to other sources of support and advice.

Creating a good academy - parent relationships can help create an atmosphere of trust that encourages parents to raise concerns in an appropriate manner. Part of this is making sure that parents and carers are aware and understand how to communicate with the academy. It is not acceptable for any pupil, parent or member of staff to carry out any form of bullying either face to face or via Social Media. Academies should encourage all members of the school community including parents to use social media responsibly. Parents have a right to raise concerns about the education of their child, in an appropriate manner.

14 Academy rules/code of conduct

The rules/code of conduct relating to the academy are detailed in Appendix 4.

15 Involvement of outside agencies

The academy works positively with external agencies. It seeks appropriate support from them to ensure that the needs of all pupils are met by utilising the range of external support available.

This might include:

- Educational psychologist.
- Educational welfare officer.
- School health nurse.
- Social services.

16 Complaints

If parents/carers have any concerns or complaints over the application or implementation of this policy they should raise their concerns with a staff member or the Headteacher in accordance with the Trust's complaints policy.

If the concern relates to an exclusion, the statutory procedure set out in the exclusions guidance will be followed.

17 Review

The Academy Trust will regularly review the Behaviour Policy and associated procedures, to ensure their continuing appropriateness and effectiveness. The review will take place in consultation with the Academies, Local Advisory Boards, Headteachers, staff and parents/carers.

The Headteachers and East Midlands Academy Trust, in consultation with staff, will undertake systematic monitoring and conduct regular reviews of the individual academy Behaviour Policy and procedures in order to evaluate them to ensure that the operation is effective, fair and consistent.

The Headteachers will keep the Trust Board and LABs informed.

The outcome of the review will be communicated to all those involved, as appropriate.

Behaviour will be monitored by following individual academy processes, using appropriate levels, with sanctions agreed by the Headteachers (Appendix 3).

18 Inter-relationship with other Academy policies

This policy should be implemented in conjunction with a clear liaison with other academy policies, including:

- Safeguarding & Child Protection Policy
- Equality & Diversity Policy
- Anti-Bullying Policy
- Online Safety Policy
- Teaching and Learning Policy
- SEND Policy

19 Further guidance

Additional guidance to support behaviour can be found in Appendix 1.

Associated resources and legislative links can be found in Appendix 8 -

APPENDIX 1 – GETTING THE SIMPLE THINGS RIGHT: CHARLIE TAYLOR’S BEHAVIOUR CHECKLISTS

Key principles for headteachers to help improve school behaviour Policy

- Ensure absolute clarity about the expected standard of pupils’ behaviour.
- Ensure that behaviour policy is clearly understood by all staff, parents and pupils.
- Display school rules clearly in classes and around the building. Staff and pupils should know what they are.
- Display the tariff of sanctions and rewards in each class.
- Have a system in place for ensuring that children never miss out on sanctions or rewards.

Leadership

- Model the behaviour you want to see from your staff.

Building

- Visit the lunch hall and playground, and be around at the beginning and the end of the school day.
- Ensure that other Senior Leadership Team members are a visible presence around the school.
- Check that pupils come in from the playground and move around the school in an orderly manner.
- Check up on behaviour outside the school.
- Check the building is clean and well-maintained.

Staff

- Know the names of all staff.
- Praise the good performance of staff.
- Take action to deal with poor teaching or staff who fail to follow the behaviour policy.

Children

- Praise good behaviour.
- Celebrate successes.

Teaching

- Monitor the amount of praise, rewards and punishments given by individual staff.
- Ensure that staff praise good behaviour and work.
- Ensure that staff understand special needs of pupils.

Individual pupils

- Have clear plans for pupils likely to misbehave and ensure staff are aware of them.
- Put in place suitable support for pupils with behavioural difficulties.

Parents

- Build positive relationships with the parents of pupils with behaviour difficulties.

Behaviour checklist for teachers Classroom

- Know the names and roles of any adults in class
- Meet and greet pupils when they come into the classroom
- Display rules in the class - and ensure that the pupils and staff know what they are
- Display the tariff of sanctions in class
- Have a system in place to follow through with all sanctions
- Display the tariff of rewards in class
- Have a system in place to follow through with all rewards
- Have a visual timetable on the wall
- Follow the school behaviour policy

Pupils

- Know the names of children
- Have a plan for children who are likely to misbehave
- Ensure other adults in the class know the plan
- Understand pupils' special needs

Teaching

- Ensure that all resources are prepared in advance
- Praise the behaviour you want to see more of
- Praise children doing the right thing more than criticising those who are doing the wrong thing (parallel praise)
- Differentiate
- Stay calm
- Have clear routines for transitions and for stopping the class
- Teach children the class routines

Parents

- Give feedback to parents about their child's behaviour - let them know about the good days as well as the bad ones.

APPENDIX 2 – REWARD SYSTEM

[Academies to insert own reward system information]

APPENDIX 3 - SANCTIONS

[Academies to insert own sanctions information and guidance]

APPENDIX 4 - ACADEMY RULES/CODE OF CONDUCT

[Academies to insert own information relating to rules/code of conduct]

APPENDIX 5 – ROLES AND RESPONSIBILITIES

[Academies to insert own staff information relating to roles and responsibilities]

APPENDIX 6 - SERIOUS BREACHES OF ACADEMY DISCIPLINE

Physical assault on staff

In cases where a pupil deliberately and with intent, either offers violence or assaults a member of staff, then this should be viewed with severity and may be punishable in the first instance by fixed term exclusion. Depending on the circumstances permanent exclusion may be considered.

Where the assault was unintentional as the result of careless or reckless behaviour, then parents should be notified as soon as practicable; one formal warning will be issued to the pupil together with an academy sanction which may involve exclusion.

Verbal abuse of staff

Where a pupil deliberately and maliciously directs verbal insults or abuse at a member of staff, subject to confirmation, the pupil may be excluded for a fixed term.

Where a pupil swears or utters insults in such a manner that there is some doubt as to whom the abuse is directed at or is, for example, muttered whilst walking away from the incident, parents will be informed as a matter of course and a formal warning issued. A repeat offence may attract an exclusion.

Malicious damage to academy property

For incidents of deliberate, significant and malicious damage to academy property, pupils may be excluded and, where possible will be required to help make good the damage. Parents will be billed for repairs where appropriate.

Substance abuse

Any pupil buying, selling, using or in possession of illegal substances may be excluded. It is not permitted to use exclusion pending investigation by the academy and police and then to transfer a fixed term exclusion to a permanent one without significant new information coming to light. The school will assess the information available and may decide to implement a permanent exclusion during the investigation, withdrawing this if the evidence does not support the decision after further investigation.

Racist abuse and other racially motivated incidents

Consideration will be given to an exclusion for a fixed period. The incident must be recorded and, depending on the circumstances, the police will be informed.

Other behaviour deemed to be criminal including sexual abuse and assault

As a matter of course, the police will be involved if the incident is of a serious nature. In minor cases of petty theft between pupils, parents will be informed and unless the matter can be resolved internally to everyone's satisfaction, further appropriate sanctions, including exclusion, will be considered.

Where such a crime is committed against a member of staff, subject to evidence, the pupil may be excluded pending further investigation, possible police action or meeting with parents.

Weapons

Carrying an offensive weapon in the academy will result in an exclusion.

APPENDIX 7 - BRINGING WEAPONS INTO THE ACADEMY

(Produced from Croner's Headteachers Legal Guide – Education Now Issue 30: Jan 2013)

In January 2012, the Government produced updated guidance about how schools should tackle this problem: *Screening, Searching and Confiscation – Advice for Head Teachers, Staff and Governing Bodies*. Further updated guidance was produced in February 2014.

The guidance relates to maintained schools and was updated to clarify powers to target the bringing of weapons into school. It states that all schools should have behaviour policies outlawing weapons and setting out how the school will deal with searches.

With-consent searches

Schools are allowed under common law to search pupils with their consent for any item which is banned under behaviour policies, including weapons. They are not required to have formal written consent from the pupil. If the pupil refuses, the school staff can apply an appropriate punishment as set out in the school's behaviour policy. They can also insist on a without-consent search.

Without-consent searches

Schools have statutory powers to search a pupil without his or her consent if there are reasonable grounds for suspecting that the pupil has any of the following items:

- knives or weapons, alcohol, illegal drugs and stolen items
- tobacco and cigarette papers, fireworks and pornographic images
- any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to property
- any item banned by the school rules.

Examples of "reasonable grounds for suspicion" are that a teacher may have heard pupils talking about the item or they might notice suspicious behaviour. Schools should normally only use the power of without-consent searches as a last resort. Where staff suspect that a pupil is carrying a weapon, they should ask them to surrender the weapon or consent to a search.

If the pupil refuses, a Headteacher or member of staff authorised by the Head can conduct a search without consent. Two members of staff must be present, a searcher and a witness. The searcher and the witness must be of the same sex as the pupil searched and must be school staff.

However, the guidance states that staff can carry out a search of a pupil of the opposite sex and without a witness present in exceptional circumstances — where it is reasonably believed there is a risk of serious harm if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.

Authorised staff

Headteachers can decide who to authorise to use these powers. Staff must agree to the role and, other than security staff, may refuse. There is no requirement to provide authorisation in writing or for a member of staff to be trained before undertaking a without-consent search. However, a Headteacher should consider whether any additional training is required to enable him or her to carry out these responsibilities.

During the search

The power to search without consent enables a personal search, involving removal of outer clothing and searching of pockets, but not an intimate search going further than that, which only a person with more extensive powers (e.g. a police officer) can do. Where the pupil refuses to remove outer clothing, the searcher can use reasonable force to remove, for example, an overcoat. Staff must not require a searched pupil to remove, and must not themselves remove, clothes beneath outerwear.

Use of force

All school staff have the power to use reasonable force to prevent pupils committing an offence, injuring themselves or others, or damaging property, and to maintain good order and discipline in the classroom.

Headteachers and authorised staff can use reasonable force when searching a pupil without consent for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm. Such force cannot be used to search for items banned under the school rules.

The guidance emphasises that the power to search is not a duty and should only be used where staff judge that it is safe to do so. If a school suspects a pupil is carrying a weapon and decides a search would not be safe, it should call the police.

The power to seize

Section 91 of the Education and Inspections Act 2006 empowers a member of school staff to confiscate, retain or dispose of a pupil's property as a disciplinary penalty, where reasonable to do so. Any article thought to be a weapon must be passed to the police.

Staff liability

The power to search pupils without consent and confiscate knives or other weapons is a statutory power and, as long as staff act lawfully, they will have a robust legal defence.

Liaising with parents

The updated guidance contains little detail about liaising with parents. It does, however, state that schools:

- are not required to inform parents before a search takes place or to seek their consent
- have no legal obligation to make or keep a record of a search
- should inform the individual pupil's parents or guardians about searches, though there is no legal requirement to do so.

In practice, it is likely that schools will want to inform and work with parents whether or not a weapon is found, and to keep records. In addition, the school Trust Board and LABs will undoubtedly want to monitor searches conducted and their results.

Screening

Calls for routine weapons screening in schools have been made over the years and the law does allow schools to require pupils to undergo screening by a walk-through or hand-held metal detector even if they do not suspect them of having a weapon and without their consent, if necessary. This type of screening, without physical contact, is not subject to the same conditions as apply to the powers to search without consent. If a pupil refuses to be screened, the school may refuse to have the pupil on the premises. In such cases, the school has not excluded the pupil and the absence should be classed as unauthorised absence.

Prevention

Powers to screen and search without consent should be applied with care and within a framework of safety policies agreed by school governors, senior management teams and staff and communicated to parents. Schools strive to maintain relationships of trust between pupils and teachers and will want to ensure that the problem of weapons does not threaten that relationship. Many believe that the best way to keep weapons out of schools is to educate pupils in better behaviour and in the dangers of carrying a knife by effective prevention campaigns. The aim of these should be to help pupils resolve conflicts without violence and to know more about the dangers of, and penalties for, carrying a weapons.

APPENDIX 8 - ASSOCIATED RESOURCES AND LEGISLATIVE LINKS

<https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>

<https://www.gov.uk/government/publications/searching-screening-and-confiscation>

<https://www.gov.uk/school-discipline-exclusions>

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

<https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

The Government's former expert adviser on behaviour, Charlie Taylor, has produced a checklist on the basics of classroom management. Teachers can use it to develop between five and ten essential actions to encourage good behaviour in pupils.

<https://www.gov.uk/government/publications/behaviour-and-discipline-in-schools>

Legislation

- [Children Act 1989](#)
- [Education Act 1996](#)
- [Crime and Disorder Act 1998](#)
- [School Standards and Framework Act 1998](#)
- [Education Act 2002](#)
- [Anti-social Behaviour Act 2003](#)
- [Education Act 2005](#)
- [Education and Inspections Act 2006](#)
- [Education \(Parenting Contracts and Parenting Orders\) \(England\) Regulations 2007](#)
- [Education \(Penalty Notices\) \(England\) Regulations 2007](#)
- [Education and Skills Act 2008](#)
- [Apprenticeships, Skills, Children and Learning Act 2009](#)
- [Equality Act 2010](#)
- [Education Act 2011](#)
- [Education \(Penalty Notices\) \(England\) \(Amendment\) Regulations 2012](#)
- [School Discipline \(Pupil Exclusions and Reviews\) \(England\) Regulations 2012](#)
- [Education \(Penalty Notices\) \(England\) \(Amendment\) Regulations 2013](#)
- [Education \(Independent School Standards\) \(England\) \(Amendment\) Regulations 2014](#)

The following documentation is also related to this policy:

- [Equality Act 2010: Advice for Schools \(DfE\)](#)
- [Race Disparity Audit - Summary Findings from the Ethnicity Facts and Figures Website \(Cabinet Office\)](#)