



# **Behaviour, Discipline and Exclusion Policy**

**(including, confiscating, searching and  
screening)**

**September 2022**

**Approved by the Governing Body Strategy Group 22/09/22**

**This Policy is due for renewal in Term 1  
2023–24**

# **BEHAVIOUR AND DISCIPLINE POLICY**

## **OF**

### **GODINTON PRIMARY SCHOOL**

The word parent in this policy refers to parents and carers.

This policy has been informed by DfE guidance ‘Behaviour in School Advice for Headteachers and School Staff’ (September 2022).

The policy should be read in conjunction with the school’s ‘Statement of Behaviour Principles.’

Good behaviour in schools is central to good education. This policy sets out the way in which Godinton Primary School manages behaviour and discipline and the processes we have in place to ensure the safety of our school community, to establish an ethos of mutual respect and dignity and to ensure that our children flourish. Our Headteacher is responsible for leading the creation and reinforcement of this culture, ensuring that it permeates through all areas of school life.

#### **SECTION ONE – AIMS AND EXPECTATIONS**

It is a key aim of our school that every member of the school community feels valued and respected, and that each person is treated fairly and with dignity. The school behaviour policy is therefore designed to support the way in which all members of the school can live and work together in a calm and supportive environment where high standards of behaviour are maintained which reflect the values of our school. This policy aims to promote a culture where everyone feels happy, safe and secure and where everyone is able to strive for personal excellence both academically and socially.

In addition to the above, this policy aims to:

- Establish a whole-school approach to maintaining high standards of behaviour
- Outline the expectations and consequences of behaviour
- Provide a consistent approach to behaviour management that is applied fairly to all pupils but that takes into consideration specific needs as required

- Define what we consider to be unacceptable behaviour, including bullying and discrimination

The school has a number of school rules and expectations, but the primary aim of the behaviour policy is not a system to enforce rules. It is a means of promoting good relationships, so that people can work together with the common purpose of helping everyone to learn. This policy supports the school community in aiming to allow everyone to work together in an effective and considerate way and to uphold high expectations of behaviour.

## **SECTION TWO – LEGISLATION, STATUTORY REQUIREMENTS AND STATUTORY GUIDANCE.**

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

- Behaviour in Schools: advice for Headteachers and school staff 2022
- Searching, screening and confiscation: advice for schools 2022
- The Equality Act 2010
- Keeping Children Safe in Education 2022
- Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement – 2022
- Use of reasonable force in schools
- Supporting pupils with medical conditions at school
- Special Educational Needs and Disability (SEND) Code of Practice.

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

- Section 51a of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

In addition, the policy is based on:

- Part 7, chapter 2 of the Education and Inspections Act 2006, which sets out parental responsibility for excluded pupils
- Section 579 of the Education Act 1996, which defines 'school day'
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended by The Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment)

Regulations 2014

- The Equality Act 2010
- Children and Families Act 2014

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. This should be publicised to parents annually and published on the school website.

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

This policy should be read in conjunction with:

- Child Protection Policy
- Anti-Bullying Policy
- Online Safety Policy
- Statement of Behaviour Principles
- Managing Allegations Against Staff

### **SECTION THREE – DEFINITIONS**

Misbehaviour is defined as:

- Disruption in lessons, in corridors and at break and lunchtimes
- Non-completion of classwork
- Poor attitude
- Swearing or foul language

**Serious misbehaviour is defined as:**

- Repeated breaches of the school rules
- Any form of bullying
- Aggressive, threats or violence to another child or to a member of staff
- Sexual violence or sexual assault (e.g. intentional sexual touching without consent)
- Sexual harassment, meaning unwanted conduct of a sexual nature, such as:
  - Sexual comments
  - Sexual jokes or taunting
  - Physical behaviour like interfering with clothes
  - Online sexual harassment, such as unwanted sexual comments and messages (including on social media), sharing of nude or semi-nude images

and/or videos, or sharing of unwanted explicit content

- Vandalism
- Theft
- Fighting
- Smoking
- Racist, sexist, homophobic or discriminatory behaviour
- Possession of any prohibited items. These are:
  - Knives or weapons
  - Alcohol
  - Illegal drugs
  - Stolen items
  - Tobacco and cigarette papers
  - Fireworks
  - Pornographic images
  - Any article a staff member reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of, any person (including the pupil)

For more information on bullying and how bullying is defined at Godinton Primary School, please see section 6.11 of this policy and the school's Anti-Bullying Policy.

## **SECTION FOUR – ROLES AND RESPONSIBILITIES**

### **4.1 The Governing Body**

The Governing Body has the responsibility of setting down these general guidelines on standards of discipline and behaviour, and of reviewing their effectiveness.

The Governing Body is responsible for monitoring effectiveness of the school's Behaviour Policy and holding the Headteacher to account for its implementation.

### **4.2 The Headteacher**

The Headteacher is responsible for:

- Leading the creation and reinforcement of a culture in which children and staff flourish in safety and dignity
- Ensuring the health, safety and welfare of all children in the school.
- Reviewing and approving this behaviour policy

- Ensuring that the school environment encourages positive behaviour
- Ensuring that children are taught explicitly what good behaviour looks like
- Ensuring that all staff understand the behavioural expectations and the importance of maintaining them
- Ensuring that staff deal effectively with poor behaviour and are supported in doing so by the Senior Management Team
- Monitoring how staff implement this policy to ensure rewards and sanctions are applied consistently to all groups of pupils
- Providing new staff with a clear induction into the school's behavioural culture to ensure they understand its rules and routines, and how best to support all pupils to participate fully
- Offering appropriate training in behaviour management, and the impact of special educational needs and disabilities (SEND) and mental health needs on behaviour, to any staff who require it, so they can fulfil their duties set out in this policy
- Ensuring this policy works alongside the safeguarding policy to offer pupils both sanctions and support when necessary
- Ensuring that the data from the behaviour log is reviewed regularly, to make sure that no groups of pupils are being disproportionately impacted by this policy
- Reporting to governors, the effectiveness of the policy.
- Ensuring that records of all red card incidents of misbehaviour are logged on CPOMs.
- Issuing fixed-term exclusions to individual children for serious acts of misbehaviour. For repeated or very serious acts of anti-social behaviour, the Headteacher may permanently exclude a child.
- To arrange suitable training to support pupil behaviour as required.

#### **4.3 Teachers and staff**

Staff are responsible for:

- Creating a calm and safe environment for pupils
- Establishing and maintaining clear boundaries of acceptable pupil behaviour
- Implementing the behaviour policy consistently
- Communicating the school's expectations, routines, values and standards through teaching behaviour expectations and in every interaction with pupils
- Modelling expected behaviour and positive relationships
- Challenging pupils to meet the school's expectations

- Seeking help and support from the **Senior Management Team (SMT)** where needed and alerting the **SMT** to behaviour concerns. The **SMT** will support staff in responding to behaviour incidents.
- Providing a personalised approach to the specific behavioural needs of particular pupils
- Considering their own behaviour on the school culture and how they can uphold school rules and expectations, adhering to the **Staff Code of Conduct**
- Liaise with external agencies, as necessary, to support and guide the progress of each child. The class teacher may, for example, discuss the needs of a child with a social worker or specialist teacher, although these are in the main directed and led by our **SENCO**.
- To engage with training opportunities as required

The class teacher provides information about a child's behaviour on their written school report. Teachers may also request to speak to parents at parent consultation evening or via telephone if behaviour concerns arise.

Midday Supervisors also have a key role in supporting the behaviour of pupils. They will notify staff if a child's behaviour has been inappropriate and where it has been particularly positive. If a physical incident occurs at playtime then the Midday Supervisor will send the child involved to a senior member of staff immediately.

#### **4.4 Parents and carers**

Parents and carers should:

- Get to know the school's behaviour policy and reinforce it at home where appropriate
- Support their child in adhering to the school's behaviour policy
- Inform the school of any changes in circumstances that may affect their child's behaviour
- Discuss any behavioural concerns with the class teacher or member of the **SMT** promptly
- Take part in any pastoral meetings following misbehaviour (for example: attending reviews of specific behaviour interventions)
- Raise any concerns about the management of behaviour with the school with the Headteacher, whilst continuing to work in partnership with the school
- Take part in the life of the school and its culture

- The school will endeavour to build a positive relationship with parents and carers by keeping them informed about developments in their child's behaviour and the school's policy, and working in collaboration with them to tackle behavioural issues.

If parents have any concern about the way that their child has been treated, they should initially contact the class teacher. If the concern remains, they should contact the Headteacher and then the school governors. If these discussions cannot resolve the problem, a formal grievance or appeal process can be implemented. Further information is contained within our school complaints policy.

#### **4.5 Children**

Children will be made aware of the following:

- The expected standard of behaviour they should be displaying at school
- That they have a responsibility to follow the behaviour policy
- The school's key rules and routines
- The rewards they can earn for positive behaviours and attitudes, and the consequences they will face if they don't meet these
- The pastoral support that is available to them to help them with behaviour expectations
- The importance of sharing behaviour concerns about the behaviour of other children with a member of staff so that this can be addressed, especially incidents of bullying or abuse
- Children will be supported to develop an understanding of the school's behaviour policy and wider culture. They will be guided and nurtured by staff and encouraged to engage in conversation about behaviour.

## **SECTION FIVE – SCHOOL BEHAVIOUR CURRICULUM**

### **5.1 School Values**

The school has a set of core values which we expect all members of our school community to uphold. These were decided upon through consultation with our school community. Our school values include attitudes towards others and towards learning.

Our School Values are:

- We respect and listen to each other's views, opinions and ideas
- We love how we are all different



- We look for the best in each other
- We are kind, friendly and thoughtful
- We are honest
- We help and look after each other
- We always try our best
- We make sensible choices
- We show good manners
- We are proud to be part of the Godinton family

Our school values form a core part of our behaviour curriculum across the whole school. They are displayed in every classroom and in communal areas of the school. They are constantly reinforced to our children through our weekly celebration assemblies and during our **STAR (Showing Tolerance and Respect) Week**, which is held each term. They form the focus for whole school and mini-school assemblies.

## **5.2 Guiding Stars – Learning Behaviours**

As well as demonstrating outstanding behaviour towards others, we also expect the children to display positive learning behaviours, which will enable them to become independent and resilient learners.

Our **Guiding Stars** are the life skills that we want our children to master in order to be successful in their learning. These **Guiding Stars** guide our children through their **Learning Adventures** and **Creative Adventures** and develop the children's abilities to work with others, achieve their personal best and aim high in all areas. They encourage our children to be active learners and to develop resilience if they should find something tricky. Our **Guiding Stars** are derived from our **School Values**, which set the overall ethos for our school.

In all their lessons, our **Guiding Stars** help the children to be successful. Certain lessons will require certain skills from our **Guiding Stars** to be utilised and the children are supported in how they can use the skills required to maximum effect.

In addition to this, each subject area of our curriculum is an ambassador for a particular **Guiding Star**. The curriculum content helps to develop a greater understanding of each particular **Guiding Star** as described on the table below.

Being guided by these important life skills will assist our children in all aspects of their learning and will equip them with an essential toolkit that they will be

able to apply in a wide range of contexts.

**Our Guiding Stars are:**

<b>Communication</b>	<ul style="list-style-type: none"><li>• We make sure that we make a contribution in lessons by speaking when we are asked to.</li><li>• We are thoughtful in what we say.</li><li>• We don't call out or speak over others.</li><li>• We listen to others and are respectful about what they say.</li></ul>
<b>Motivation</b>	<ul style="list-style-type: none"><li>• We like to see things through to the end.</li><li>• We finish our work and make sure that it's the best it can be.</li><li>• We encourage, help and support others.</li><li>• We give them supportive feedback that makes them feel good about their learning.</li></ul>
<b>Perseverance</b>	<ul style="list-style-type: none"><li>• We are determined to get something finished in the time we have been given.</li><li>• We like to see a task through to the end.</li><li>• We keep going even if something is tricky.</li><li>• We use the things we already know to help us learn new things.</li></ul>
<b>Creative Thinking</b>	<ul style="list-style-type: none"><li>• We like to come up with good ideas and happily share these with the class.</li><li>• We know it doesn't matter if our idea doesn't work.</li><li>• We listen to other people's ideas and ask questions.</li><li>• We put our hand up and offer suggestions.</li></ul>
<b>Problem Solving</b>	<ul style="list-style-type: none"><li>• We know that sometimes there is more than one answer to a problem or question.</li><li>• We like to find all possibilities.</li><li>• We can try different things out until we reach a conclusion.</li><li>• We look closely at things and like to take care with our investigating.</li></ul>

<b>Risk Taking</b>	<ul style="list-style-type: none"> <li>• We are brave and aren't afraid to try new things.</li> <li>• We come out of our comfort zone.</li> <li>• We are happy to experiment.</li> <li>• We edit and improve to create a fantastic final piece.</li> <li>• We know that it doesn't matter if things don't work as long as we've tried our best.</li> </ul>
<b>Independence</b>	<ul style="list-style-type: none"> <li>• We are happy to work on our own but we can ask for help when we need it.</li> <li>• We are well organised and have everything ready for our learning.</li> <li>• We have strategies to help us out if we get stuck.</li> <li>• We are focused on our work and don't get distracted.</li> </ul>
<b>Personal Best</b>	<ul style="list-style-type: none"> <li>• We always want to do the best we can.</li> <li>• We like to challenge ourselves.</li> <li>• We like to improve.</li> <li>• We have high standards for all areas of our work.</li> <li>• We feel proud of our achievements.</li> </ul>
<b>Self Confidence</b>	<ul style="list-style-type: none"> <li>• We take pride in our work and enjoy getting compliments from other people.</li> <li>• We can evaluate our own work and know what has worked well and what we need to improve.</li> <li>• We are happy to try things out.</li> <li>• We listen to advice and can edit and improve.</li> </ul>
<b>Team Work</b>	<ul style="list-style-type: none"> <li>• We enjoy working with other children.</li> <li>• We can take turns and share ideas.</li> <li>• We know that our own ideas aren't more important than anyone else's.</li> <li>• We listen to the ideas of others and can give good supportive feedback.</li> </ul>

### 5.3 Class Rules and Behaviour Expectations

At the start of an academic year, each teachers reminds the children of the expected behaviours in our school and the key habits and routines children are expected to develop which are particular to the class or year group. A class

charter is drawn up outlining these expectations during a timetabled session.

This regular reinforcement helps to create a culture that promotes excellent behaviour. Teachers will refer to these expectations throughout the year and in addition to this, they are driven through school assemblies.

At Godinton Primary School, in addition to upholding our school values and learning behaviours (**Guiding Stars**) children are expected to:

- Behave and move around the school in an orderly and self-controlled way
- In class, make it possible for all pupils to learn
- Show respect to members of staff and each other
- Use appropriate language
- Demonstrate good manners e.g. wait and take turns when required, say please and thank you, demonstrate good table manners
- Treat the school buildings and school property with respect
- Accept sanctions when given
- Refrain from behaving in a way that brings the school into disrepute, including when outside school or online

This list is not exhaustive but represents the key themes, habits and routines required at Godinton.

#### **5.4 Personal, Social and Health Education (PSHE) Curriculum**

Our PSHE Curriculum (including our Sex and Relationship (SRE) curriculum) includes specific lessons for each year group in which behaviour expectations are explicitly taught. This includes lessons which focus on, amongst other things, making good choices, respect and consent, right and wrong, online safety and developing positive relationships with others. Details of our PSHE and SRE Curriculum and our PSHE and SRE policies can be found on the school website.

The school participates in National events such as Online Safety Day and Anti-Bullying Week in which focused lessons are taught on these specific aspects of behaviour.

Where appropriate and reasonable, adjustments may be made to routines within the curriculum to ensure all pupils can meet behavioural expectations in the curriculum.

## **SECTION SIX – RESPONDING TO BEHAVIOUR**

### **6.1 Classroom Management**

All school staff are responsible for setting the tone and context for positive behaviour within the school, with teachers and teaching assistants taking a lead in the classroom.

At Godinton Primary School, we will:

- Create and maintain a stimulating environment that encourages pupils to be engaged
- Display our school values and classroom rules so they are visible to all
- Develop a positive relationship with children, which may include:
  - Greeting pupils in the morning/at the start of lessons
  - Establishing clear routines
  - Making all children feel valued
  - Communicating expectations of behaviour in ways other than verbally
  - Highlighting and promoting good behaviour
  - Concluding the day positively and starting the next day afresh
  - Having a plan for dealing with low-level disruption
  - Using positive reinforcement

### **6.2 Safeguarding**

The school recognises that changes in behaviour may be an indicator that a pupil is in need of help or protection.

We will consider whether a pupil's misbehaviour may be linked to them suffering, or being likely to suffer, significant harm.

Where this may be the case, we will follow our Child Protection Policy, and consider whether pastoral support, an Early Help intervention or a referral to Children's Social Care is appropriate.

Please refer to our Child Protection policy for more information.

### **6.3 Responding to Positive Behaviour**

When a pupil's behaviour meets or goes above and beyond the expected behaviour standard, staff will recognise it with positive recognition and reward. This provides an opportunity for all staff to reinforce the school's culture and ethos.

Positive reinforcements and rewards will be applied clearly and fairly to reinforce

the routines, expectations and norms of the school's behaviour culture.

We praise and reward children for positive behaviour in a variety of ways, including:

- Verbal praise – staff congratulate children and acknowledge positive behaviour.
- Awarding certificates in our celebration assemblies,
- Weekly Star Award certificates, given to a child from each class who has demonstrated how they have upheld our school values. They are invited to a tea party with the Headteacher. A letter is sent home to parents to inform them of this.
- Operation of a successful house point system in which children earn house points for their House and are able to earn badges for their personal efforts and positive behaviour. Gold House point badge winners have a special end of year reward.
- Distribution of “gold cards” to children either for consistent good work or behaviour, or to acknowledge outstanding effort or acts of kindness in school. These children visit a member of staff, usually a member of the Senior Management Team for praise and a sticker to reward their efforts;
- All classes have an opportunity to lead an achievement assembly where they are able to show examples of their best work or particular talents.
- The school acknowledges all the efforts and achievements of children, both in and out of school. Children's achievements outside school are often celebrated in assemblies or in the monthly school newsletter.
- Class based rewards such as ‘golden time’ or ‘marble days’.
- Staff give children written and verbal feedback for achievement in their classwork including for having positive learning behaviours such as determination to improve.
- Positions of responsibility, such as prefect, House Captain, member of the Mini Management Team (School Council), Kindness Ambassador, Playground Buddy or class monitor.

All recognition of positive behaviour is fairly applied to all children within the school.

#### **6.4 Responding to Misbehaviour**

When a pupil's behaviour falls below the standard that can reasonably be expected of them, staff will respond in order to restore a calm and safe learning

environment, and to prevent recurrence of misbehaviour.

Staff will endeavour to create a predictable environment by always challenging behaviour that falls short of the standards, and by responding in a consistent, fair and proportionate manner, so pupils know with certainty that misbehaviour will always be addressed.

For some children, de-escalation techniques can be used to help prevent further behaviour issues arising, such as the use of pre-arranged scripts and phrases.

All pupils will be treated equitably under the policy, with any factors that contributed to the behavioural incident identified and taken into account when choosing sanctions and decisions will be made on a case-by-case basis, but with regard to the impact on perceived fairness. The age of the child will also be a contributory factor to the approach taken and adjustments made to the sanctions implemented to reflect the age and understanding of the children. Some adjustments may be temporary e.g. for a bereaved pupil.

When giving behaviour sanctions, staff will also consider what support could be offered to a pupil to help them to meet behaviour standards in the future.

If a pupil misbehaves, breaks a rule, fails to uphold our school values or learning expectations or fails to follow a reasonable instruction a punishment on that pupil.

To be lawful, the punishment must satisfy the following three conditions:

- The decision to punish the pupil must be made by a paid member of school staff
- The decision to punish the pupil and the punishment itself must be made on the school premises or while the pupil is under the charge of the member of staff; and
- It must not breach any other legislation and must be reasonable in all circumstances.

The school employs a number of sanctions to enforce the school values, and to ensure a safe and positive learning environment. We employ each sanction appropriately to each individual situation.

- We expect children to listen carefully to instructions in lessons. If they do not do so, we ask them either to move to a place nearer the teacher, or to sit on their own.
- We expect children to try their best in all activities. If they do not do so,

we may ask them to redo a task or to stay in at playtime to complete their work.

- Children are expected to behave in a way which is not disruptive to others. If a child is disruptive in class, the teacher will issue an initial warning, reminding the child of the behaviour expectations of the school. If there is further misbehaviour then the school's red and yellow card system will come into play (see section 6.5)
- If a child hurts another child or an adult, is unkind or damages property then the school's red and yellow card system will come into play (see section 6.5). The severity of the incident and circumstances, will determine as to whether the incident is dealt with as a more serious incident as outlined in section 7.
- After school detentions are not part of our school wide behaviour management systems. In rare circumstances, this may be a strategy used with a child with a particular behaviour support plan, which is planned in conjunction with parents.
- If a child's behaviour is dangerous or aggressive, we may isolate the child from the rest of the class until s/he calms down, and is in a position to work sensibly again with others. If the child is unable to be removed safely then the other children may be moved from the classroom environment. Children who have been isolated will continue to receive education under the supervision of a member of staff that is meaningful, but it may differ from the mainstream curriculum. Staff will only remove pupils from the classroom once other behavioural strategies have been attempted, unless the behaviour is so extreme as to warrant immediate removal. The severity of the incident and circumstances, will determine as to whether the incident is dealt with as a more serious incident as outlined in section 7.
- Removal can be used to:
  - Restore order if the pupil is being unreasonably disruptive
  - Maintain the safety of all pupils
  - Allow the disruptive pupil to continue their learning in a managed environment
  - Allow the disruptive pupil to regain calm in a safe space
- Children are not removed from classrooms for prolonged periods of time. Children will be reintegrated into the classroom as soon as appropriate and safe to do so. The school will consider what support is needed to help a pupil successfully reintegrate into the classroom and meet the



expected standards of behaviour. Parents will be informed on the same day that their child is removed from the classroom.

- The safety of our school community is paramount in all situations. If a child's behaviour endangers the safety of others, the class teacher stops the activity and prevents the child from taking part for the rest of that session. Support may be required from the Senior Management Team who should be called for as soon as possible to assist.
- In some circumstances a pupil's actions may result in a loss of privileges, for example the loss of a responsibility such as being a prefect or being unable to work with the rest of the class for part of the day, with work being provided, supported and supervised in an alternative room.
- Groups are not punished for the behaviour of individuals.

### **6.5 Red and yellow cards**

The school operates a red and yellow card system to clarify sanctions for pupils and to maintain consistency.

If a child misbehaves, they will be given a verbal warning, allowing them to take responsibility for rectifying their behaviour.

If a child continues to misbehave during that day, they will be given a yellow card.

If the child behaves for the remainder of the day, the child starts afresh the next day. However, if the child behaves inappropriately on the same day, after receiving a yellow card, they will be given a red card.

Children will be given a red card instantly for behaviour that physically harms another child, is dangerous or is abusive to others.

When a child is given a red card, they are sent to a member of the Senior Management Team or a Team Leader, for a physical incident this is usually the Headteacher or Assistant Headteacher. The incident is investigated thoroughly by the member of staff involved and where required all children involved in the incident are spoken to. The child who has misbehaved will be given support, where appropriate, to modify and rectify their actions.

A red card will result in a missed playtime (15 minutes from either morning or lunch break). This will usually be spent with a member of the Senior Management Team. The incident will be discussed and future expectations outlined. Children are able to eat their mid-morning snack, have a drink and use the toilet during this time. No child is prevented from eating their lunch as part

of this sanction. A letter is sent to parents/ carers informing them of the incident or a call is made to parents.

If an incident is of a more serious nature we will inform parents immediately by telephone or ask to see them at the end of the day.

Should the child receive two red cards in a term, they will be interviewed by the Headteacher, alongside the class teacher, to discuss the child's behaviour and how it can be improved.

Should the child receive three red cards in a term, parents will be invited to an interview with the child and the Headteacher. The class teacher and / or SENCo may also be involved in this meeting.

This meeting will involve looking at how best we can support an individual child in improving their behaviour. This may include: regular contact with parents (weekly or even daily), contact with parents through a behaviour book, group support work with the SENCO or Family Liaison Officer, a behaviour chart e.g. a friendship ladder, restructuring of playtimes or the involvement of outside agencies arranged through the SENCO.

Should the child receive four red cards in a term, a further meeting will be called, again involving the parents, Head, SENCo and class teacher, to discuss how suspension can be avoided. Any further incidents will result in the Headteacher reviewing whether an exclusion or further suspension is warranted.

The red card process may be suspended in some circumstances, for example, a child has a specific behavioural difficulty or a child is in a crisis situation and behaviour is out of character. In these circumstances, it is likely that a behavioural support plan will be initiated with input from parents and staff. Where rewards or sanctions are applied differently because of individual circumstances then, where appropriate, these adaptations may be explained to other pupils.

The school keeps a record of all red cards issued and uses this to assist in monitoring behaviour throughout the school.

The Headteacher keeps a record of any pupil who is suspended for a fixed-term, or who is permanently excluded and follows the county procedure for notifying parents and reintegrating the child back into school life.

Red card incidents are reported in the termly Headteacher's report to Governors. The Governing Body monitors the rate of suspensions and exclusions and ensures that the school policy is administered fairly and consistently.

This policy should be read in conjunction with the school's Anti-Bullying policy.

## **6.6 Reasonable force**

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

- Causing disorder
- Hurting themselves or others
- Damaging property
- Committing an offence

Incidents of reasonable force must:

- Always be used as a last resort
- Be applied using the minimum amount of force and for the minimum amount of time possible
- Be used in a way that maintains the safety and dignity of all concerned
- Never be used as a form of punishment
- Be recorded on CPOMs and reported to parents

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

Staff in our school do not hit, push or slap children. Corporal punishment is not allowed. The staff code of conduct policy outlines the school's expectations of staff.

## **6.7 Confiscation, searches, screening**

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

### **6.7.1 Confiscation**

Any prohibited items listed below, found in a pupil's possession as a result of a search will be confiscated. These items will not be returned to the pupil.

- Knives or weapons
- Alcohol
- Illegal drugs
- Stolen items

- Tobacco and cigarette papers
- Fireworks
- Pornographic images
- Any article a staff member reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of, any person (including the pupil) and is detrimental to school discipline.

In some circumstances the confiscated item may be returned to the child following consultation with the Senior Management Team but more often than not, they will be returned to the child's parents. Each case will be considered individually.

### **6.7.2 Searching a Pupil**

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

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

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

- The authorised member of staff carrying out the search reasonably believes there is risk that serious harm will be caused to a person if the search is not carried out as a matter of urgency; and
- In the time available, it is not reasonably practicable for the search to be carried out by a member of staff who is the same sex as the pupil; or
- It is not reasonably practicable for the search to be carried out in the presence of another member of staff

When an authorised member of staff conducts a search without a witness they should immediately report this to another member of staff, and ensure a written record of the search is kept.

If the authorised member of staff considers a search to be necessary, but is not required urgently, they will seek the advice of the Headteacher, Assistant Headteacher or designated safeguarding lead (or deputy) who may have more information about the pupil. During this time the pupil will be supervised and kept away from other pupils.

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

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

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

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

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

If they still refuse to co-operate, the member of staff will contact the Headteacher, to try and determine why the pupil is refusing to comply.

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

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

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

An authorised member of staff may search a pupil's outer clothing, pockets, possessions, desks or lockers. Outer clothing includes:

- Any item of clothing that is not worn immediately over a garment that is being worn wholly next to the skin or being worn as underwear (e.g. a jumper or jacket being worn over a t-shirt)
- Hats, scarves, gloves, shoes, boots
- Searching pupils' possessions
- Possessions means any items that the pupil has or appears to have control of, including:

Desk

Tray or Drawer

Bags

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

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

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

#### **6.7.3 Informing the designated safeguarding lead (DSL)**

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

- Of any incidents where the member of staff had reasonable grounds to suspect a pupil was in possession of a prohibited item as listed in section 3
- If they believe that a search has revealed a safeguarding risk

All searches for prohibited items (listed in section 3), including incidents where no items were found, will be recorded in the school's safeguarding system.

#### **6.7.4 Informing parents**

Parents will always be informed of any search for a prohibited item (listed in section 3). A member of staff will tell the parents as soon as is reasonably practicable:

- What happened
- What was found, if anything
- What has been confiscated, if anything
- What action the school has taken, including any sanctions that have been applied to their child

#### **6.7.5 Support after a search**

Irrespective of whether any items are found as the result of any search, the school will consider whether the pupil may be suffering or likely to suffer harm and whether any specific support is needed (due to the reasons for the search, the search itself, or the outcome of the search).

If this is the case, staff will follow the school's safeguarding policy and speak to the designated safeguarding lead (DSL). The DSL will consider if pastoral support, an early help intervention or a referral to children's social care is appropriate.

#### **6.7.6 Strip searches**

The authorised member of staff's power to search outlined above does not enable them to conduct a strip search (removing more than the outer clothing) and strip searches on school premises shall only be carried out by police officers in accordance with the Police and Criminal Evidence Act 1984 (PACE) Code C.

Before calling the police into school, staff will assess and balance the risk of a potential strip search on the pupil's mental and physical wellbeing and the risk of not recovering the suspected item.

Staff will consider whether introducing the potential for a strip search through police involvement is absolutely necessary, and will always ensure that other appropriate, less invasive approaches have been exhausted first.

Once the police are on school premises, the decision on whether to conduct a strip search lies solely with them. The school will advocate for the safety and wellbeing of the pupil(s) involved. Staff retain a duty of care to the pupil involved and should advocate for pupil wellbeing at all times.

#### **Communication and record-keeping for a strip search**

Where reasonably possible and unless there is an immediate risk of harm, staff

will contact at least 1 of the pupil's parents to inform them that the police are going to strip search the pupil before strip search takes place, and ask them if they would like to come into school to act as the pupil's appropriate adult. If the school can't get in touch with the parents, or they aren't able to come into school to act as the appropriate adult, a member of staff can act as the appropriate adult (see below for the role of the appropriate adult).

The pupil's parents will always be informed by a staff member once a strip search has taken place. The school will keep records of strip searches that have been conducted on school premises, and monitor them for any trends that emerge.

### **Who will be present for a strip search**

For any strip search that involves exposure of intimate body parts, there will be at least 2 people present other than the pupil, except in urgent cases where there is risk of serious harm to the pupil or others.

One of these must be the appropriate adult, except if:

- The pupil explicitly states in the presence of an appropriate adult that they do not want an appropriate adult to be present during the search, and
- The appropriate adult agrees

If this is the case, a record will be made of the pupil's decision and it will be signed by the appropriate adult.

No more than 2 people other than the pupil and appropriate adult will be present, except in the most exceptional circumstances.

- The appropriate adult will:
  - Act to safeguard the rights, entitlement and welfare of the pupil
  - Not be a police officer or otherwise associated with the police
  - Not be the Headteacher
  - Be of the same sex as the pupil, unless the pupil specifically requests an adult who is not of the same sex

Except for an appropriate adult of a different sex if the pupil specifically requests it, no one of a different sex will be permitted to be present and the search will not be carried out anywhere where the pupil could be seen by anyone else.

### **Care after a strip search**

After any strip search, the pupil will be given appropriate support, irrespective of



whether any suspected item is found. The pupil will also be given the opportunity to express their views about the strip search and the events surrounding it.

As with other searches, the school will consider whether the pupil may be suffering or likely to suffer harm and whether any further specific support is needed (due to the reasons for the search, the search itself, or the outcome of the search).

Staff will follow the school's safeguarding policy and speak to the designated safeguarding lead (DSL). The DSL will consider if, in addition to pastoral support, an early help intervention or a referral to children's social care is appropriate.

Any pupil(s) who have been strip searched more than once and/or groups of pupils who may be more likely to be subject to strip searching will be given particular consideration, and staff will consider any preventative approaches that can be taken.

#### **6.7.7 Screening**

Godinton primary School does not screen pupils open entry to the school.

#### **6.8 Behaviour incidents which occur outside the school grounds**

Sanctions may be applied where a pupil has misbehaved off-site when representing the school. This means misbehaviour when the pupil is:

- Taking part in any school-organised or school-related activity (e.g. school trips)
- Travelling to or from school
- Wearing school uniform
- In any other way identifiable as a pupil of our school

Sanctions may also be applied where a pupil has misbehaved off-site, at any time, whether or not the conditions above apply, if the misbehaviour:

- Could have repercussions for the orderly running of the school
- Poses a threat to another pupil
- Could adversely affect the reputation of the school

Sanctions will only be given out on school premises or elsewhere when the pupil is under the lawful control of a staff member (e.g. on a school-organised trip). Each case will be considered individually.

### **6.9 Online misbehaviour**

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

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

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

### **6.10 Suspected criminal behaviour**

If a pupil is suspected of criminal behaviour, the school will make an initial assessment of whether to report the incident to the police. When establishing the facts, the school will endeavour to preserve any relevant evidence to hand over to the police.

If a decision is made to report the matter to the police, the Headteacher will make the report.

The school will not interfere with any police action taken. However, the school may continue to follow its own investigation procedure and enforce sanctions, as long as it does not conflict with police action.

If a report to the police is made, the designated safeguarding lead (DSL) will make a tandem report to children's social care, if appropriate.

Should the police wish to speak to any pupil, this must not take place on school premises, except in exceptional circumstances and certainly not without an appropriate adult being present.

In these extremely rare occurrences, every effort must be made to notify parents/guardians to ensure that they can attend such an interview, but where waiting for an appropriate adult would cause unreasonable delay and unless the interviewee is suspected of an offence against the school or the staff, the Headteacher or their nominee can act as an appropriate adult for the purposes of the interview. The appropriate adult must advise the pupil and observe whether or not the interview is being conducted in an appropriate manner.

A pupil must not be arrested at the place of education unless this is unavoidable, in which case the Headteacher or his nominee must be informed.

### **6.11 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.

Bullying is, therefore:

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

Godinton Primary School does not tolerate bullying of any kind. If we discover that an act of bullying or intimidation has taken place, we act immediately to stop any further occurrences of such behaviour. This policy should be read in conjunction with our anti-bullying policy, which provides further information about types of bullying and how this is addressed by the school.

### **6.12 Zero-tolerance approach to sexual harassment and sexual violence**

The school will ensure that all incidents of sexual harassment and/or violence are met with a suitable response, and never ignored. Pupils are encouraged to report anything that makes them uncomfortable, no matter how 'small' they feel it might be.

The school's response will be:

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

The school has procedures in place to respond to any allegations or concerns regarding a child's safety or wellbeing. Please refer to our child protection policy for more information.

### **6.13 Malicious allegations**

Where a pupil makes an allegation against a member of staff and that allegation is shown to have been deliberately invented or malicious, the school will consider whether to discipline the pupil in accordance with this policy.

Where a pupil makes an allegation of sexual violence or sexual harassment

against another pupil and that allegation is shown to have been deliberately invented or malicious, the school will consider whether to discipline the pupil in accordance with this policy.

In all cases where an allegation is determined to be unsubstantiated, unfounded, false or malicious, the school (in collaboration with the local authority designated officer (LADO), where relevant) will consider whether the pupil who made the allegation is in need of help, or the allegation may have been a cry for help. If so, a referral to children's social care may be appropriate.

The school will also consider the pastoral needs of staff and pupils accused of misconduct.

Please refer to our Child Protection policy and policy for Managing Allegations Against Staff for more information on responding to allegations of abuse against staff or other pupils.

## **SECTION SEVEN – SUSPENSIONS AND EXCLUSIONS**

### **7.1 Aims**

Some behaviour will result in suspension or when all other possibilities have been considered, permanent exclusion. Examples of such behaviour can be:

- Ongoing threatening and abusive language towards staff members.
- Any form of deliberate, extreme physical violence to pupils or staff.
- Extreme cases of bullying.
- Significant damage to school/other pupil's property.
- Theft.
- Extreme, continuous disobedience towards staff.
- Behaviour causing extreme distress to others.

Godinton Primary School is committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.

Our school aims to:

- Ensure that the exclusions process is applied fairly and consistently
- Help governors, staff, parents and pupils understand the exclusions process
- Ensure that pupils in school are safe and happy

- Ensure all suspensions and permanent exclusions are carried out lawfully

### 7.1.1 Off- Rolling

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

“The practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil.”

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

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

## 7.2 Definitions

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

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

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

## 7.3 Roles and responsibilities

### 7.3.1 The Headteacher

#### Deciding whether to suspend or exclude

Only the Headteacher, or Acting Headteacher, can suspend or permanently exclude a pupil from school on disciplinary grounds. The decision can be made in

respect of behaviour inside or outside of school. The Headteacher will only use permanent exclusion as a last resort.

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

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

Before deciding whether to suspend or exclude a pupil, the Headteacher will:

- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked
- Allow the pupil to give their version of events
- Consider whether the pupil has special educational needs (SEN)
- Consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker, or is a looked-after child (LAC))
- Consider whether all alternative solutions have been explored, such as off-site direction or managed moves

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

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

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

### **Informing parents**

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

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

The parents will also be provided with the following information in writing,

without delay:

- The reason(s) for the suspension or exclusion
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- Information about parents' right to make representations about the suspension or permanent exclusion to the governing board and how the pupil may be involved in this
- How any representations should be made

Where there is a legal requirement for the Governing Body to hold a meeting to consider the reinstatement of a pupil, and that parents (or the pupil if they are 18 years old) have a right to attend the meeting, be represented at the meeting (at their own expense) and to bring a friend

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

- For the first 5 school days of an exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. This will include specifying on which days this duty applies
- Parents may be given a fixed penalty notice or prosecuted if they fail to do this
- If alternative provision is being arranged, the following information will be included, if possible:
  - The start date for any provision of full-time education that has been arranged
  - The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant
  - The address at which the provision will take place
  - Any information the pupil needs in order to identify the person they should report to on the first day

If the Headteacher does not have all the information about the alternative provision arrangements by the end of the afternoon session on the first day of the suspension or permanent exclusion, they can provide the information at a later date, without delay and no later than 48 hours before the provision is due to start.

The only exception to this is where alternative provision is to be provided before

the sixth day of a suspension or permanent exclusion, in which case the school reserves the right to provide the information with less than 48 hours' notice, with parents' consent.

### **Informing the Governing Body**

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

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

The Headteacher will notify the Governing Body once per term (6 times a year) of any other suspensions of which they have not previously been notified, and the number of suspensions and exclusions, which have been cancelled, including the circumstances and reasons for the cancellation. This is put into the Headteacher's termly report to Governors.

### **Informing the Local Authority (LA)**

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

The notification will include:

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

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

The Kent Exclusion guidance for Headteachers, which includes an outline of how to notify the LA can be found at:

<https://www.kelsi.org.uk/pru-inclusion-and-attendance-service-pias/exclusion-and-reintegration/guidance-on-exclusion>



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

If a:

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

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

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

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

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

## **Cancelling suspensions and permanent exclusions**

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

- The parents, Governing Body and LA will be notified without delay
- Where relevant, any social worker and VSH will notified without delay
- Parents will be offered the opportunity to meet with the Headteacher to discuss the cancellation

- As referred to above, the Headteacher will report to the Governing Body once per term on the number of cancellations
- The pupil will be allowed back in school

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

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

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

### **7.3.2 The Governing Body**

#### **Considering suspensions and permanent exclusions**

Responsibilities regarding exclusions are delegated to the Appeals Panel of the Governing Body.

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

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

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

#### **Monitoring and analysing suspensions and exclusions data**

The Appeal Panel will challenge and evaluate the data on the school's use of suspension, exclusion, off-site direction to alternative provision and managed moves. They will consider how effectively and consistently the school's behaviour

policy is being implemented and the characteristics of suspended and permanently excluded pupils and why this is taking place

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

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

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

### **7.4 Considering the reinstatement of a pupil**

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

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

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

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

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

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

- Parents,
- The pupil, if it would be appropriate to their age and understanding (and, where requested, a representative or friend)
- The Headteacher
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after

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

The Appeal Panel can either:

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

In reaching a decision, the Appeal Panel will consider:

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

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

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

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

- The parents,
- The Headteacher
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after
- The Local Authority

- The pupil's home authority, if it differs from the school's

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

The fact that it is a permanent exclusion

- Notice of parents' right to ask for the decision to be reviewed by an independent review panel
- The date by which an application for an independent review must be made (15 school days from the date on which notice in writing of the Appeal Panel's decision.
- The name and address to which an application for a review and any written evidence should be submitted
- That any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the pupil's special educational needs (SEN) are considered to be relevant to the permanent exclusion
- That, regardless of whether the excluded pupil has recognised SEN, parents have a right to require the Academy Trust to appoint an SEN expert to advise the review panel
- Details of the role of the SEN expert and that there would be no cost to parents for this appointment
- That parents must make clear if they wish for an SEN expert to be appointed in any application for a review
- That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review
- That, if parents believe that the permanent exclusion has occurred as a result of unlawful discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. Also that any claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

## 7.5 Independent review

If parents apply for an independent review within the legal timeframe, the school will arrange for an independent panel to review the decision of the governing board not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents by the Appeal Panel of its decision to not reinstate the pupil or, if after this time, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 regarding the permanent exclusion.

A panel of three or five members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, two members will come from the school governor category and two members will come from the Headteacher category. At all times during the review process there must be the required representation on the panel.

- A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer
- Current or former school governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or Headteachers during this time
- Headteachers or individuals who have been a Headteacher within the last 5 years

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

- Are a member or trustee of the Academy Trust of the excluding school
- Are the Headteacher of the excluding school, or have held this position in the last 5 years
- Are an employee of the school, 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 school, Governing Body, parents or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
- Have not had the required training within the last 2 years

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

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

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

exclusion.

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

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

Following its review, the independent panel will decide to do one of the following:

- Uphold the governing board's decision
- Recommend that the governing board reconsiders reinstatement
- Quash the Governing Body's decision and direct that they reconsider reinstatement (only if it judges that the decision was flawed)

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

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

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

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

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

This notification will include:

- The panel's decision and the reasons for it
- Where relevant, details of any financial readjustment or payment to be made if the governing board does not subsequently decide to offer to

reinstate the pupil within 10 school days

- Any information that the panel has directed the governing board to place on the pupil's educational record

## **7.6 School registers**

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

15 school days have passed since the parents were notified of the Appeal Panel's decision to not reinstate the pupil and no application has been made for an independent review panel, or

The parents have stated in writing that they will not be applying for an independent review panel.

Where an application for an independent review has been made within 15 school days, the Appeal Panel will wait until that review has concluded before removing a pupil's name from the register.

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

Where a pupil's name is to be removed from the school admissions register because of a permanent exclusion, the school will make a return to the LA, which will include all the required information, including the grounds upon which their name is to be deleted from the admissions register (i.e., permanent exclusion)

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

## **7.7 Returning from a suspension**

### **7.7.1 Reintegration strategy**

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

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

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

- Maintaining regular contact during the suspension or off-site direction and



welcoming the pupil back to school

- Mentoring by a trusted adult
- Regular reviews with the pupil and parents to praise progress being made and raise and address any concerns at an early stage
- Pastoral support work

Part-time timetables will not be routinely used as a tool to manage behaviour and, if used, will be put in place for the minimum time necessary.

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

### **7.7.2 Reintegration meetings**

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

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

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

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

## **SECTION EIGHT – RESPONDING TO MISBEHAVIOUR FROM PUPILS WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITY**

### **8.1 Recognising the impact of SEND on behaviour**

The school recognises that pupils' behaviour may be impacted by a special educational need or disability (SEND).

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

impact on an incident of misbehaviour will be made on a case-by-case basis.

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

- Taking reasonable steps to avoid causing any substantial disadvantage to a disabled pupil caused by the school's policies or practices (Equality Act 2010)
- Using our best endeavours to meet the needs of pupils with **SEND** (Children and Families Act 2014)
- If a pupil has an education, health and care (**EHC**) plan, the provisions set out in that plan must be secured and the school must co-operate with the local authority and other bodies

As part of meeting these duties, the school will anticipate, as far as possible, all likely triggers of misbehaviour, and put in place support to prevent these from occurring.

Any preventative measures will take into account the specific circumstances and requirements of the pupil concerned.

Our approach may include, but is not limited to:

- Short, planned movement breaks for a pupil with **SEND** who finds it difficult to sit still for long
- Adjusting seating plans to allow a pupil with visual or hearing impairment to sit in sight of the teacher
- Adjusting uniform requirements for a pupil with sensory issues or who has severe eczema
- Training for staff in understanding conditions such as autism
- Use of separation spaces (nurture room) where pupils can regulate their emotions during a moment of sensory overload

## **8.2 Adapting sanctions for pupils with SEND**

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

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

If the answer to any of these questions is yes, it may be unlawful for the school to sanction the pupil for the behaviour.

The school will then assess if it is appropriate to use a sanction and if so, whether any reasonable adjustments need to be made to the sanction.

### **8.3 Considering whether a pupil displaying challenging behaviour may have unidentified SEND**

The school's special educational needs co-ordinator (SENCO) may evaluate a pupil who exhibits challenging behaviour to determine whether they have any underlying needs that are not currently being met.

Where necessary, support and advice will also be sought from specialist teachers, an educational psychologist, medical practitioners and/or others, to identify or support specific needs.

When acute needs are identified in a pupil, we will liaise with external agencies and plan support programmes for that child. We will work with parents to create the plan and review it on a regular basis.

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

The provisions set out in the EHC plan must be secured and the school will co-operate with the local authority and other bodies.

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

## **SECTION NINE – SUPPORTING CHILDREN FOLLOWING A SANCTION**

Following a sanction, the school will consider strategies to help pupils to understand how to improve their behaviour and meet the expectations of the school.

This may include, but is not limited to:

- Targeted discussions with class teacher or member of the SMT (this will outline expectations, what they did wrong, the impact of their actions, how they can do better in the future and what will happen if their behaviour fails to improve).
- Reintegration meetings

- Daily contact with the FLO or SMT
- A report card with personalised behaviour goals
- Pastoral intervention support

The approach taken will depend on the needs of the child and the sanction applied.

## **SECTION TEN – PUPIL TRANSITION**

### **11.1 Inducting incoming pupils**

The school will support incoming pupils to meet behaviour standards by offering an induction process to familiarise them with the behaviour policy and the wider school culture.

### **11.2 Preparing outgoing pupils for transition**

To ensure a smooth transition to the next year, pupils have meetings with their new teachers at which behaviour expectations are often outlined. In addition, staff members hold transition meetings where information about children is shared with the receiving teacher.

To ensure behaviour is continually monitored and the right support is in place, information related to pupil behaviour issues may be transferred to relevant staff at the start of the term or year.

## **SECTION ELEVEN – CHILDREN IN CARE**

As for all our pupils, Godinton Primary School is committed to helping every Child in Care achieve the highest standards they can. To this end staff will ensure that Children in Care are supported with all issues relating to behaviour and discipline.

## **SECTION TWELVE– MONITORING ARRANGEMENTS**

### **12.1 Monitoring and evaluating school behaviour**

The school will collect data on the following:

- Behavioural incidents (all red cards or incidents for children with behaviour support plans where the red and yellow card system has been

adapted)

- Attendance, permanent exclusion and suspension
- Incidents of searching, screening and confiscation
- Surveys from members of the school community (staff, parents and children)

The data will be analysed every term (6 times a year) by the Headteacher.

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

- At school level
- By year group
- By protected characteristic

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

### **13.2 Monitoring this policy**

This behaviour policy will be reviewed by the Headteacher and Strategy Group at least annually, or more frequently, if needed, to address findings from the regular monitoring of the behaviour data (as per section 13.1).

The policy is shared with parents on the school website.

## **SECTION THIRTEEN – EQUALITY STATEMENT (Refer also to specific policies for equal opportunities and racial equality)**

At Godinton Primary School, we are committed to ensuring equality of opportunity for all members of our school community irrespective of race, religion or belief, gender, gender reassignment, disability, sexual orientation, age, pregnancy or maternity, marriage and civil partnership or socio-economic background. We are determined to develop a culture of inclusion and diversity in which all those connected to the school feel proud of their identity and ability to participate fully in school life.

We tackle discrimination through the positive promotion of equality by challenging stereotypes and by creating an environment that champions respect for all. At Godinton Primary School, we believe that diversity is a strength that should be respected and celebrated by all those who learn, teach and visit us.

All school policies have an explicit aim of promoting equality and will be reviewed in terms of their contribution and effectiveness in achieving this aim.