



# Positive Behaviour Policy

This policy was adopted/updated:	December 2021
This policy will be reviewed:	December 2022
Governor Committee Responsibility:	Full Governing Body
Statutory policy:	Yes Published on website

Signed (Chair of Governors): *Ratified FGB*

Date: *Dec 2021*

## POSITIVE BEHAVIOUR POLICY

*Together we learn and grow*

**This school is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.**

**We have carefully considered and analysed the impact of this policy on equality and the possible implications for pupils with protected characteristics, as part of our commitment to meet the Public Sector Duty requirement to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations.**

The purpose of this policy is to ensure that:

- Children feel safe in school
- There is a consistent approach to behaviour management across the school

*This policy pays due regard to the equality act 2010 – including aspects of safeguarding and SEND. It relates directly to our safeguarding policy, e-safety policy and our behaviour statement which applies to all members of our school community*

At Maple Infants' School we seek to promote positive behaviour based on mutual respect between all members of the school community. The ethos of the school supports the belief that

***A child's personal and social development is a fundamental aspect of the education of the whole child.***

*"Consider how much impact could be made if every member of the school, whether child or adult, was committed to creating an environment where everyone was regularly listened to and encouraged, where a school made clear its commitment to finding ways of building relationships and giving support to all its members."*

J. Mosley

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### **1. A CONSISTENT APPROACH TO BEHAVIOUR MANAGEMENT - A WHOLE SCHOOL APPROACH**

**1.1.** For a positive behaviour system to be successful it is essential that our children experience a consistent approach to behaviour management by each member of the school staff. This policy sets out that approach and all staff are expected to uphold the principles within. Trainee teachers and temporary or supply teachers are, also, expected to become familiar with the approach and employ it during their time at Maple. Teaching Assistants, lunchtime supervisors (SMSAs) and office staff play a large part in maintaining consistency of expectation.

**1.2.** The phrase 'certainty not severity' should also be considered when dealing with behaviour.

**1.3.** The Golden Rules promote moral values and they are visible in all classrooms and often referred to in assemblies or when reminding children of what we aspire to as a whole school group. The rules are:

### **THE GOLDEN RULES**

- We are gentle, we don't hurt others
- We are kind and helpful, we don't hurt anybody's feelings
- We listen, we don't interrupt
- We are honest, we don't cover up the truth
- We work hard, we don't waste our own or others' time
- We look after property, we don't waste or damage things

**1.4.** Regular Circle Time promotes good relationships and positive behaviour. It also enhances the children's speaking and listening skills. Circle Time sessions encourage everyone's views and ideas and promote a caring, supportive environment. These sessions can also allow time to explore areas of concern relating to relationships and behaviour within the school. They often result in further discussion at School Parliament level and are usually related to the Maple Golden Rules.

## **2. STRONG SCHOOL LEADERSHIP**

Maple Infant's School Governing Body is committed to supporting high standards of behaviour.

The Governors have written a statement of general behaviour principles to guide the Head Teacher in determining measures to promote good behaviour (see Appendix 1)

The Head Teacher will have a high profile amongst the children and develop positive relationships which will enable a more personal approach to dealing with unacceptable behaviour. The Head Teacher will support all staff in maintaining good discipline and will keep staff, parents and governors up to date with DfE and local guidance relating to behaviour in schools.

### **See Appendix 2**

Unacceptable behaviour will be dealt with promptly and effectively to ensure that learning is not disrupted and that children's and staff's emotional wellbeing is not compromised.

Our approach to behaviour will have due regard to the Equality Act, Special Educational Needs and safeguarding procedures.

## **3. CLASSROOM MANAGEMENT**

**3.1.** Classroom management is key to promoting good behaviour. At the beginning of each school year, the teachers work together with the children to develop their own set of classroom rules related to the Golden Rules but more specific. Expectations in each class may differ slightly but all have the same basis and make for well organised systems and good pupil behaviour. All teachers have their own individual systems for managing a

positive approach to behaviour and these are often devised and agreed upon by the class. The older children are encouraged to act as good role models to our new pupils and are expected to help and support them.

At Maple we expect all classrooms to have:

- A positive classroom tone
- Clear classroom rules displayed which have been agreed by the teacher and the class.
- Clear expectations about work and work that is set at an appropriate level for the child
- A visual timetable so children know what is planned for the day.
- An attractive, tidy, well-cared for environment.
- A well-planned environment so that children can move easily, can find resources, property respected etc.
- A time out area for children to 'cool down'. In classroom and by arrangement with colleague.
- Class lists and details of pupils (with due regard to information sharing principles) who are being supported with their behaviour available for cover/supply teachers so that consistency can be maintained
- Strategic seating arrangements for children when working on the carpet or at a table.

## **4. REWARDS AND SANCTIONS**

### **4.1. Rewards**

Rewards are used to support class and team working as well as providing ideal means of rewarding notably good behaviour. Within the established positive learning environment at Maple Infants' School, children should expect to receive regular praise from all they come in to contact with. Class teachers are encouraged to agree rules with their new classes and use a range of personally favoured strategies as incentives for the pupils to behave well. Such strategies include:

- Golden Time
- Verbal praise and encouragement
- Non-verbal praise – e.g. thumbs up
- Written remarks about good work
- Stickers
- Sending children to another teacher or the Head Teacher to share their work/good behaviour
- Displaying pupils' work and achievements
- Certificates to celebrate children's success (for behaviour and academic achievement)

### **4.2. Sanctions**

When a pupil's behaviour falls below an acceptable standard, a range of sanctions will be enforced. Through working closely and openly with pupils and their families, we at Maple Infants' School aim, to resolve behavioural issues at the earliest possible stage. Behavioural concerns are logged by class teachers and monitored regularly by the Head Teacher and Deputy Head Teacher.

The purpose of a sanction is:

- To ensure that children understand when their behaviour has been unacceptable
- To show that action has been taken where another child, or children, has been hurt or upset as the result of another child's behaviour

Whatever the sanction issued the behaviour will be discussed with the child so that they understand why the behaviour is unacceptable. Staff are discouraged from punishing the whole group unless this is unavoidable or appropriate.

It is essential that the sanction be proportional to the behaviour. The table below sets out the range of sanctions we have to deal with unacceptable behaviours:

Low Level Behaviour  Parents will be notified if persistent	<b>Serious Behaviour</b>  <b>Parents will always be notified</b>  <i><b>For example: swearing, deliberately hurting another child, wilfully breaking/damaging property, fighting</b></i>
Verbal reminder	A Behaviour Incident form will be completed
Verbal warning – reminder of next steps to be given	Refer to senior member of staff
Time out (may be self-elected)	Time out in additional room – Acacia/Holly – <b>not in a public place</b>
Partial loss of playtime or lunchtime or walking with an adult during these times	Internal exclusion – this is usually with the Head Teacher
Discussion with family	Exclusion

**(See Appendix 3 & 4)**

### **4.3. Pupil Support Systems**

At Maple Infants' School we understand that how a child behaves can be a sign of an underlying issue. Staff are trained to look out for changes in behaviour which could include:

- A child who is withdrawn and unable to make friends
- A child who is unable to concentrate on classwork
- A child who may become disruptive/aggressive in class or at playtimes

In such cases any emotional/behavioural difficulties should be determined. Pupils will be given the opportunity to share their thoughts and feelings with a chosen adult either individually or within a nurture group. We may also take the decision to refer to an outside agency for additional emotional support.

The SENCo and Head Teacher will assist with any persistent challenging behaviour in any context. An assessment of the child's needs is undertaken and a meeting with school staff and parents is initiated. At this meeting the following will be discussed:

Action	Purpose	Possible strategies
Placing the child on the SEN register.		
Creating an individual behaviour plan (IBP)/Pupil Passport (PP)	Focus on strategies which may provide a change in the child's behaviour	Time out (either in class or out) this must be a safe space agreed with the child when developing their IBP/PP. IBP/PP can include earning 'points' towards a negotiated reward. Nurture group support
Referral to behaviour support	This could also include other outside agencies e.g. Family Support Worker	Provide additional strategies and support to school and family beyond our expertise
Implementing a more focused monitoring process.	Records must be kept to gather a picture of the behaviour, including when things are going right.	Lunch/playtime book, log of aggressive incidents

#### 4.4 Exclusion

Only the headteacher can exclude a pupil from school. If the headteacher is absent from school, the authority rests with the most senior teacher who is acting in that role.

Any decision of a school, including exclusion, must be made in line with the principles of administrative law, i.e. that it is lawful (with respect to the legislation relating directly to exclusions and a school's wider legal duties, including the European Convention on Human Rights and the Equality Act 2010); rational; reasonable; fair and proportionate.

*AfC: Guidance on the use of exclusion from school  
For the attention of headteachers  
Effective from 1 September 2017*

#### 4.5 Use of reasonable force

Any physical Intervention strategies comply with the guidance detailed in Use of reasonable force – Advice for headteachers, staff and governing bodies DfE July 2013. A risk assessment will be drawn up should physical intervention become a likely need. At this point, support from outside agencies will also be commissioned, if not already in place. See Physical Intervention Policy.

## **5. Other Strategies to Support**

**5.1.** Through our PSHE curriculum and assemblies children have the opportunity to discuss issues and voice concerns. Stories, images and songs are shared which children are encouraged to reflect upon.

**5.2.** The school believes that nobody has the right to hurt other people by hitting or kicking them, calling names, spreading rumours about them or by doing anything else which is intended to be upsetting. All children have a right to learn in a supportive, caring and safe environment without fear of being bullied. The school has a clear policy on the promotion of positive behaviour. Bullying is wrong and it will not be tolerated at Maple Infants' School – See Anti-Bullying Policy.

### **5.3. Playtimes**

- Behaviour during morning and afternoon break times is monitored by the staff on duty
- Staff zone the playground area
- At the mid-morning break staff handle minor issues and refer to teaching staff if/when appropriate.
- Persistent low-level, medium and high level incidents are recorded

### **5.4. Lunchtime (Also refer to Guidelines for Midday Assistants)**

- Lunch times are the immediate responsibility of the staff on duty led by the lunchtime manager/midday supervisors.
- The playground is zoned
- We aim to reduce playground problems by ensuring staff are trained in playground games and positive behavioural management.
- Pupils have access to school based approaches such as stickers, the Friendship Stops.
- At lunchtimes the staff report major problems to the lunchtime manager who, in turn may choose to report to the class teacher or a member of the Senior Leadership Team
- Minor incidents are reported directly to the class teacher by a member of staff on duty
- Persistent low-level, medium and high level incidents are recorded

### **5.5. School Trips and pupils' conduct outside the school gates**

Excellent behaviour is expected on all school trips. Robust risk assessments support the success of trips and the needs of groups or individuals are considered carefully to promote this success.

Sanctions may also be applied where a pupil has misbehaved whilst;

- taking part in any school-organised or school-related activity or
- travelling to or from school or
- wearing school uniform or
- in some other way identifiable as a pupil at the school.

In all cases of misbehaviour the teacher can only discipline the pupil on school premises or elsewhere when the pupil is under the lawful control of the staff member.

## **6. STAFF IMPLEMENTATION, DEVELOPMENT AND SUPPORT**

### **6.1. Development**

- Part of the process of annually reviewing this policy involves all staff being reminded about practice and principles of promoting excellent behaviour whilst being able to contribute ideas to improving practice, within the classroom, around school and at playtimes and lunchtime
- The Head Teacher will ensure that staff are kept up to date with DfE publications and guidance.
- The school will provide training for staff around the specific needs of pupils with continual behaviour problems. This will form part of our 'package' for support and intervention for that child usually organised by our SENCo.

### **6.2. Support**

- The Head Teacher and Governors recognise their responsibility to support staff, particularly when there is a child with challenging behaviour in their class. This is done through offering advice, ensuring support with sanctions and paying due regard to staff health and wellbeing.
- Where a member of staff has been accused of misconduct pending an investigation, employers should not automatically suspend that member of staff. The governing body should instruct the Head Teacher to draw on the advice in the DfE 'Dealing with Allegations of Abuse against Teachers and Other Staff' guidance when setting out the pastoral support school staff can expect to receive if they are accused of misusing their powers.

## **7. LIAISON WITH PARENTS AND OTHER AGENCIES**

**7.1** Working with parents is an important part of supporting children with their behaviour. At Maple Infants' School we make sure that parents are informed of incidents involving their child, especially where this behaviour has been of a serious or of a continuous low-level nature.

**7.2.** Parents are actively encouraged to be involved in their children's education at all times at Maple Infants' School. They have a major influence on the development of their children's personality and behaviour. The school acknowledges the importance of home school partnerships. This is strongly promoted through the schools' home school agreement whereby parents are encouraged to sign to show a commitment to the ethos and work of the school.

**7.3.** We have a number of agencies which are available to support children and families with behaviour either at home, at school or both.



## **8. MANAGING PUPIL TRANSITION**

### **8.1. Entering Reception**

We work closely with our pre-school providers and gather information from conversations and observations. Where necessary we will add in extra visits to a child's induction if we feel this will help establish relationships with staff and make the transition into school a positive start for the child and parents.

### **8.2. Mid-year joiners**

If pupils join Maple Infants' School mid-year the Head Teacher will meet with the child and parents and share our approach and expectations of behaviour. We ask parents to be honest about any behaviour or friendship issues their child may have experienced.

### **8.3. Moving to the Junior School**

As part of our transition work we ensure that relevant information is passed onto the Year 3 team and where necessary the Head Teacher. The Year 2 teachers work closely throughout the summer term (earlier if needed for some individuals) to ensure that established strategies, rewards and sanctions are continued as far as possible as children move into the junior school.

## **9. SCREENING AND SEARCHING**

Our policy regarding screening, searching and confiscation is to follow the advice as set out by the DfE: Screening, searching and confiscation – Advice for headteachers, staff and governing bodies, February 2014. ([www.education.gov.uk](http://www.education.gov.uk))

## Appendices

1. Written Statement of Behaviour Principles – pg. 11
2. What the Law says - pg. 12
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4. Behaviour Incident Form – pg. 14
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## Written Statement of Behaviour Principles

***This school is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.***

- Every child has the right to be listened to, be valued and respected and to feel and be safe
- Everyone has the right to learn free from the disruption of others
- Maple Infants' School is an inclusive school; all members of our school community should be free from any form of discrimination
- It is expected that ALL staff, governors and volunteers will set excellent examples to the children at all times
- Rewards, sanctions and reasonable force are used consistently by staff, in line with the behaviour policy
- The Positive Behaviour Policy is understood by pupils and staff
- We seek to support every child to be able to take responsibility for his/her own actions
- The school's Positive Behaviour Policy will ensure that there are measures to encourage and promote good behaviour, self-control and respect, and prevent all forms of bullying amongst our children; it also provides guidance on use of reasonable force
- The school's Positive Behaviour Policy will also include and explain that exclusions will only be used as a last resort, and outlines the processes involved in permanent and fixed-term exclusions
- Families are involved in behaviour incidents to foster good relationships between the school and pupils' home life
- The school will fulfil its' legal duties under the Equality Act 2010 in respect of safeguarding, children with special educational needs and all vulnerable children

***The governing board also emphasises that violence or threatening behaviour will not be tolerated in any circumstances.***

This written statement of behaviour principles is reviewed and approved by the full governing board every three years.

This statement was updated:	February 2020
This statement will be reviewed:	February 2023
Governor Committee Responsibility:	Full Governing Body
Statutory policy:	Yes Published on website

## Appendix 2

What the Law says:

A School Behaviour Policy in maintained schools.

1. The Head Teacher must set out measures in the behaviour policy which aim to:

- promote good behaviour, self-discipline and respect;
- prevent bullying;
- ensure that pupils complete assigned work; and which
- regulate the conduct of pupils.

2. When deciding what these measures should be, the Head Teacher must take account of the governing body's statement of behaviour principles. The Head Teacher must have regard to any guidance or notification provided by the governing body which may include the following:

- screening and searching pupils;
- the power to use reasonable force and other physical contact;
- the power to discipline beyond the school gate;
- when to work with other local agencies to assess the needs of pupils who display continuous disruptive behaviour; and
- pastoral care for staff accused of misconduct.

3. The Head Teacher must decide the standard of behaviour expected of pupils at the school. He or she must also determine the school rules and any disciplinary penalties for breaking the rules.

4. Teachers' powers to discipline include the power to discipline pupils even when they are not at school or in the charge of a member of staff.

5. The Head Teacher must publicise the school behaviour policy, in writing, to staff, parents and pupils at least once a year.

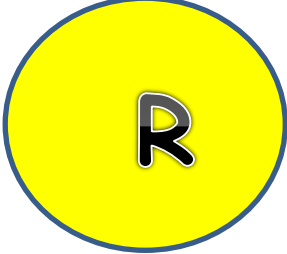
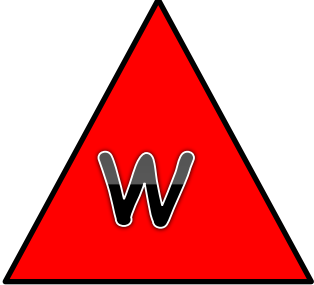
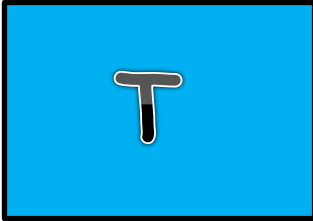


6. The school's behaviour policy must be published on its website.

*From Behaviour and discipline in schools.*



*Advice for head teachers and school staff*

*DfE January 2016*

# If you make the wrong choice in school or in the playground....

<p>1. You will be given a <b>REMINDER</b></p>		<p>This is your chance to make the right choice and not move onto number 2. If you need lots of reminders, your teacher will talk to your parents to see how we can help you.</p>
<p>2. If you continue to make the wrong choice you will be given a <b>WARNING</b> and reminded of the next steps if it continues</p>		<p>You will be given a chance to reflect on your behaviour and get back on track.</p>
<p>3. If you carry on making the wrong choice then you will have <b>TIME OUT</b></p>		<p>You may lose some golden time or playtime. This time will be used for you to think about the changes you need to make.</p>
<p>4. Continuing with this will mean that you will need to <b>SEE ANOTHER TEACHER</b></p>		<p>You may be given another sanction. Another teacher will talk to you. We may need to speak to your parents.</p>
<p>5. If you still carry on making the wrong choice <b>YOU WILL SEE MRS BARWELL OR MISS FUNNELL</b></p>		<p>We will explore what has happened. Your parents will be told what has happened. You will be given another sanction</p>

**Appendix 4 – Behaviour Incident Form**

 <b>MAPLE INFANTS' SCHOOL</b>  <b>Pupil Behaviour Report</b>		
Date:		Time:
Child:	Year:	Class:
Member of Staff:		Role:
Nature of Behaviour Concern:		
Low Level	Medium Level	High Level
Notes:		
Action(s):		
Parents/Carers notified:		
Outcome(s):		

## Appendix 5 – Exclusion Procedure

These procedures are based on the guidance issued by the Department for Education entitled:

### **'Exclusion from maintained schools, academies and pupil referral units in England**

Statutory guidance for those with legal responsibilities in relation to exclusion, September 2017'

The full DfE text is available via the internet:

[www.gov.uk/government/publications/school-exclusion](http://www.gov.uk/government/publications/school-exclusion)

Please note: Those involved in the exclusion process **must** have regard to this guidance when administering the exclusion procedure. It should be followed unless there is good reason not to in a particular case.

AfC have produced a guidance booklet which is based on the DfE guidance above;

*Guidance on the use of exclusion from school  
For the attention of headteachers  
Effective from 1 September 2017*

It includes the following information;

### **Preventing exclusion**

- Early intervention
- Single Point of Access (SPA)
- Educational Psychology Service (EPS)
- Emotional Health Service (EHS)
- Family Support Service
- Parenting groups
- Youth Service (YS)
- Substance Misuse Service
- Strengthening Families Team (SFT)
- Behaviour Support Plan (BSP)
- Managed Move
- The Inclusion Support Service (Primary Support Service)

### **Factors to consider before making a decision to exclude**

In most cases exclusion will be the last resort after a range of measures have been tried to improve the pupil's behaviour.

Before deciding whether to exclude a pupil, either for a fixed period or permanently, the headteacher should:

- Ensure that an appropriate investigation has been carried out
- Consider all the evidence available
- Allow and encourage the pupil to give his or her version of events

- Take account of any contributing factors that are identified after an incident of poor behaviour has occurred and check whether the incident may have been provoked, for example by bullying or by racial or sexual harassment
- Keep a written record of the actions taken (and copies of written records made by other members of staff), including any interview with the pupil concerned. Witness statements must be dated and should be signed, wherever possible
- If necessary consult others, but not anyone who may later have a role in reviewing the headteacher's decision, for example a member of the governing body. Achieving for Children has a designated Exclusions and Reintegration Officer who can be contacted for advice in the first instance:
  - Adrian Bannister, Lead Exclusions & Reintegration Officer  
T: 020 8547 5253  
E: adrian.bannister@achievingforchildren.org.uk

### **Standard of proof**

Any decision must be in line with the principles of administrative law: lawful, rational, reasonable, fair and proportionate.

The standard of proof to be applied is the balance of probabilities, i.e. if it is more probable than not that the pupil did what he or she is alleged to have done, the headteacher may consider excluding the pupil.

However, the more serious the allegation and thus the possible sanction, the more compelling the evidence substantiating the allegation will need to be.

### **Unofficial exclusions**

If a headteacher is satisfied that, on the balance of probabilities, a pupil has committed a disciplinary offence and needs to be removed from the school site for that reason, formal exclusion is the only legal method of removal. Informal or unofficial exclusions are illegal regardless of whether they are carried out with the agreement of the parents or carers.

Where a pupil is sent home for disciplinary reasons for part of a school day, some headteachers have viewed this as a 'cooling off' period and have not taken action to exclude the pupil formally. There is no basis in law for this. If pupils are sent home in response to a breach of discipline, even for short periods of time, this must formally be recorded as an exclusion.

In every instance where a pupil is sent home for disciplinary reasons, headteachers should formally record and specify the length of the exclusion (for reporting purposes this should be recorded as a half day, whole day or lunchtime). They should ensure that:

- they are meeting their legal duty of care towards pupils, and that parents are formally notified of the exclusion
- child protection issues are taken into account e.g. bearing in mind the child's age and vulnerability, that a parent or carer is at home and the child is not placed at risk by, for example, being left to wander the streets
- that work is sent home or alternative educational provision is arranged.



## **Pupils with disproportionately high rates of exclusion**

The exclusion rates for certain groups of pupils are consistently higher than average. This includes pupils with SEN, pupils eligible for free school meals, pupil premium grant, children looked after, and pupils from certain ethnic groups.

In addition to early intervention, headteachers should consider what extra support might be needed to identify and address the needs of pupils from these groups in order to reduce the risk of exclusion.

## **Pupils with special educational needs (SEN)**

Statutory guidance on identifying, assessing and making provision for pupils with SEN, including those with behavioural, social and emotional needs, is provided in the Special Educational Needs Code of Practice. Schools must have regard to this guidance.

Where a child with an EHCP or statement is at risk of exclusion, the school should request an early annual review or interim or emergency review.

Schools might usefully advise parents that advice and information regarding SEN is available locally from SEND Information, Advice and Support Service (SENDIASS) who offer impartial advice and support on all matters relating to Special Educational Needs and or Disability.

T: [020 8831 6179](tel:02088316179)

E: [RichmondKingston@kids.org.uk](mailto:RichmondKingston@kids.org.uk)

W: [www.kids.org.uk](http://www.kids.org.uk)

## **The decision to exclude**

Only the headteacher can exclude a pupil from school. If the headteacher is absent from school, the authority rests with the most senior teacher who is acting in that role.

Any decision of a school, including exclusion, must be made in line with the principles of administrative law, i.e. that it is lawful (with respect to the legislation relating directly to exclusions and a school's wider legal duties, including the European Convention on Human Rights and the Equality Act 2010); rational; reasonable; fair and proportionate.

## **Length of fixed period exclusions**

- A pupil can be excluded for one or more fixed periods which, when aggregated, do not exceed a total of 45 school days in any one school year.

Please note: This limit applies to the pupil, not the institution. Therefore, any days of fixed period exclusion served by the pupil in any educational institution in the same school year will count towards the total.

- Individual exclusions should be for the shortest time necessary, bearing in mind that exclusions of more than a day or two make it more difficult for the pupil to reintegrate back into the school.
- Where it is clear that fixed period exclusions are not being effective in deterring poor behaviour, for example if they are being repeatedly imposed on a pupil in response to the same behaviour, headteachers should consider alternative strategies for addressing that behaviour.
- A fixed period exclusion does not have to be for a continuous period, for example, a pupil may be normally attending school three days a week and a local further education college for the other two, so a five day exclusion from the school could be for three days in one week and two days in the next week.

**Please note:** The law **does not allow** for extending a fixed-period exclusion or 'converting' a fixed-period exclusion into a permanent exclusion.

In exceptional cases, usually where further evidence has come to light, a further fixed-period exclusion may be issued to begin immediately after the first period ends or a permanent exclusion may be issued to begin immediately after the end of the fixed period.

### **Lunchtime exclusion**

Pupils whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period. A lunch time exclusion is a fixed period exclusion (deemed to be equivalent to one half of a school day) and should be treated as such. Therefore, parents have the same right to be given information and to make representations. Arrangements should be made for pupils who are entitled to free school meals to receive their entitlement which may mean, for example, providing a packed lunch.

### **Behaviour outside school**

The behaviour of pupils outside school can be considered as grounds for exclusion. This will be a matter of judgement for the headteacher in accordance with the school's published behaviour policy.

The school's behaviour policy should set out what the school will do in response to all non-criminal bad behaviour which occurs anywhere off the school premises and which is witnessed by a staff member or reported to the school, including the punishments that will be imposed on pupils.

Subject to the school's behaviour policy, the teacher may discipline a pupil for:

- any misbehaviour when the child is:
  - taking part in any school-organised or school-related activity or
  - travelling to or from school or
  - wearing the school uniform or
  - in some other way identifiable as a pupil at the school.
- or misbehaviour at any time, whether or not the conditions above apply, that:

- could have repercussions for the orderly running of the school or
- possess a threat to another pupil or member of the public or
- could adversely affect the reputation of the school

Any such decision to exclude in the above circumstances must be lawful, rational, reasonable, fair and proportionate.

### **Permanent exclusion**

A decision to exclude a pupil permanently is a serious one and should only be taken **as a last resort and:**

- in response to serious breaches, 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 the pupil or others in the school.

It will usually be the final step in a process for dealing with disciplinary offences following a wide range of other strategies which have been tried without success. It is an acknowledgement by the school that it has exhausted all available strategies for dealing with the young person.

The headteacher may withdraw a permanent exclusion that has not yet been reviewed by the governing body.

### **Parental co-operation**

If a parent does not comply with an exclusion, for example by sending the excluded child to school, or by refusing to collect or arrange collection of them, the school must have due regard for the pupil's safety in deciding what action to take. An exclusion should not be enforced if doing so may put the safety of the pupil at risk.

### **Procedure for excluding a pupil**

#### **Informing parents about an exclusion**

Whenever a headteacher excludes a pupil they must, without delay, notify parents of the length of the exclusion and the reason for it.

They must also, without delay, provide parents with the following information in writing:

- the reasons for the exclusion
- the period of a fixed exclusion or, for a permanent exclusion, the fact that it is permanent
- the parents' right to make representations about the exclusion to the governing body and how the pupil may be involved in this
- how any representations should be made

- where it is a legal requirement for the governing body to consider the exclusion, the parents have a right to attend a meeting, be represented at this meeting (at their own expense) and to bring a friend
- where an excluded pupil is of compulsory school age, that for the first five days of an exclusion (or until the start date of any alternative provision where this is earlier) parents are legally required to ensure that their child is not present in a public place during school hours without reasonable justification and that parents may be given a fixed penalty notice or prosecuted if they fail to do so
- attention should be drawn to relevant sources of free and impartial information

Headteachers should ensure that information provided to parents is clear and easily understood. Where the parents' first language is not English consideration should be given, where practical, to translating the letter or taking additional steps to ensure that the details of the exclusion and parents' right to make representations to the governing body have been understood.

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

### **Exclusion letters**

Model exclusion letters have been provided in the booklet for schools to use which include all the relevant information that needs to be provided to the parent of an excluded child.

### **Informing the governing body**

Within one school day the headteacher must inform the governing body of:

- exclusions which will result in the pupil being excluded for more than five school days (or more than ten lunchtimes) in a term
- exclusions which will result in the pupil missing a public examination or national curriculum test
- permanent exclusions (including where a fixed period exclusion is made permanent).

Fixed period exclusions totalling five or fewer school days in any one term must be reported to the local authority and governing body once a term.

### **Informing the local authority (Achieving for Children)**

In order that accurate exclusion data can be collated and the overall situation monitored, all schools should notify Achieving for Children straight away of all exclusions regardless of their duration.

This is achieved by emailing a copy of the exclusion letter together with a completed 'Notification of Exclusion' form (Appendix A) **via the USO-FX system** to Adrian Bannister, Exclusions & Reintegration Officer: [abanni3@kingstonla.rbksch.org](mailto:abanni3@kingstonla.rbksch.org)

For a permanent exclusion, schools should also complete Appendix B (Pupil Information Form) within two school days of the exclusion and email this together with other relevant documents such as the latest progress report.

**Please note: It is essential that this form is completed and submitted immediately given the requirement on Achieving for Children to provide suitable full-time education from the sixth day of a permanent exclusion.**

### **Continuing education**

The school's obligation to provide education continues and must be met during a fixed period exclusion. Parents are not responsible for making educational provision for their excluded child, but are expected to cooperate with schools in this regard.

### **Day six provision**

Where a pupil is given a fixed period exclusion of six school days or longer, the governing body of the school has a duty to arrange suitable full-time educational provision from and including the sixth school day of the exclusion.

During the initial period of up to five school days, the parent of the excluded pupil must ensure that they are not present in a public place during normal school hours without reasonable justification. A failure to comply with this requirement is an offence.

During this period the school should set work for the pupil to complete and for it to be marked, unless the school has made arrangements, on a voluntary basis, for suitable full-time provision to commence earlier than the sixth day.

A headteacher considering whether to exclude a pupil for a period which will mean there is a duty to provide suitable full-time educational provision, should plan the following:

- provision should normally be off-site, but a school may make provision on-site where arrangements for shared on-site provision have been made with the governing body of at least one other school and is available to excluded pupils from that or those other schools
- to ensure that work is set for the pupil to complete during the first five days school days of exclusion and that it is marked, unless during that time the pupil will be attending alternative provision
- to ensure that the parent is fully informed of their duties in the first five days and of the school days on which the pupil will be provided with suitable full-time education and must attend that provision and of any sanctions that may be imposed for non-attendance (see model letters)
- how the time might be used to address the pupil's problems
- what support will best help with the pupil's reintegration into the school at the end of the exclusion

### **Reintegration meetings**

Schools should have a strategy for reintegrating pupils following a fixed period exclusion and for managing their future behaviour.

Whilst not a statutory requirement it is good practice to hold a reintegration meeting following the expiry of a fixed period exclusion as it provides an opportunity to:

- emphasise the importance of parents working with the school to take joint responsibility for their child's behaviour
- discuss how behaviour problems can be addressed
- explore wider issues and any circumstances that may be affecting the child's behaviour
- reach agreement on how the child's education should continue, how best they can be reintegrated and what measures could be put in place to prevent further misbehaviour
- create a useful forum to consider with parents the possibility of a parenting contract.

### **Procedure following permanent exclusion**

In the case of a permanent exclusion, the pupil remains on the roll of the school until:

- any appeal is determined
- until the time limit for the parents to lodge an appeal has expired without an appeal being brought
- the parent has informed AfC in writing that no appeal is to be brought.

During the first five days of a permanent exclusion, the school must send work home for the pupil to complete.

From the sixth day of a permanent exclusion, AfC is statutorily responsible for ensuring that suitable full-time education is provided. In order that AfC can assess the pupil's needs, it is essential that schools complete Appendix B (Pupil Information Form) and email this and other relevant documents (e.g. progress report) within two school days of the exclusion being imposed.

### **Independent Review Panel**

If applied for by the parents within the legal time frame, the local authority or (in the case of an academy) the academy trust must, at their own expense, arrange for an independent review panel hearing to review the decision of a governing body not to reinstate a permanently excluded pupil.

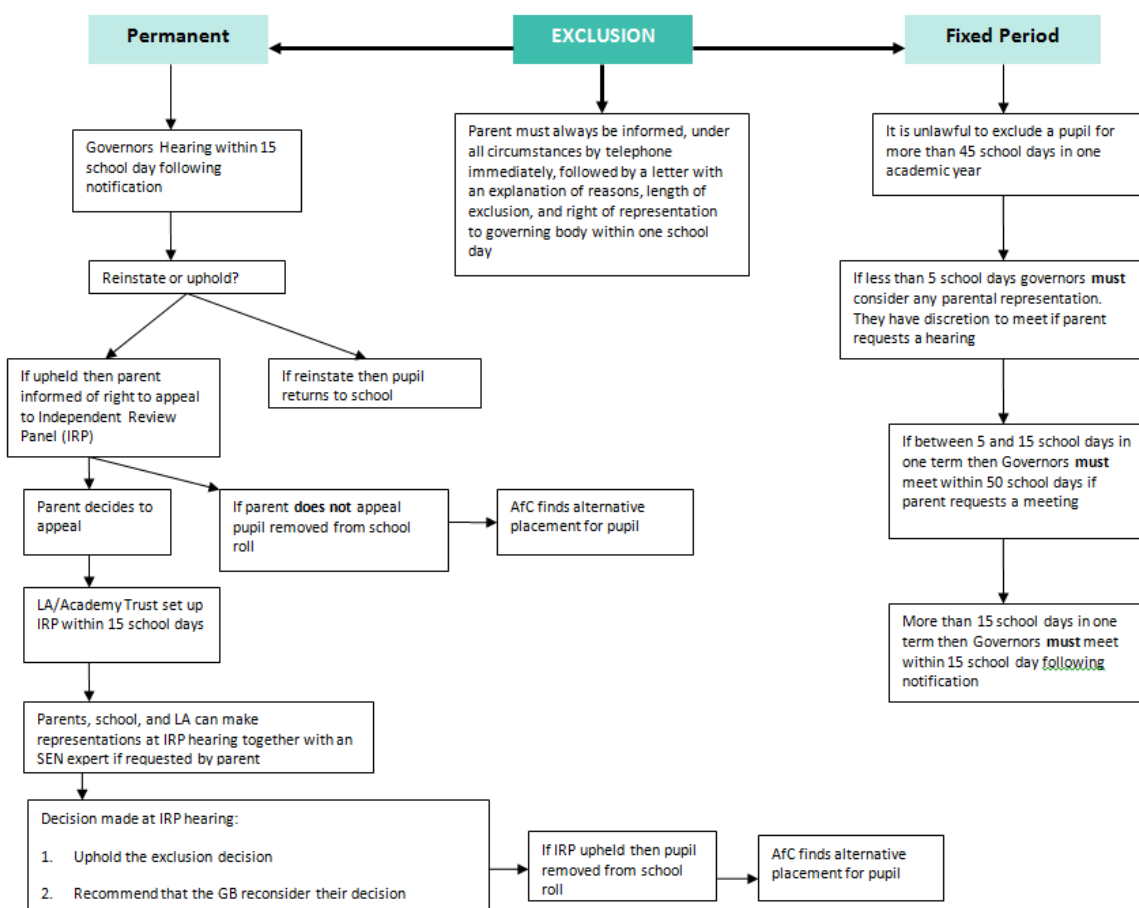
The legal time frame for an application is within 15 school days of notice being given to the parents by the governing body of their decision to uphold a permanent exclusion, or where an application has not been made within this time frame, within 15 school days of the final determination of a claim under the Equality Act 2010 in relation to the exclusion. If requested by parents in their application for an independent review panel, the local authority or academy trust must appoint an SEN expert to attend the panel and cover the associated costs of this appointment. The role of the SEN expert is to provide impartial advice to the panel on how special educational needs might be relevant to the exclusion.

Following its review the panel can decide to:

- uphold the exclusion decision
- recommend that the governing body reconsiders their decision
- quash the decision and direct the governing body considers the exclusion again.

Where the panel directs or recommends that the governing body reconsiders their decision, the governing body must reconvene to do so within 10 school days of being given notice of the panel's decision.

### Summary of the exclusion process



## Achieving for Children: GUIDANCE ON THE USE OF EXCLUSION FROM SCHOOL EFFECTIVE FROM 1<sup>st</sup> SEPTEMBER 2017