



# Pupil Behaviour and Exclusions Policy

Created by Helen Joyce November 2023	Ratified by Trustees December 2023
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## Statement of Intent

Keystone Academy Trust believes that good behaviour is essential to children’s educational prospects, and that good behaviour is encouraged through high expectations, a clear policy and an ethos in all trust schools which fosters discipline and mutual respect between pupils, and staff and pupils.

Keystone Academy Trust believes that, to facilitate teaching and learning, acceptable behaviour must be demonstrated in all aspects of school life. The trust is committed to:

- Promoting desired behaviour through a consistent approach
- Promoting self-esteem, self-discipline, proper regard for authority and positive relationships based on mutual respect
- Ensuring equality and fair treatment for all
- Praising and rewarding good behaviour
- Challenging and disciplining misbehaviour
- Providing a safe environment free from disruption, violence, discrimination, bullying and any form of harassment
- Encouraging positive relationships with parents
- Developing positive relationships with pupils to enable early intervention
- A shared approach which involves pupils in the implementation of the school’s policy and associated procedures
- Promoting a culture of praise and encouragement in which all pupils can achieve

Reasonable and proportionate sanctions will be used where a pupil’s behaviour falls below the standard that is expected, alongside support to prevent recurring misbehaviour.

Keystone Academy Trust is fully aware of its duties not to discriminate against, harass or victimise pupils due to their sex, race, disability, religion or belief, sexual orientation or because of pregnancy or gender reassignment. For disabled pupils, each school will make reasonable adjustments to its policies and practices to ensure disabled pupils are not placed at a substantial disadvantage compared to their non-disabled peers.

Keystone Academy Trust acknowledges that behaviour can sometimes be the result of educational needs, mental health issues, or other needs or vulnerabilities, and will address these needs via an individualised graduated response.

All trust schools review and update their own behaviour policies annually to befit the needs of each school at the time.

## Legal Framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

Education Act 1996

Education Act 2002

Education and Inspections Act 2006

Health Act 2006

The School Information (England) Regulations 2008

Equality Act 2010

Voyeurism (Offences) Act 2019

DfE (2013) 'Use of reasonable force'

DfE (2015) 'Special educational needs and disability code of practice: 0 to 25 years'

DfE (2018) 'Mental health and behaviour in schools'

DfE (2022) 'Behaviour in schools: Advice for headteachers and school staff'

DfE (2023) 'Keeping children safe in education 2023'

DfE (2022) 'Searching, Screening and Confiscation: Advice for schools'

DfE (2023) 'Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement'

## Roles and Responsibilities

### Board of Trustees

The Board of Trustees, through the CEO and central team, are responsible for ensuring that the trust policy communicates the desired principles which all schools should adopt in their approach to behaviour in their schools, whilst recognising the need for each of the schools to manage day to day behaviour with appropriate and effective systems that meet the needs and climate of their own school at any time.

### The Local Governing Bodies

The Local Governing Bodies are responsible for ensuring that a school's behaviour policy is effectively pursued at the school and is aligned with the principles stated above. They will support their school in maintaining high standards of behaviour and ensure that the school's behaviour policy has reasonable expectations and is non-discriminatory in line with the legal responsibilities of the Equality Act 2010.

### Headteachers

The headteachers will ensure that effective measures are taken to support the principles laid out by the trust policy and will determine an acceptable standard of behaviour of all pupils. The headteacher is responsible for the implementation and application of the policy and procedures, the provision of support for vulnerable pupils and support for staff when faced with challenging behaviour.

## **Staff**

All staff, whatever their role in school, including volunteers, are responsible for following the school's policy and procedures in a fair and consistent way and without discrimination, and providing a positive learning environment that promotes self-discipline. Mutual support for colleagues is important to ensure consistency and high standards are maintained throughout the school. Effective practice includes seeking staff contributions to the review and development of the behaviour policy and procedures.

Staff have a responsibility to ensure that all pupils are listened to and supported and that their views are considered. Reasonable adjustments must and will be dependent upon an individual's specific learning needs in regard to SEND issues and social or emotional issues.

The Board of Trustees, Local Governing Bodies, headteachers and staff ensure that there is no differential application of the policy and procedures against an individuals' protected characteristic.

## **Parents and carers**

The trust believes that parents and carers are expected to take responsibility for the behaviour of their children both inside and outside school. The trust regards the relationship with parents and carers to be very important and seeks to foster those relationships positively to maximise support for their child.

All trust schools should encourage parents and carers to work in partnership with staff in maintaining high standards of behaviour and to raise with the school any issues arising from the operation of the school's policy.

## **Pupils**

All trust schools have high standards of behaviour, expecting pupils to learn to manage their own behaviour quickly and take personal responsibility for it. Each school should ensure that their behaviour policy, procedures and expectations are clearly communicated to pupils and understood by all. Schools should have clear systems in place for pupils to support the zero tolerance approach the trust holds on bullying, prejudice, harassment, disruptive and unsafe behaviour.

The Board of Trustees, CEO and central team, Local Governing Bodies, headteachers and staff are committed to ensuring that the behaviour policy and procedures safeguard the rights of all pupils to be educated in an engaging learning environment in which they feel safe and supported and free from discrimination. This means that in accordance with the Equality Act 2010, the application of the behaviour policy and procedures will not be prejudiced in any way, particularly on the grounds of nationality or ethnicity, culture, disability, religion or sexuality.

## **School Rules**

All trust schools should make clear to pupils, staff and parents/ carers what the school rules (or Code of Conduct) are. Pupils are expected to follow school rules which should be displayed clearly for all to see. All schools should have clear procedures in place for pupils who fail to comply with the school rules.

## **Procedures**

Through staff consultation and periodic review, each trust school should have procedures in place which promote self-discipline and personal responsibility, promote safeguarding of pupils and which are clearly communicated and followed consistently by all staff and understood by pupils and parents.

The school's procedures, whilst consistency is essential, require a level of professional judgement from staff, to ensure that procedures carried out are fair and proportionate to the behaviour and take into consideration the needs of any pupils with SEND or any personal or safeguarding circumstances which could be exacerbated without appropriate consideration and correct professional judgement. Schools should refer to their safeguarding policies if there are behavioural concerns which could indicate a safeguarding issue.

## **Rewards and Recognition**

In line with the principles of the trust behaviour policy, all trust schools should ensure they foster a strong culture of encouragement, praise and reward, seeking to praise more often than sanction.

Keystone Academy Trust schools should consult with staff and pupils regarding their rewards systems to ensure that their systems motivate pupils at every age and stage, and give all pupils the opportunity to be recognised, praised and rewarded for hard work, effort and contribution to the school. Schools should consider pupils at every level of ability and seek not just to reward the highest attaining pupils, but also those showing improvement and good progress.

Schools should ensure they have a variety of rewards strategies in place, ranging from informal day-to-day praise and rewards to the more formal celebratory events.

## **Sanctions**

At times it may be necessary to sanction pupils when they fail to follow the school rules and expectations of staff. It is the responsibility of each school to determine their sanction systems and what works best for the pupils at their schools, whilst following the common principles set out earlier in the policy.

In order to prevent disruptive behaviour, headteachers should ensure they set the right tone and cultivate the kind of ethos in their schools which fosters discipline, where pupils can manage their own behaviour and wish to behave for the right reasons, i.e. because they want to be the best they can be, not merely to avoid sanctions. Headteachers should establish a culture of mutual respect between pupils and between staff and pupils, and where disruptive behaviour is rare and regarded as undesirable amongst pupils.

Therefore, schools should ensure that pupils experience engaging and purposeful lessons and are encouraged to participate in extra-curricular activities in school that are supported by praise and encouragement.

Schools should also strive to develop strong partnerships with parents and carers, ensuring that parents understand the school's stance and approach to behaviour and are familiar with the school policy.

The trust believes that teachers can overcome most behavioural problems, and that standards of behaviour in school are exactly those that are expected from parents/carers in their homes. Therefore, we expect decisions in school to receive full parental support.

Schools should also ensure that staff provide clear explanations for the sanctions applied, together with guidance and discussion with the pupil on how to avoid future sanctions. Schools should ensure that appropriate adjustments are made for pupils with SEND, depending on their type and level of need, and recognise that staff responses to behaviour may vary according to the age of the pupil and any other special circumstances that may affect the pupil.

A range of sanctions may be applied when necessary. Sanctions must be appropriate, including, but not exhaustive, of the following:

- withdrawal from lessons or social time ('isolation')
- internal exclusion
- fixed term suspensions
- permanent exclusions.

Schools should outline their range of sanctions within their policies, making it clear to pupils and parents what they can expect if a pupil's behaviour fails to meet the expected standard. Headteachers should ensure that staff apply sanctions fairly and consistently and explain to pupils the reasons for applying a sanction.

### **Response to Bullying and Prejudiced Related Behaviour**

Keystone Academy Trust does not tolerate bullying and discriminatory behaviour. All trust schools should ensure they have systems in place where pupils can easily report any incidents or suspicions to staff; they should inform parents without delay and ensure support for both victim and perpetrators following the investigation.

The trust is committed to promoting tolerance of others. All pupils, staff and parents should know the meaning of bullying and headteachers should build a culture of intolerance to prejudiced behaviour of any kind, encouraging pupils to have the confidence to report bullying or suspicion of bullying, name calling or any kind of discriminatory behaviour. Schools should have a range of communication options for pupils to report their concerns.

Schools should ensure that any incidents of bullying and prejudiced related behaviour are recorded and monitored.

Schools should ensure their safeguarding policies reference preventing and dealing with child-on-child abuse, online bullying and sexual harassment (*in line with Keeping Children Safe in Education 2023 – Safeguarding Policy to be updated annually in September following revised DfE updates*).

### **Use Of Reasonable Force**

Members of staff have the power to use reasonable force to prevent pupils committing an offence, injuring themselves or others or damaging property.

Headteachers and authorised school staff may also use such force as is reasonable given the circumstances when conducting a search without consent for 'prohibited items'. The trust follows the DfE guidance (*Searching, Screening and Confiscation- July 2022*). Items on the prohibited list include:

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- any article that the member of staff reasonably suspects has been, or is likely to be used:
  - to commit an offence, or
  - to cause personal injury to, or damage to property of; any person (including the pupil).
- an article specified in regulations:
  - tobacco and cigarette papers
  - fireworks
  - pornographic images.

Some staff may receive positive handling training, which they may need to use occasionally in situations requiring restraint of a pupil.

### **Searching With and Without Consent**

Pupils suspected of bringing in any item in the 'prohibited' list may be searched without consent, including their belongings, by the headteacher or other staff whom the headteacher authorises. Schools do not need parental permission to search, but parents or carers would be informed if a search has been made. Headteachers should follow the DfE guidance (*Searching, Screening and Confiscation- July 2022*) stated above regarding how to conduct a search and when it may be necessary to involve the police to conduct the search.

Pupils suspected of bringing in any 'school banned' item may be searched, but only with the pupil's consent, by a member of staff who is authorised to do so or by the headteacher. Refusal to cooperate with staff is likely to incur a sanction.

### **Suspensions and Exclusions**

This policy and all processes relating to exclusions are informed by the DfE guidance issued in September 2023- *Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement*. For serious incidents of poor behaviour or persistent breaches of this behaviour policy, the headteacher may resort to either a fixed term suspension or permanent exclusion.

All suspensions and exclusions are monitored by the CEO who will report on a termly basis to the Standards Committee.

Where an excluded pupil is due to sit a statutory assessment, suitable arrangements will be made to ensure the pupil can still sit the examination.

Before taking a suspension or an exclusion decision, the headteacher will also have due regard to the following (in accordance with the DfE Guidance):

- for groups with high exclusion rates (pupils with SEN, pupils eligible for Free School Meals, looked after children, pupils whose ethnicity is Gypsy, Roma, Travellers of Irish Heritage or Black Caribbean) any extra support required to identify and address the needs of the pupil
- what additional support or alternative placement may be required for a pupil with a Statement of SEN/EHC Plan or a looked after child
- that the permanent exclusion of a pupil with a Statement of SEN/EHC Plan or a looked after child should, as far as reasonably possible, be avoided.

The decision to suspend or exclude will only be taken for a disciplinary reason and all decisions will be formally recorded.

Local Governing Board members must access training, informing them of the statutory guidance for those with legal responsibilities to exclusion. This training is provided by the local authority's Pupil Reintegration Team.

In line with the DfE's *SEND Code of Practice*, where a school has concerns about the behaviour, or risk of exclusion, of a child with additional needs and a pupil with an EHC plan it should, in partnership with others (including the local authority as necessary), consider what additional support or alternative placement may be required. This should involve assessing the suitability of provision for a pupil's SEN. Where a pupil has an EHC plan, schools should consider requesting an early annual review or interim/emergency review. For those pupils who are SEND-K, a co-production meeting (professionals and families meeting) should be arranged to discuss the additional support and strategies which may need to be considered.

## Suspensions

If a decision is taken to exclude a pupil for a fixed term (suspension):

- the parent is contacted by the headteacher as soon as possible and the decision is confirmed in writing. The letter will outline any relevant incident(s), the reason for the exclusion and the duration of the fixed term exclusion. The parents' right to make representations about the suspension or request a meeting of the Local Governing Board Disciplinary Committee is highlighted as appropriate.
- a meeting is set up for the parent/carer and pupil to attend on return from a suspension with a senior member of staff.

Following this meeting:

- the pupil is reinstated
- the pupil may be placed on report or another appropriate temporary sanction or support
- behaviour support and 'reasonable adjustments' will be reviewed
- a record of the suspension and meeting is kept in the pupil's file.

In accordance with the requirements set out in the DfE Guidance, the Local Governing Board will arrange for a Disciplinary Committee to meet to consider reinstatement of the pupil if the suspension would bring the pupil's total number of school days of exclusion to more than fifteen (15) in a term or if the suspension would result in the pupil missing a statutory assessment.

If requested to do so by parents, the Disciplinary Committee must also consider the reinstatement of an excluded pupil if that pupil would be excluded from school for more than five (5) school days but not more than fifteen (15) in a single term. Where a pupil is suspended for fewer than five (5) days in a single term, the

Disciplinary Committee will consider any parental representations but will not meet and cannot direct reinstatement.

### **Decision to permanently exclude**

Permanent exclusion will be a last resort and the decision to permanently exclude will only be taken by a headteacher in discussion with the CEO:

- in response to a serious breach, or persistent breaches, of this policy and
- where allowing the pupil to remain in the school would seriously harm the education or welfare of the pupil or others within the school.

The following behaviour is regarded as completely unacceptable and may result in a decision to exclude, including on a permanent basis, depending on the circumstances:

- Physical assault against another pupil
- Physical assault against a member of staff or any other adult
- Verbal abuse/threatening behaviour towards another pupil
- Verbal abuse/threatening behaviour towards a member of staff or any other adult
- Any form of bullying
- Racist abuse
- Sexual misconduct or assault
- Drug and alcohol related incidents
- Damage to property (including arson)
- Theft
- Carrying an offensive weapon
- Malicious allegations against members of staff
- Racist, sexist, homophobic or other forms of discriminatory behaviour
- Persistent, disruptive behaviour
- Other (only in exceptional circumstances).

Keystone Academy Trust will do everything possible to avoid the permanent exclusion of a Looked After Child. Each school is expected to be proactive and work with the pupil, parents, the virtual school and social workers to do everything reasonable to avoid excluding a Looked After Child.

### **Permanent exclusion processes**

The processes that the school must undertake following a decision to permanently exclude follows precisely the DfE guidance in this area.

When the headteacher decides to permanently exclude a pupil, the Local Governing Board will arrange for a Disciplinary Committee to review the case within fifteen (15) days of the exclusion. The panel will ensure they consider the facts of the case and representations at the meeting carefully before deciding either to uphold the permanent exclusion or to reinstate the pupil.

If, following the completion of the exclusion review process, a pupil who was permanently excluded is to be re-instated, the process of re-integration will require careful planning. A reintegration plan may also involve carrying out a risk assessment and implementing measures to reduce identified risks. The school will formalise

re-integration plans, where actions, expectations and consequences are made clear in writing and may include a parental contract. Should a further exclusion be necessary, this could be used to demonstrate that a sound integration plan was put in place and rigorously applied.

If the decision to permanently exclude is upheld, parents have the right, as described in DfE guidance, to request that the decision of the Disciplinary Committee be reviewed by an Independent Review Panel.

Independent Review Panels must be impartial and constituted in accordance with the detailed provisions of the DfE Guidance. The trust will ensure that Independent Review Panel members and clerks are suitably trained. Where requested by the parent, a SEN expert will be appointed by the trust to advise the Independent Review Panel.

The Independent Review Panel may decide to:

- uphold the Disciplinary Committee's decision
- recommend that the Disciplinary Committee considers reinstatement
- quash the decision and direct the Disciplinary Committee to reconsider reinstatement.

The Independent Review Panel's decision is final and binding on the school, pupil and parents. The Independent Review Panel does not have the authority to direct the reinstatement of a pupil. A parent may not appeal to the Commissioner for Local Administration (the Local Government Ombudsman) about maladministration as the Commissioner's remit is limited to considering the conduct of appeal panels constituted by Local Authorities.

### **Parents' responsibilities**

There is a duty on parents to ensure that an excluded pupil of compulsory school age is not in a public place during school hours without reasonable justification, or a fixed penalty could be imposed by the local authority. Parents will also be warned in the exclusion letter that failing to comply with their duties in this regard may form part of a case for a parenting order to be issued by the magistrate's court.

### **Continuing education during the exclusion period**

For the first five days of a suspension, the school will set work appropriate to the pupil's age and ability and make arrangements for this to be collected and returned for marking. Where a pupil is given a suspension of six (6) days or longer, the school has a duty to arrange suitable off-site full-time educational provision from and including the sixth day of exclusion as day one. With reference to permanent exclusions, the school will set work as described above for the five days following a permanent exclusion.

### **Malicious Accusations Against Staff**

Keystone Academy Trust believes in building strong and positive relationships with pupils in all schools.

However, there may arise an exceptional circumstance where a pupil makes an allegation against a member of staff. If, after investigation, the accusation is deemed to be malicious, i.e. a deliberate act to deceive, then serious sanctions are likely to be applied to the pupil which could result in exclusion.

## **Staff Training**

All trust schools are committed to providing appropriate high-quality training for staff on all aspects of behaviour management to ensure successful implementation of the policy, and to empower staff and pupils to continue without disruption, with the core purpose of all pupils being able to achieve their best and fulfil their potential.