

Sir John Lawes Academies Trust

POLICY TITLE:	BEHAVIOUR MANAGEMENT (including statements on fixed term and permanent exclusions and substance use and misuse)
STATUS	STATUTORY
REVIEWED BY:	SIC-AIC / TRUST BOARD
DATE DUE:	SUMMER 2016
DATE OF APPROVAL:	20 July 2016
DATE OF REVIEW:	SUMMER 2017
AUTHOR:	HEADTEACHERS

❖ School = School and/or Academy

AIM

This policy aims to ensure that behaviour at each school/academy maintains the 'outstanding' standards noted by OFSTED in their last visit. The Trust believes that high quality teaching promotes effective learning and good behaviour. Emphasis is on recognising and celebrating effort and success so that all members of the school community feel valued. We teach students to take responsibility for their own actions and to recognise the consequences of their choices. We will adopt a zero tolerance approach to bullying by adults or children, and any such incidents will be dealt with promptly and firmly.

PRINCIPLES

Students should behave well at all times and should live up to the expectations of the school code (as included for example in the secondary student planner). Students who behave well are likely to receive a reward. Students who misbehave are likely to receive a sanction (such as a detention or exclusion). Staff should apply rewards and behaviour management strategies consistently and fairly in line with relevant procedures and systems and sanctions.

RELATIONSHIP TO OTHER POLICIES

Equality, Anti-Bullying, Home School Agreement + ICT Acceptable Use Agreements

ROLES AND RESPONSIBILITIES:

The Headteacher will:

- Ensure that this policy is implemented by staff and students
- Ensure that students' parents are informed of the period of any exclusion or of a permanent exclusion – refer to the Statement on Fixed Term and Permanent Exclusions below
- Give the reasons for an exclusion
- Advise the parent that they may make representations about the exclusion to the respective Governing Body
- Advise the parents how these representations may be made
- Notify the local education authority and the Chair of Governors details of the exclusion, including the reasons for it, in the case of a) a permanent exclusion or a fixed term exclusion converted to a permanent one; b) a fixed period exclusion of more than five days or which brings the days the student has been excluded in one term to more than five; c) an exclusion that would result in the students losing the opportunity to take a public exam.

The Headteacher and other staff will:

- Ensure that all students are aware of the schools expectations and the consequences.
- Follow the principles contained within the documents identified above when implementing whole school approaches to behaviour management.

Students will:

- Be aware of and live up to the expectations for good behaviour set by the school's policies and rules

The Governing Body will:

- Establish a Trust Governors Disciplinary/Exclusions Committee from within the Trust Governing Bodies, and ensure its members receive the training required to fulfil their role. The Headteacher will not be a member of this committee which will have regard to any guidance given by the Secretary of State

MONITORING AND EVALUATION

- The Trust and the Governing Body will evaluate the impact of this policy by receiving data from the Headteacher analysed by year group, gender and ethnicity on fixed term and permanent exclusions – their number and an analysis of behaviour
- This policy will be reviewed annually.



Equalities impact assessment considered.

Statement on Fixed Term and Permanent Exclusions

This statement is based upon the guidance issued by the DfE and ASCL. This is a summary paper which also reflects an emphasis consistent with the Trust approach. This statement will be reviewed by each school/academy Governing Body annually.

THE DECISION TO EXCLUDE

In line with DfE guidance, a decision to exclude a student should be taken only:

- a) in response to serious breaches of the school's behaviour policy
- b) if allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school.

Detailed below is the list of reasons that might be considered a serious breach and are given in explanation for a fixed term exclusion. They are illustrative and the two principles above are the guiding principles.

WHAT BEHAVIOUR IS LIKELY TO LEAD TO PERMANENT EXCLUSION?

Permanent exclusion is the course of action that will usually follow a series of disciplinary offences and one or two fixed term exclusions. A student in this situation and at risk of permanent exclusion will have received a range of support strategies. The parents and student will have been warned that permanent exclusion is a likely outcome from a further disciplinary offence. However, there are exceptional circumstances where it is appropriate to exclude a child permanently for a 'one off' offence. All examples below are based upon the government guidelines.

"These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour can affect the discipline and wellbeing of the school community". (Improving behaviour and attendance: guidance on exclusions from schools and student referral units. Paragraph 1.5)

The instances include:

Serious actual or threatened violence against another student or member of staff – serious violence would be considered deliberately or recklessly hitting, punching, kicking, using something as a weapon or otherwise assaulting or threatening to assault in a violent manner where first aid or medical treatment might reasonably be needed by the victim. Permanent exclusion is likely to result from one incident in this category.

Sexual abuse or assault – this would include inappropriate touching or suggestions of a deliberately or recklessly sexual nature. It would include any force or coercion exerted on someone to carry out or to imitate the carrying out of any form of sexual act. Sexual acts are not, in this instance limited to actual or simulated intercourse but include any and all examples of physical intimacy. This sanction would also apply to comments or other abuse directed at, for instance, the friends or family of the victim.

Permanent exclusion is likely to result from one serious incident of this type or from at least two incidents of a less serious nature but where the parents had been directly informed of the likely permanent exclusion that would follow a single repeated incident.

Supplying any drug, medicine or other substance or article that is not appropriate for school. Any medicines must be signed in at Reception and the appropriate medication permission form completed. All illegal drugs are included in this as well as the inappropriate supply of 'over the counter' or prescription drugs. These might include antidepressants, aspirin or any other drug or medicine that should not be distributed. Other inappropriate substances or articles might include paint thinners, lighter fuel, fireworks, paint, paraffin, petrol or any other flammable, unstable, toxic or potentially dangerous substance or article. These lists are just illustrative not exhaustive. Refer to the statement on substance use and misuse below.

Supply, in this context, means to bring on to the school premises with a view to distribution or, even without actually bringing the drugs onto the premises, to pass around or intend to pass around drugs or medicine to others. Supply might involve selling but might also include just providing or sharing the drugs, even free of charge, and would certainly involve passing drugs on from one source to another.

Permanent exclusion is likely to result from one incident of this category.

Carrying an offensive weapon. In this context it is important to realise that the weapon does not have to have been used. Equally, the context or circumstances can determine what is an offensive weapon and this will be considered by the Headteacher. It is clear, however, that any item would count where, although it may have other uses, a main purpose for its use is as a weapon. To illustrate this, weapons would include the following – knives, guns, clubs / sticks, poles, chains, knuckle dusters, martial arts equipment, toy weapons, fireworks, lighters or any other object that the Headteacher judges to be an offensive weapon. For this category, the weapon does not need to be involved in threatened or actual violence. However, threats or actual violence using an object not usually thought of as a weapon are likely to lead to the interpretation that the object is being used as an offensive weapon. Permanent exclusion is likely to result from one incident of this category.

Persistent and defiant misbehaviour. This is likely to be in an instance where a member of staff's reasonable instructions or requests are defied and / or where there is behaviour that is likely to lead to an undermining of the ethos of good and co-operative behaviour. The persistent nature will have meant that, for exclusion in this category, parents will have been given a clear warning as to the probable permanent exclusion if any further incidences of poor behaviour occur. It may be that no temporary exclusion has been issued but that a series of at least three examples of defiance could result in permanent exclusion. Included in this category would be incidences of rudeness to a member of staff which might involve the use of inappropriate language, inappropriate body language or other incident of disrespect. These are examples of what might be deemed defiant misbehaviour under this category. Permanent exclusion is likely to result from three or more incidents of defiant behaviour under this category.

Bullying (including racism or homophobia) – bullying can be deliberate or based upon reckless behaviour that is reasonably likely to lead to another member of the community feeling bullied. Bullying might, for example, include comments, name calling, threats, violence, misuse of mobile phones/internet or any other behaviour that evokes feelings of isolation, persecution or low self-esteem in the victim. This category would include bullying directed at friends or family of the victim. Because permanent exclusion is likely to result from one serious incident of this category, it may not have been possible for parents to have been given a clear warning as to the permanent exclusion. Where practical, parents will

have received warning as to a likely permanent exclusion and, in these circumstances, any repeat incident would be likely to lead to permanent exclusion.

Repeated possession and / or use of an illegal drug, medicine or other substance or article that is not appropriate for school. (See above). A single repeat in this category might well lead to permanent exclusion from school. Parents will have received a clear warning to that effect.

Inappropriate Use of Media Technologies. All members of the Trust's community are expected to sign up to and abide by the ICT Acceptable Use Agreement. Unacceptable behaviour might include internet or technology related behaviour of any sort, an example might be bullying on social networking sites or in a 'Chat Room' whether carried out at home or in school. Use of mobile phones or other technology to store, receive or disseminate inappropriate images or messages of any kind could also result in permanent exclusion. Permanent exclusion is likely to result from one serious incident of this type or from at least two incidents of a less serious nature but where the parents had been directly informed of the likely permanent exclusion that would follow a single repeated incident.

Theft. All cases involving theft (including taking property without permission) are likely to lead to exclusion. Students caught stealing will also be expected to return or replace the property. Permanent exclusion is likely to result from one serious incident of this type or from at least two incidents of a less serious nature but where the parents had been directly informed of the likely permanent exclusion that would follow a single repeated incident.

Notes:

These instances cover a student in school, to and from school, on any recognised school activity including work experience, sporting fixtures or in any circumstance where the student might be reasonably identified as a student of the Trust. This could be in the evening, during the school day when a student is absent, during weekends or during school holidays. The Headteacher will determine whether the student or their behaviour might reasonably be connected to either school/academy either by reputation or through impact on individuals in the school community or the wider community generally at each school/academy. The behaviour may or may not be directed at another member of the Trust Community.

In some examples, 'reckless' action is referred to and means action or words without appropriate thought or concern for the possible consequences. "It was an accident" or "I didn't mean that to be the outcome" would not prevent a permanent exclusion if it was reasonable that any of the unacceptable outcomes might have been foreseen.

Where possession is a significant issue, such as with drugs or weapons, then possession does not only mean carried on the person. It could also, for instance, mean hidden on or off the school premises, in a locker, in a bag or otherwise under the control of the student concerned even if only for a short period of time.

The above incidences are only examples and other matters that the Headteacher deems to be of similar importance might also trigger permanent exclusion. Where an incident or pattern of misbehaviour could fit into more than one category then that could also lead to permanent exclusion on the grounds of persistent and defiant misbehaviour even though, for instance, one incident might be related to use of an illegal drug and another might relate to swearing at a member of staff.

Where there are examples of a number of students involved in an incident such as the examples listed then a reasonable effort will be made to determine blame. This is likely to involve an interview and statement from a number of relevant parties or witnesses. These interviews would be with members of staff. A group of students might be judged to be jointly responsible when members of the group colluded, encouraged or withheld information about an inappropriate incident.

The Headteacher would always consult with a Governor and other senior members of staff before deciding upon a permanent exclusion. To avoid making a decision in the heat of the moment, the Headteacher would normally take a little time to reflect upon the incident before deciding. Parents would be informed and this may take a few days.

THE PROCEDURE FOR EXCLUSION

The process followed by the Headteacher and the Trust Governors' Disciplinary Committee will be broadly in line with the government guidelines although the Governors Discipline Committee should not reinstate a student upon the basis of technical defect in procedure unless the process was so flawed that justice was clearly not done.

Equalities impact assessment considered

Statement on Substance Use and Misuse

- The Trust condones neither the misuse of drugs and alcohol and other substances by members of the school, nor the illegal supply of these substances.
- The Trust is committed to the health and safety of its members and will take action to safeguard their well-being.
- The Trust acknowledges the importance of its pastoral role in the welfare of young people, and through the general ethos of the school, will seek to persuade students in need of support to come forward.

In response to our shared concerns at a local and national level, we wish to state that as part of our care for the welfare of our students, the Trust believes we have a duty to inform and educate young people on the consequences of drug use and misuse. Each school/academy takes a pro-active stance on this matter, believing that health education is a vital part of the Personal and Social education of every student.

Fundamental to the Trust's values and practice is the principle of sharing the responsibility for education of young people with parents, by keeping them informed and involved at all times. Effective communication and co-operation is essential to the successful implementation of this statement.

Whilst we acknowledge that the number of young people who use and misuse substances is rising, it is seen as important to recognise that a larger number of young people are choosing not to use or misuse substances. We will continue to support their differing needs.

AIMS:

The Trust believes in and supports the following educational aims in respect of substance use and misuse:

- to enable students to make healthy, informed choices by increasing knowledge, challenging attitudes and developing and practising skills to make informed and educated judgements
- to provide accurate information about substances
- to increase understanding about the implications and possible consequences of use and misuse
- to encourage an understanding for those experiencing or likely to experience substance use and misuse
- to widen understanding about related health and social issues
- to seek to minimise the risks that users and potential users face
- to enable young people to identify sources of appropriate personal support.

These aims are fulfilled through aspects of the student's experiences in the taught curriculum, the informal curriculum and through opportunities for extra-curricular activities. We deliver in the taught curriculum mainly through PSHE/Life Skills and Science, but other opportunities to reinforce learning will occur in other parts of the teaching programme. The Trust actively co-operates with other agencies such as Community Police, Social Services, the Local Authority and Health and Drug Agencies to deliver its commitment to Drugs Education and to deal with incidents of substance use and misuse. Visitors who support the school will be informed of the values held within this statement.

ROLES AND RESPONSIBILITIES:

The Headteacher:

- The Headteacher takes overall responsibility for the statement and its implementation and for liaison with the Governing Body, parents, Local Authority and appropriate outside agencies. The Headteacher will ensure that all staff dealing with substance issues are adequately supported and trained.
- In instances involving substance misuse or supply **on the premises**, and following discussion between staff members who know the student well, parents will be informed at the earliest opportunity by the Headteacher. The school/academy and the parents can then work together to decide an appropriate course of action and to support the young person involved as far as possible.
- Substance misuse or supply on the premises is likely to lead to permanent exclusion. The school/academy will consider each substance incident individually and recognises that a variety of responses will be necessary to deal with incidents. The school/academy will consider very carefully the implications of any action it may take. It seeks to balance the interests of the pupil involved, the other school members and the local community. Permanent exclusion is seen as a last resort; however, the school/academy acknowledges that there may be circumstances under which they have no choice but to use this sanction in order to protect the wider school/academy community.
- If a young person admits to using or supplying substances **off the premises** the Headteacher must be informed immediately. The Headteacher will use his/her discretion about how to proceed, but would always inform parents unless exceptional circumstances apply.
- Each school/academy cannot knowingly allow its premises to be used for the production, misuse or supply of any controlled drug. Where it is suspected that substances are continuing to be sold on the premises, full details regarding those involved will be passed to the Police Liaison Officer or Community Affairs Department. There is no legal obligation to inform the police, though they may be able to give relevant support and advice.
- The Headteacher will take responsibility for liaison with the media. As the issue of substance misuse is an emotive one, and is likely to generate interest from the local and national media, the school will take appropriate advice and guidance from the Local Authority Press Office and Legal Department to ensure that any reporting of incidents remains in the best interests of the young people, their families and the school.

The Governing Body will:

be involved in substance education and substance related incidents in the same manner as any other matter concerning the direction of the school;

- seek the advice of the Headteacher on this statement, keep it up-to-date, and make it available to parents upon request;
- draw the attention of the Headteacher to any materials which they consider to be inappropriate

Staff will:

- If appropriate to their role within each school/academy, provide education on substance use and misuse in accordance with this statement and in a way which encourages students to make the informed choice to refuse to take drugs
- If appropriate to their role within each school/academy, implement the agreed scheme of work
- Participate in training (where applicable) to provide education on substance use and misuse in line with the school/academy statement
- Respond appropriately to any circumstances in which they consider a young person is taking or at risk of taking illegal drugs, including informing the Headteacher

Students will:

- Engage in each school/academy's educational provision concerning drugs, alcohol and other substances
- Avoid breaking each school/academy's behaviour code concerning substances
- Bring it to the attention of a member of staff if they become aware of any misuses of drugs, alcohol or other substances

MONITORING AND EVALUATION

- Lessons on education on substance use and misuse will be observed in the normal programme of monitoring teaching and learning
- This statement will be reviewed annually by each Governing Body or sooner if necessary.

Equalities impact assessment considered