



**Education
Partnership
Trust**

Creating outstanding schools
which transform learning, lives
and communities

BEHAVIOUR POLICY



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INTRODUCTION

At Eden, we aim to provide a safe, inclusive learning environment that helps students overcome barriers, negative influences, frustrations and difficulties and promote positive attitudes, relationships and behaviour that is conducive to learning. This will be achieved by promoting an ethos of respect combined with excellent teaching and learning opportunities.

Staff at Eden require exceptional skills to be able to respond appropriately to the challenges they are presented with. They are confident and skilled in building positive relationships that help to break down barriers, build self-esteem and challenge disaffection.

AIMS AND OBJECTIVES

- To create a positive learning community where students are encouraged to realise their full potential
- To develop a team ethic within Eden that will allow students to make a positive contribution to the success of the school
- To encourage students to adopt a positive attitude and values such as consideration, honesty and respect
- To acknowledge and reward positive behaviour when students achieve or exceed the expected standards of behaviour
- To work consistently and restoratively with students who are not achieving the expected standards of behaviour
- To teach students how to manage their own behaviour and interact positively with teachers and peers
- To support students when they arrive at the school and to have a phased integration into the main school which takes into account the individual needs of the student
- To promote joined up thinking between all departments to facilitate and support SMSC, PSE, health and wellbeing of all students and staff

STRATEGIES TO MEET THESE OBJECTIVES

- A clear code of conduct that is agreed by all members of the school community
- Clear reward and sanction document
- Clear Behaviour for Learning strategies implemented throughout the school
- Restorative practice to be used to manage and improve behaviour
- Regular training for all staff in Team Teach and de-escalation techniques.
- Interactive group development lessons with all Eden staff members including teachers, Teaching assistants and support staff
- A six-week induction programme to allow a student-centred phased introduction into the main school

- Clear procedures for transitions before and after school, between lessons, at break and lunch times
- A Restorative Zone to allow students a safe space to reregulate their behaviour and to prevent disruption to learning
- Nurture areas allow vulnerable students a safe space to settle if they are feeling overwhelmed in the main classrooms. Available to the students is the Sanctuary and the Movement room

THE IMPACT OF THIS POLICY

- Whole school approach to restorative practice evidenced by an atmosphere of respect and dignity
- All lessons are orderly and students are visibly enthusiastic learners
- The school environment is calm and students are considerate at all times including breaks and lunchtimes
- There are improvements in behaviour over time for individual students

- Incidents of bullying are rare and students have an awareness of how their attitude and behaviour affects others
- Students achievements and rewards increase
- Students will value the school environment and its rules and routines
- Staff and students will have high expectations of behaviour and learning and self-esteem will rise

POLICY MONITORING AND EVALUATION

- Records of reasonable force
- Staff feedback through surveys, supervisions and weekly staff meetings
- Analysing BFL data
- Analysing Intervention data
- School Council, Talk time, Supervisions and Form Periods will invite students feedback on behaviour, safety and welfare in school
- Inviting feedback from parents / carers via phone calls home, meetings with staff and parent's evenings and celebrations days
- Restorative justice records
- Weekly behaviour walks

BEHAVIOUR OUT OF SCHOOL

- Students may be disciplined for any behaviour out of school when the student is travelling to and from school, wearing the school uniform or taking part in any school related activity. Action will also be taken if they pose a threat to another student or member of the public or if their behaviour could have repercussions for the orderly running of the school.

POLICY IMPLEMENTATION

- **A Consistent Approach.** All members of staff should implement the behaviour policy and complete BFL protocols. They should work restoratively to give all students the opportunity to succeed in a positive learning environment.
- **A Positive Approach** to behaviour. It is important that students feel a sense of community and belonging to the school. They should be given the opportunity to represent the school in a variety of learning opportunities both individually and as part of a team. Their achievements should be celebrated, praised and rewarded consistently and fairly. The school will place emphasis on the use of rewards as a means of raising levels of achievement and in turn will encourage appropriate behaviour and increase the self-esteem of students.
- **Joined Up Thinking** The school will promote joined up thinking between teachers, SLT, MLT, support and admin staff, behaviour team, therapists, LA's and parents. The SLT will outline the responsibilities of the partnership and therefore promote a uniform standard of values and behaviours across the school community
- **Key workers.** Form time offers a perfect opportunity for mentoring to take place. Key workers will monitor and discuss BFL and attendance with students using the behaviour tracker but will also implement social and emotional aspects of learning
- **Celebration Assemblies** Assembly provides the opportunity to publicly celebrate success and to promote and explore SMSC and PSE topics. It allows students to explore ideas around behaviour and how their behaviour can affect that of others around them. It also provides a forum for school council and aspects of safety, health and wellbeing
- **Uniform** Students are encouraged to take pride in their appearance and are expected to wear full school uniform throughout the school day, including to and from school.

- Behaviour Meetings. Meetings at the end of the school day will provide opportunity for teachers to discuss behaviour. During this time, they will share information with key workers for the behaviour tracker and share good practise. They will also use this time to risk assess student's behaviours and plan for the following day
- **Behaviour Tracking** Staff report all behaviours, this is done throughout the day by using the CPOMS. This allows staff to keep up to date with what is happening in school. Staff also discuss behaviours at the end of the day amongst themselves and the Behaviour Lead. This allows time to risk assess and to plan for the following day.

POLICY INFORMATION

Bullying and harassment of any type will not be tolerated in school and will be dealt with using the sanctions system. For incidents of bullying occurring outside of school such as using social network sites these will be behaviour team. Parents/Carers will be contacted immediately to work restoratively with those involved and support will be put in place for individuals including mentoring, personalised timetables and break and lunchtime support

Screening, Searching and Confiscation

Students can be searched for any item banned under the school rules with their consent. The Headteacher or staff authorised by her can search students without consent where they suspect that the student has certain prohibited items. This includes knives, weapons, alcohol, illegal drugs or stolen items. Any search undertaken will have a minimum of two staff present, one of which will be the same gender as the student. (DFE 2012 – Screening, Searching and Confiscation)

Code of conduct

At Eden we believe that:

- Everyone has the right to be treated fairly
- Everyone has the right to be listened to
- Everyone has the right to learn

In order for every young person to have the best opportunity to reach their potential and have a valuable learning experience, we expect the following from all our pupils.

Every pupil will:

- Remove their hats and coats on entering the school
- Ensure that their mobile phone is handed in on entering the school
- Follow all staff instructions
- Remain on task in class and complete the assigned work
- Speak to staff and their peers appropriately
- Keep our hands to themselves

Rewarding positive behaviour and learning

Praise, celebration and encouragement promote positive behaviour. As a school we believe that rewards and recognition play a motivational role in helping students to realise desirable behaviour. These rewards are clearly defined in our procedures. To help our students, we have a rewards system based on Resilience, Work, Behaviour and Kindness, each week this is celebrated.

- Formal and informal praise play a part in our behaviour for learning procedures. Students are praised in class on a regular basis and more formally in a weekly assembly, form time and end of half term celebrations.
- Behaviour and learning points are achieved in each lesson and these points are collected on a termly basis and translated into a monetary reward.
- Behaviour targets are monitored on a weekly basis by key workers and progress towards or achievement of these targets are celebrated with key workers and peers in an end of week activity or trip.
- Half termly we have assemblies to celebrate the success of students over the half term and the achievements they have made across all subjects.

Sanctions

Red and Yellow behaviours

While the focus is on positive and preventative whole school approaches, certain types of behaviour are unacceptable. Decisions about what are unacceptable behaviours must be consistent with policy. In addressing unacceptable behaviours school must be firm but fair. We have designed a system where the behaviours can be categorised into Red and Yellow. This is to determine the severity of the individual incidents.

Firm in relation to boundaries, expectations, rules, responsibilities and choice. Fair in relation to school context, compassion and being realistic. In our school we address firm and fair in the following ways:

- Having a clear set of schools rules which are realistic for our setting
- Negative behaviours are highlighted by the issuing of red and yellow warnings linked to a clear set of school rules. Consequences of these are reflected in loss of enrichment at the end of the day or in some cases loss of activity at the end of the week
- Using good classroom management and primary prevention techniques such as Individual Behaviour Management Plans and ABC charting to identify areas of concern and manage them through forward planning.
- Using secondary, de-escalation techniques and good communication skills to prevent behaviour from escalating.
- By providing personalised timetables, a flexible engaging curriculum, specialist teachers and a good behaviour for learning programme.
- By working restoratively throughout the whole school and making students aware of the impact of their behaviour on themselves and others.
- Having an interactive activity/lesson on a weekly basis in which all members of the school participate to improve interpersonal relationships between students, teachers, TA's, support staff and therapists.

The Zone

The Zone has 2 rooms. One of these is a work room and one of these rooms is used when a child needs quiet time.

At Eden we may have to seclude pupils this allows disruptive pupils to be placed in an area away from other pupils for a limited period. This will be the quiet room. This is used as a space to regulate behaviour if it is chosen on conduct support plans as an option. The room is also used as a last resort to keep the pupil safe. The quiet room is used for short period of time determined by the Behaviour Lead.

The working rooms is used for students to complete internal exclusions or maybe chose by pupils who wants to work separately. This area is also used for Restorative meetings and behaviour interventions.

Pupils are still allowed to use the toilet, have their water bottles and eat breakfast and lunch.

Exclusions

Only the Headteacher can exclude a student in line with statutory guidelines. Permanent exclusions must be confirmed by Governors. Any fixed term exclusions will be discussed with parents/carers before a formal letter of exclusion is delivered. The decision to exclude will be made on evidence collected which must be a balanced account of the incident/s without prejudice or emotive language.

*Please see separate Appendix 2

Equal Opportunities

Eden School provides equal opportunities regardless of disability, gender, sexual orientation, transgender or ethnic background. Students are expected to treat everyone with equal respect regardless of any differences.

APPENDIX 1 – SEARCHING STUDENTS

This guidance relates to the 2014 DFE guidance on Searching, screening and confiscation.

Key Points to Note:

- School staff can search students and their possessions *with their consent* for any item.
- The school is not required to inform parents before a search takes place or seek to their consent to search a student. There is also no legal requirement to inform parents of the outcome of a search, although it is best practice to do so where a prohibited item is found.
- Head teachers and staff authorised by the Head teacher have the power to search students or their possessions *without consent* where they suspect the students has a 'prohibited item'.

Examples of prohibited items are:

- Knives and weapons
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco and cigarette papers
- Fireworks
- Pornographic images
- Any article that has been or is likely to be used to cause an offence
- Any item banned by the school rules/policy that has been named as something that may be searched for e.g:
 - Chewing gum
 - Lighters/matches
 - Surveillance equipment
 - E-Cigs
- Students can be required to remove outer clothing, including hats, boots, shoes, coats and jackets, gloves and scarves.
- The contents of pockets must be produced by the student.
- The member of staff carrying out the personal search should be of the same sex as the student involved. There should also be a witness of the same sex.

- If, however, a member of staff suspects that serious harm could occur because of something a student has in his or her possession, then an immediate search by a person of the opposite sex and without a witness is permissible.
- Staff are protected from liability for damage to, or loss of any confiscated items.
- The school is authorised to dispose of confiscated items as it sees fit unless it is an illegal item, which should always be handed in to the police. Any disposal of confiscated goods should be discussed with a member of SLT first.
- The school has powers to seize electronic devices without consent and for the person conducting the search to examine any data or files on the device if they think there is good reason to do so.
- The school also has powers to erase any data or files found on the device should it suspect that the material has been or could be used to cause harm, disrupt teaching or break school rules.

APPENDIX 2 – EXCLUSIONS ARRANGEMENTS

1.0 AIMS

Our school aims to ensure that:

- The exclusions process is applied fairly and consistently.
- The exclusions process is understood by governors, staff, parents and students.
- Students in school are safe and happy.
- Students do not become NEET (not in education, employment or training).

2.0 LEGISLATION AND STATUTORY GUIDANCE

- 2.1 These arrangements are based on statutory guidance from the Department for Education: [Exclusion from maintained schools, academies and student referral units \(PRUs\) in England](#).
- 2.2 It is based on the following legislation, which outline schools' powers to exclude students:
- Section 52 of the [Education Act 2002](#), as amended by the [Education Act 2011](#)
 - [The School Discipline \(Student exclusions and Reviews\) \(England\) Regulations 2012](#)
 - Sections 64-68 of the [School Standards and Framework Act 1998](#) In addition, the arrangements are based on:
 - Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which looks at parental responsibility for excluded students
 - Section 579 of the [Education Act 1996](#), which defines 'school day'
 - The [Education \(Provision of Full-Time Education for Excluded Students\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Students\) \(England\) \(Amendment\) Regulations 2014](#)

3.0 THE DECISION TO EXCLUDE

- 3.1 Only the Headteacher, or a person acting with the Headteacher's authority, can exclude a student from school. Permanent exclusions will be taken as a last resort.
- 3.2 A decision to exclude a student will be taken only:
- In response to serious or persistent breaches of the school's behaviour policy, **and**
 - If allowing the student to remain in school would seriously harm the education or welfare of others.
- 3.3 Before deciding whether to exclude a student, either permanently or for a fixed period, the Headteacher will:



- Consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked.
- Allow the student to give their version of events.
- Consider if the student has special educational needs (SEN).

4.0 DEFINITION

4.1 For the purposes of exclusions, school day is defined, as any day on which there is a school session. Therefore, INSET or staff training days do not count as a school day.

5.0 ROLES AND RESPONSIBILITIES

The Headteacher

Informing parents

- 5.1 The Headteacher will immediately provide the following information, in writing, to the parents of an excluded student:
- The reason(s) for the exclusion.
 - The length of a fixed-term exclusion or, for a permanent exclusion, the fact that it is permanent.
 - Information about parents' right to make representations about the exclusion to the Governing Body and how the student may be involved in this.
 - Where there is a legal requirement for The Governing Body to meet to consider the reinstatement of a student, and that parents have a right to attend a meeting, be represented at a meeting (at their own expense) and to bring a friend.
- 5.2 The Headteacher will also notify parents by the end of the afternoon session on the day their child is excluded that for the first 5 school 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 a good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this.
- 5.3 If alternative provision is being arranged, the following information will be included when notifying parents of an exclusion:
- 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 required by the student to identify the person they should report to on the first day.
- 5.4 Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session, it may be provided in a subsequent notice, but it will be provided 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 an exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.

Informing the Governing Body and local authority

5.5 The Headteacher will immediately notify The Governing Body and the local authority (LA) of:

- A permanent exclusion, including when a fixed-period exclusion is made permanent.
- Exclusions which would result in the student being excluded for more than 5 school days (or more than 10 lunchtimes) in a term.
- Exclusions which would result in the student missing a public examination.

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

5.7 For all other exclusions, the Headteacher will notify The Governing Body and LA once a term.

The Governing Body

5.8 Responsibilities regarding exclusions are delegated to the Headteacher.

5.9 The Local Governing Body has a duty to consider the reinstatement of an excluded student.

5.10 Provision does not have to be arranged for students in the final year of compulsory education who do not have any further public examinations to sit.

The LA

5.11 For permanent exclusions, Blackburn and Darwen Local Authority is responsible for arranging suitable full-time education to begin no later than the sixth day of the exclusion.

6.0 CONSIDERING THE REINSTATEMENT OF A STUDENT

6.1 The Governing Body will consider the reinstatement of an excluded student within 15 school days of receiving the notice of the exclusion if:

- The exclusion is permanent.
- It is a fixed-term exclusion which would bring the student's total number of school days of exclusion to more than 15 in a term.
- It would result in a student missing a public examination.

6.2 If requested to do so by parents, Governing Body will consider the reinstatement of an excluded student within 50 school days of receiving notice of the exclusion if the student would be excluded from school for more than 5 school days, but less than 15, in a single term.

6.3 Where an exclusion would result in a student missing a public examination, the Governing Body will consider the reinstatement of the student before the date of the examination. If this is not practicable, the Governing Body will consider the exclusion and decide whether or not to reinstate the student.

6.4 The Governing Body can either:

- Decline to reinstate the student, or
- Direct the reinstatement of the student immediately, or on a particular date

6.5 In reaching a decision, the Governing Body will consider whether the exclusion was lawful, reasonable and procedurally fair and whether the Headteacher followed their legal duties. They will decide whether or not a fact is true 'on the balance of probabilities', which differs from the criminal standard of 'beyond reasonable doubt', as well as any evidence that was presented in relation to the decision to exclude.

6.6 Minutes will be taken of the meeting, and a record of evidence considered kept. The outcome will also be recorded on the student's educational record.

6.7 The Governing Body will notify, in writing, the Headteacher, parents and the LA of its decision, along with reasons for its decision, without delay.

6.8 Where the exclusion is permanent, the Governing Body decision will also include the following:

- The fact that it is permanent
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel, and:
 - The date by which an application for an independent review must be made.
 - The name and address to whom an application for a review should be submitted .
 - That any application should set out the grounds on which it is being made and that, where appropriate, reference to how the student's SEN are considered to be relevant to the exclusion.
 - That, regardless of whether the excluded student has recognised SEN, parents have a right to request a SEN expert to attend the review.
 - The Governing Body to appoint an SEN expert to attend the review.
 - 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 exclusion has occurred as a result of 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. A 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.

7.0 AN INDEPENDENT REVIEW

7.1 If parents apply for an independent review, the Governing Body will arrange for an independent panel to review the decision of The Governing Body not to reinstate a permanently excluded student.

7.2 Applications for an independent review must be made within 15 school days of notice being given to the parents by The Governing Body [of its decision to not reinstate a student.

7.3 A panel of 3 or 5 members will be constituted with representatives from each of the categories below.

7.4 Where a 5-member panel is constituted, 2 members will come from the school governor's category and 2 members will come from the Headteacher category.

- 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.



- 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 Headteacher during this time.
- Headteacher 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 director of the Governing Body or governing board 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 Governing Body, 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 governing board, parents or student, 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 (see point 12 below for what training must cover) A clerk will be appointed to the panel.

7.5 The independent panel will decide one of the following:

- Uphold the Governing Body's decision.
- Recommend that The Governing Body reconsiders reinstatement.
- Quash the Governing Body's decision and direct that they reconsider reinstatement (only when the decision is judged to be flawed).

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

8.0 SCHOOL REGISTERS

8.1 A student's name will be removed from the school admissions register if:

- 15 school days have passed since the parents were notified of the exclusion panel's decision to not reinstate the student 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

8.2 Where an application for an independent review has been made, The Governing Body will wait until that review has concluded before removing a student's name from the register.

8.3 Where alternative provision has been made for an excluded student and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

8.4 Where excluded students are not attending alternative provision, code E (absent) will be used.

9.0 RETURNING FROM A FIXED TERM EXCLUSION

9.1 Following a fixed-term exclusion, a re-integration meeting will be held involving the student, parents, a member of senior staff and other staff, where appropriate.

9.2 The following measures may be implemented when a student returns from a fixed-term exclusion:

- Agreeing a behaviour contract in agreement with parent/carer support
- Putting a student 'on report' to their form tutor, head of year or member of the senior leadership team as appropriate
- Internal isolation for a specified period of time
- Regular meetings with their in-school mentor

10.0 MONITORING ARRANGEMENTS

10.1 The Pastoral Team monitors the number of exclusions every term and reports back to the Headteacher. They also liaise with the local authority to ensure suitable full-time education for excluded students. These arrangements will be reviewed every 2 years. At every review, the policy will be shared with the governing body.

11.0 LINKS WITH OTHER POLICIES

11.1 These exclusions arrangements are linked to our SEND policy and information report.

12.0 INDEPENDENT REVIEW PANEL TRAINING

12.1 The Governing Body must ensure that all members of an independent review panel and clerks have received training within the 2 years prior to the date of the review.

12.2 Training must have covered:

- The requirements of the primary legislation, regulations and statutory guidance governing exclusions, which would include an understanding of how the principles applicable in an application for judicial review relate to the panel's decision making.
- The need for the panel to observe procedural fairness and the rules of natural justice.
- The role of the chair and the clerk of a review panel.
- The duties of head teachers, governing boards and the panel under the Equality Act 2010.
- The effect of section 6 of the Human Rights Act 1998 (acts of public authorities unlawful if not compatible with certain human rights) and the need to act in a manner compatible with human rights protected by that Act.