



Coastal Learning
PARTNERSHIP

Partnership-wide Policy for Behaviour Principles, Reasonable Force and Exclusions

This policy has undergone an Equalities Impact Assessment in line with the requirements of the Public Sector Equality Duty

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| Committee: | Resources Committee |
| Policy Ratified: | October 2021 |
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| Additional School Procedure – N/A | |
| Committee: | |
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Partnership-wide policy for Behaviour Management and Exclusions

Other associated policies and documentation:

- Pupil Attendance Policy
- Public Sector Equality Duty Policy
- Safeguarding and Child Protection Policy and Procedures
- School-specific Behaviour and Anti Bullying Policies

Contents:

- Section A: General principles and requirements
- Section B: Responsibilities
- Section C: Principles for promoting positive behaviour
- Section D: Principles and arrangements for exclusions

1. **Section A: General principles and requirements**

1.1 Coastal Learning Partnership values the diversity of its schools. Each school is unique and retains its individual identity through such things as its uniform, ethos and, where relevant, Christian Distinctiveness. Each school retains its own Local Governing Body and has the autonomy to develop its provision to meet the needs of its pupils and their families. The nature of this relationship between the Partnership and its schools is expressed through many of the policies and procedures and this is especially the case with pupil behaviour. It is recognised that each school will develop its own specific arrangements for promoting positive pupil behaviour and addressing poor behaviour in order to promote successful learning.

1.2 The following sets out the Partnership-wide principles and arrangements which will underpin school policies, alongside the relevant legal requirements.

1.3 Schools within Coastal Learning Partnership are required under the *Education (Independent School Standards) (England) Regulations 2014* (also applicable to academies) to promote good behaviour amongst pupils through:

- Ensuring that a written Behaviour Policy is drawn up that, amongst other matters, sets out the sanctions to be adopted in the event of pupil misbehaviour.
- Ensuring that the policy is implemented effectively.
- Keeping a record of the sanctions imposed upon pupils for serious misbehaviour.

1.4 Each school's local arrangements for managing pupil behaviour will be described within the school-specific Behaviour Policy. Whilst each school's Behaviour Policy will be different, the following key principles will be evident in each of them:

- The promotion of positive behaviour and the elimination of poor behaviour are essential foundations for the promotion of effective learning for all pupils.
- Pupils are taught to celebrate and respect diversity and to value the rights of all other people.
- Pupils are treated with dignity and respect; humiliation, bullying and discrimination of any form are not tolerated and this includes all forms of child on child sexual harassment and abuse.
- All members of the school community are respected and their individuality valued. In schools of Christian religious character, this will be further expressed through the belief that each is a unique and individual child of God, created and loved and of infinite value.
- Pupils have the right to relax and play.
- Appropriate pupil behaviour arises from surrounding pupils with positive influences and examples: respectful and positive relationships, praise, positive recognition, encouragement and reward.
- Pupils will be taught to make appropriate choices and to understand that the choices they make affect themselves and others.
- Clear and transparent rules are implemented to ensure that a busy school runs in an orderly manner.
- Sanctions are in place to manage inappropriate behaviour and such sanctions are clear and transparent and proportionate. Rewards and sanctions are applied fairly and consistently.
- Restorative justice - reconciliation and repair - will sit at the heart of resolving conflict between pupils.
- Parents and carers will be considered active partners in the management of the behaviour of their child at school.

1.5 The conditions of the Regulations also require that bullying is prevented in so far as reasonably practicable, by the drawing up and implementation of an effective anti-bullying strategy.

1.6 Each CLP school will make its Behaviour and Anti-Bullying Policies available on its website.

2. Equal Opportunities

2.1 The Trust Board, Local Governors and Headteachers will ensure that any actions taken under this policy will be in accordance with the Partnership's equal opportunity policies and procedures; the Partnership is committed to proactively prevent discrimination.

3. Monitoring and Review

3.1 The Trust Board will review these partnership-wide principles for behaviour management (including exclusions) every three years or earlier if required.

4. Section B: Responsibilities

4.1 Trust Board

- To establish partnership-wide principles for behaviour management including exclusions which sets out the Partnership's principles alongside the legal framework.
- To arrange an Independent Review Panel hearing to review the decision of a Local Governing Body not to reinstate a permanently excluded pupil should such a situation arise.
- To ensure appropriate training for Local Governors related to exclusions.
- To receive from regular reports of exclusions figures so that themes and issues can be interrogated.

4.2 Local Governing Body

- To establish school-specific policies which reflect the Partnership's principles and the school's ethos along with the legal requirements and which are published on the school's website.
- To monitor the effectiveness of the school's policies and procedures.
- To create an Exclusions Committee to review exclusions and consider any representations from parents / carers as outlined within this policy.

4.3 Headteacher

4.3.1 The Headteacher's role is to determine the detailed procedures required to achieve the standard of behaviour expected and to ensure that agreed policies are applied consistently. The Headteacher is expected to:

- Ensure that staffing arrangements are appropriate and sufficient to enable the school to appropriately support its pupils and maintain high standards of behaviour.
- Promote self-discipline and respect for the school's rules, routines and staff.
- Encourage good behaviour and respect for others and seek to prevent all forms of bullying and discrimination. Ensure that the standard of behaviour is conducive to effective learning.
- Otherwise regulate the conduct of pupils.

- Ensure that appropriate and robust arrangements and procedures exist which will enable these aims to be met.
- Report to Local Governing Body about the standards of behaviour on a termly basis and annually concerning the overall implementation and effectiveness of the school's Behaviour Policy.
- Ensure that any use of exclusion is appropriate and proportionate and compliant with relevant legislation and the requirements of this policy.

4.4 All Staff and Volunteers

- 4.4.1 All staff are expected to model and encourage good behaviour and respect for others and to apply all rewards and sanctions fairly and consistently. Well-planned, engaging and appropriately challenging lessons have a significant positive impact on pupil behaviour. All staff are expected to be role models of good behaviour and to promote self-discipline amongst pupils as well as deal with any unacceptable behaviour in accordance with these principles and the school's policy.

5. **Section C: Principles for promoting positive behaviour**

CLP schools will ensure that all members of the school community - both pupils and adults - fully understand the school's Behaviour Policy. Schools will publish their school-specific Behaviour Policy on their website in accordance with the *School Information (England) Regulations 2008*; although this is not strictly a requirement for academies, CLP considers it to be best practice.

- 5.2 The power to discipline applies to all paid staff with responsibility for pupils at CLP schools. This power extends to adult volunteers, albeit under the guidance of paid staff. Discipline can only be exerted on the school premises or elsewhere when the pupil is under the lawful control of the staff member.
- 5.3 In pursuit of the principles outlined in 1.3, each CLP school will manage pupil behaviour through application of the principles and arrangements set out in this policy as well as in its own school-specific Behaviour Policy and other associated policies including Anti Bullying.
- 5.4 CLP acknowledges that behaviour and discipline issues may signal complex social underlying causes, which schools will take into account and endeavour to counter.

6. **Rewards and sanctions**

- 6.1 Sanctions may be imposed as punishments but it is also important to see them as an encouragement to pupils to take responsibility for their actions. They should understand that forgiveness and restoration are always available to them.
- 6.2 Each school's Behaviour Policy will outline the school's rewards and sanctions. Staff will apply these fairly and consistently. Positive behaviour from individual pupils as well as groups such as classes and year groups will be recognised and rewarded.
- 6.3 Teachers have statutory authority to discipline pupils whose behaviour is unacceptable, who break the school rules or who fail to follow a reasonable instruction. Staff, pupils and parents will be made aware of the well-established and clear sanctions in place. Sanctions are to be consistently and fairly applied in line with the school's Behaviour Policy. Sanctions imposed

may vary according to age and circumstance and will be proportionate to the offence; they should be as constructive as possible and enable pupils to make reparation where possible.

7. Bullying, harassment and abuse

7.1 CLP schools seek to ensure a positive, inclusive culture in which all members of the school community have respect for one another. Bullying in any form is tackled proactively and each school's arrangements for the prevention of bullying and the ways in which it is addressed when it does occur can be found in the school's Anti-Bullying policy.

7.2 All peer on peer abuse and sexual harassment is unacceptable and will be taken seriously. Staff maintain an attitude of 'it could happen here' and will not dismiss worrying behaviour as "normal". Such behaviour will be addressed in line with statutory guidance and schools' behaviour and safeguarding policies.

8. Banned Items

8.1 It is a legal requirement for schools to list items which are banned from the school premises. The DfE defines prohibited items as:

- Knives or weapons
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco and cigarette papers
- Fireworks
- Pornographic images
- 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 the property of, any person (including the pupil).

8.2 All schools within CLP will ban those items defined as prohibited by the DfE. Any other items banned by an individual school will be identified in the school-specific policy. On occasion, a school may find it appropriate to temporarily ban items due to ongoing minor disputes between pupils. In such cases, temporarily banned items will always be clearly communicated to pupils, staff and parents.

9. Reasonable force

9.1 The term 'reasonable force' covers the broad range of actions used by staff that involve a degree of physical contact to control or restrain children. This can range from guiding a child to safety by the arm, to more extreme circumstances such as breaking up a fight or where a young person needs to be restrained to prevent violence or injury. The use of force may involve either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of the classroom.

9.2 'Reasonable' means using no more force than is warranted and only in situations where it is required. CLP recognises that all school staff have a legal power to use reasonable force in relevant situations (as do volunteers or parents who have temporarily been put in charge of pupils) such as to prevent pupils committing an offence, injuring themselves or others, or

damaging property, to conduct a search and to maintain good order and discipline in the classroom. However, the primary aim in all CLP schools is to consistently promote a positive culture and ethos. School staff will use de-escalation techniques and alternative strategies specific to the individual needs of children. Reasonable force would only ever be used in strict accordance with the legislative framework. Further details can be found in the DfE publication [‘Use of reasonable force: Advice for Headteachers, Staff and Governing Bodies’](#) (July 2013). Each school’s Behaviour Policy includes the power to use reasonable force, including the circumstances in which force might be used. Schools will communicate with parents about all incidents involving the use of reasonable force. More serious situations involving the use of reasonable force (such as where physical contact was required) will be recorded using the form provided as appendix A. It is for schools to determine where a situation warrants such recording by considering the:

- Pupil’s behaviour and level of risk presented at the time of the incident;
- Degree of force used;
- Effect on the pupil or member of staff;
- The child’s age.

The school should consult with the central team if there is any doubt about whether an incident should be communicated to parents and/or recorded; typically, however, if there is any doubt, it is best to err on the side of caution. Given the additional vulnerability of the group, due regard will be paid to the use of reasonable force on pupils who have special educational needs or disabilities and those with emotional and behavioural difficulties.

9.3 Members of staff are not expected to put themselves at risk. Those staff who are more likely to need to use reasonable force will be provided with appropriate training which will be detailed in the school’s Behaviour Policy.

10. The power to discipline beyond the gates

10.1 Pupils can be disciplined beyond the school gates to such an extent as is reasonable. This may for example be in relation to poor behaviour which brings the school’s reputation into disrepute and which has been witnessed by a staff member or otherwise reported to the school. In such situations, school staff will liaise with parents and carers.

11. Engaging with staff and pupils

11.1 The effectiveness of each school’s behaviour policy and procedures will be discussed regularly and as required with staff. Staff will be directly involved in discussions around the behaviour of specific pupils where there may be concerns and they will be actively engaged in the drawing up of individual behaviour and support plans. Staff will be provided with appropriate training regarding behaviour management as required.

11.2 Article 12 of the UN Convention on the Rights of the Child allows children who are capable of forming views the right to express those views. The School Council is a mechanism through which schools can engage pupils directly in the process of reviewing the behaviour policy and procedures. Where appropriate, individual pupils will be part of any discussions related to the formulation of individual behaviour and support plans.

12. Section D: Principles and arrangements for exclusions

12.1 CLP school communities are committed to achieving the following:

1. To ensure the safety and well-being of all members of the school community whilst maintaining an appropriate education environment in which all can learn and succeed.
 2. To avoid as far as possible the need to use exclusion as a sanction.
- 12.2 CLP schools will follow the practices and procedures within the Department for Education (DfE)'s guidance [Exclusion from Maintained Schools, Academies and Pupil Referral Units in England](#) (September 2017). For quick reference, schools are guided towards the summary of 'key points' within this DfE publication as well as the following details of this policy. However, schools will have due regard to the full breadth of guidance and legislation.
- 12.3 The overriding principle is that CLP schools will always try to avoid fixed term and permanent exclusions and will endeavour to keep pupils in school if at all possible. Wherever necessary, a multi-agency approach will be used to find solutions other than exclusion. It is recognised that poor behaviour can be indicative of other issues and CLP schools will seek to understand the cause of poor behaviour and aim to provide the necessary support. Exclusion should only be considered as a 'last resort' option. Fixed term exclusions will be set for the shortest possible period of time. Where a child may be excluded more than once, it may be that the duration of fixed term exclusions increases; it will be exceptional for a first fixed term exclusion to be set for the longest possible duration or for a permanent exclusion to be issued immediately. Rather, exclusion should be only after the school has used other strategies to try to resolve the problem.
- 12.4 The decision to exclude a pupil might be taken in the following circumstances:
- In response to a serious breach of the school's Behaviour Policy.
 - If allowing the pupil to remain in school would seriously harm the education or welfare of other persons or the pupil him/herself in the school.
- 12.5 The behaviours which may lead a CLP school to consider exclusion as a sanction are varied but may include:
- Verbal or physical abuse to staff, pupils and others
 - Indecent behaviour
 - Wilful damage to property
 - Misuse of or supplying illegal drugs
 - Misuse of other substances
 - Theft
 - Serious actual or threatened violence against another pupil or a member of staff
 - Sexual abuse or assault
 - Carrying an offensive weapon
 - Arson
 - Repeated unacceptable behaviour which has previously been reported and for which school sanctions and other interventions have not been successful in modifying the pupil's behaviour
- 12.6 Only the Headteacher (or Executive Headteacher in the case of schools where leadership is shared) can exclude a pupil. In the case of a Headteacher's absence, a pupil can only be excluded by a senior member of staff appointed to act on behalf of the Headteacher and, even then and as far as reasonably practical, this will be in consultation with the Headteacher. Pupils may be excluded for one or more fixed periods or permanently.

12.7 CLP Schools will ensure that they do not discriminate against pupils in relation to exclusion under the *Equality Act 2010*. The permanent exclusion of pupils with special educational needs or disabilities is discouraged, except in exceptional circumstances.

13. Alternatives to exclusion

13.1 Before resorting to exclusion, schools will try alternative solutions. For example:

- A restorative justice process, whereby the harm caused to the ‘victim’ can be redressed;
- Internal exclusion (removal from class, but not the site);
- A managed move to another location;
- Part-time or temporary attendance at a PRU; and
- Use of key workers from the school or outside agencies or reference to support services.
- Where a school places a pupil with an alternative provision provider, the school continues to be responsible for the safeguarding of that pupil, and should be satisfied that the provider meets the needs of the pupil. Schools will obtain written confirmation from the alternative provider that appropriate safeguarding checks have been carried out on individuals working at the establishment, i.e. those checks that the school would otherwise perform in respect of its own staff.

14. Fixed Periods

14.1 Pupils can be excluded for one or more fixed-term periods not exceeding 45 school days in any one school year. A decision to exclude a pupil permanently will only be taken as a last resort when a wide range of strategies for dealing with disciplinary offences has been employed to no avail or if an exceptional ‘one-off’ offence has been committed.

15. Inappropriate Exclusion

15.1 CLP schools will not see exclusion as appropriate in the following cases:

- Minor breaches of discipline;
- Poor academic performance;
- Truancy or lateness;
- Pregnancy;
- Non-compliance with uniform regulations (including the wearing of jewellery and extreme hairstyles) (except where these are persistent and in open defiance of the rules); and
- In response to the (unacceptable) behaviour/attitude/conduct of a pupil’s parents.

16. Parental Engagement

16.1 CLP schools will always work closely with families and, where a pupil is identified as being at risk of exclusion owing to a pattern of challenging behaviour, CLP would expect that parents are engaged early in the ongoing endeavours to improve the pupils’ behaviour. Through working with families in this way, exclusion should rarely be a surprise outcome. Where a parent refuses to abide by the terms of a fixed-term exclusion, for example by refusing to collect the child, the school will continue to be responsible for the pupil’s welfare until alternative arrangements can be made.

17. Review and Appeal Procedures

- 17.1 The Partnership's Scheme of Delegation requires the Chair of each school's Local Governing Body to establish an Exclusions Committee. This committee will promptly review all fixed-term exclusions of over 15 days in total in a school term, or if the pupil were to miss a public examination, as well as all permanent exclusions. The Exclusions Committee will operate in line with the required DfE practices and procedures and the committee is required to notify the Head of Learning and Achievement or CEO if it is concerned that it may not be able to meet those requirements, such as achieving impartiality. In such instances, consideration will be given to forming a committee drawing on other Local Governors and/or Trustees within the Partnership.
- 17.2 Arrangements must also be in place to review fixed-term exclusions over five days but not more than 15 days if the parent has asked to make representations. Exclusions for fewer than five days cannot be over-turned but must be reported and parental concerns may be considered when this is done.
- 17.3 Parents are entitled to appeal to the Local Governors' Exclusions Committee against any exclusion and this entitlement will be made clear to parents when they receive notification of their child's exclusion. A letter stating the intention to appeal should be sent to the Clerk to the Local Governing Body. A hearing will be set up as quickly as possible, but within 10 days at the latest. The decision of the Exclusions Committee is final.
- 17.4 If applied for by parents within the legal time frame, the Trust Board will arrange for an Independent Review Panel hearing to review the decision of the Local Governing Body not to reinstate a permanently excluded pupil. Any application made outside of the legal time frame will be rejected. The legal time frame is:
- Within 15 school days of notice being given to the parents by the Local 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 of discrimination under the *Equality Act 2010* in relation to the exclusion.
- 17.5 The review must begin within 15 school days of the day on which the Trust Board received the parent's application for a review. The Partnership will take reasonable steps to identify a date for the review that all parties are able to attend.
- 17.6 The Trust Board will strictly follow the DfE's statutory guidance [Exclusion from Maintained Schools, Academies and Pupil Referral Units in England](#), and the Independent Review Panel will be formed using this guidance.

18. Reporting exclusions

- 18.1 Detailed guidance related to reporting requirements can be found in the DfE's statutory guidance. In summary, Headteachers are legally required to notify parents without delay of the decision to exclude a child along with the reasons for the decision to exclude. Model letters are provided for this purpose. Headteachers are also required to notify the Trust Board and the Local Authority. In order to achieve this, schools in CLP will complete a standard template and share with the Chair of the Local Governing Body, the Local Authority and the Head of Learning and Achievement.

Appendix A: INCIDENT REPORT FOR USE OF REASONABLE FORCE

| | | |
|-----------------------------------|-----------------------------|------------------------|
| Name of School | | |
| Name of staff member | | |
| Date/time of incident | ____/____/____ | ____:____ |
| Location of incident | | |
| Names of pupil(s) involved | | |
| Names of witnesses | | |
| Description of incident | | |
| Steps taken to avoid force | | |
| Any injuries or damage | | |
| Nature of force used | | |
| Pupil's response | | |
| | Date: ____/____/____ | Time: ____:____ |

| | | |
|---|--------------------------------------|-------------------------------------|
| Contact with parent(s)/carer made | Response of parent(s)/ carer: | |
| Outcome of the incident | | |
| Signed: _____ Printed: _____ | | Date: _____ |
| Signed Headteacher: _____ Printed: _____ | | by Date: _____ |

If you have any further queries, please contact info@handsam.co.uk.