



# **Burnham on Crouch Primary School**

Connected to our world

## **Behaviour Policy**

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## **1. Policy Statement**

At Burnham-on-Crouch Primary School, we believe wholeheartedly in the holistic development of the whole child including teaching character such as kindness, honesty and tolerance, and learner attributes including resilience and emotional well-being. We aim to help children find their voice, talents and thrive. For this to take place effectively there must be a) a calm and purposeful atmosphere where children and adults can listen to each other without undue distraction and b) children are taught to know the difference between right and wrong, make the right choices and take responsibility for their behaviour and learning. Our emphasis is on recognising and celebrating effort and success, so that all pupils feel valued. We teach pupils to take responsibility for their own actions and to accept the consequences of their choices.

## **2. Aims**

This policy aims to:

- Create a positive culture that promotes excellent behaviour, ensuring that all pupils have the opportunity to learn in a calm, safe and supportive environment
- Establish a whole-school approach to maintaining high standards of behaviour that reflect the values of the school
- Outline the expectations and consequences of behaviour
- To support parents in helping their children to become sensible, polite, well behaved children in school, at home and in the wider world.
- Provide a consistent approach to behaviour management that is applied equally to all pupils
- Define what we consider to be unacceptable behaviour, including bullying and discrimination

## **3. Legislation, statutory requirements and statutory guidance**

This policy is based on legislation and advice from the Department for Education (DfE) on:

- Behaviour in schools: advice for headteachers and school staff 2022
- Searching, screening and confiscation: advice for schools 2022
- The Equality Act 2010
- Keeping Children Safe in Education 2023
- Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement 2023
- Use of reasonable force in schools
- Supporting pupils with medical conditions at school
- Special Educational Needs and Disability (SEND) Code of Practice
- It is also based on the Special Educational Needs and Disability (SEND) Code of Practice.

In addition, this policy is based on:

- Section 175 of the Education Act 2002, which outlines a school's duty to safeguard and promote the welfare of its pupils
- Sections 88 to 94 of the Education and Inspections Act 2006, which requires schools to regulate pupils' behaviour and publish a behaviour policy and written statement of behaviour principles, and give schools the authority to confiscate pupils' property
- DfE guidance explaining that maintained schools must publish their behaviour policy online

#### 4. **Definitions**

**Misbehaviour** is defined as:

- Disruption in lessons and at break and lunchtimes
- Non-completion of classwork
- Poor attitude
- Not following instructions
- Inappropriate language
- Lack of effort
- Being unkind to others

**Serious misbehaviour** is defined as:

- Repeated breaches of the school rules
- Any form of bullying
- Sexual violence/ harassment
- Vandalism
- Theft
- Verbal or physical assault, including spitting at another child or adult
- Smoking
- Racist, sexist, homophobic or discriminatory behaviour
- Making false accusations against teachers, members of staff or volunteers maliciously
- Possession of any prohibited items. These are:
  - Knives or weapons
  - Alcohol
  - Illegal drugs
  - Stolen items
  - Tobacco and cigarette papers
  - Fireworks

- Pornographic images
- Any article a staff member 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)

## 5. **Bullying**

**Bullying** is defined as the repetitive, intentional harming of one person or group by another person or group, where the relationship involves an imbalance of power.

Bullying is, therefore:

- Deliberately hurtful
- Repeated, often over a period of time
- Difficult to defend against

Bullying can include:

TYPE OF BULLYING	DEFINITION
Emotional	Being unfriendly, excluding, tormenting
Physical	Hitting, kicking, pushing, taking another's belongings, any use of violence
Prejudice-based and discriminatory, including: <ul style="list-style-type: none"> <li>• Racial</li> <li>• Faith-based</li> <li>• Gendered (sexist)</li> <li>• Homophobic/biphobic</li> <li>• Transphobic</li> <li>• Disability-based</li> </ul>	Taunts, gestures, graffiti or physical abuse focused on a particular characteristic (e.g. gender, race, sexuality)
Sexual	Explicit sexual remarks, display of sexual material, sexual gestures, unwanted physical attention, comments about sexual reputation or performance, or inappropriate touching
Direct or indirect verbal	Name-calling, sarcasm, spreading rumours, teasing
Cyber-bullying	Bullying that takes place online, such as through social networking sites, messaging apps or gaming sites

We use various methods for helping pupils to prevent bullying. This includes:

- Having a listening and caring ethos
- Encouraging discussion and not making premature assumptions
- Adopting a problem solving approach
- Exploring issues through the curriculum, assemblies and anti-bullying week
- Supporting the bully and the victim in modifying behaviour
- Providing information through notice boards, posters and Childline
- Providing support through playground buddies and play leaders

## **6. Roles and responsibilities**

### **6.1 The Governing Board**

The Governing Board is responsible for:

- Reviewing this behaviour policy in conjunction with the Headteacher and monitoring its effectiveness
- Undertaking their statutory role around suspension and exclusion
- Ensuring that all staff receive purposeful training in order that they can undertake their role

### **6.2 The Headteacher**

The Headteacher is responsible for:

- Reviewing this policy in conjunction with the Governing Board
- Leading on all aspects of this policy and modelling expectations for all staff
- Ensuring that the school environment encourages positive behaviour
- Ensuring that staff deal effectively with poor behaviour
- Monitoring that the policy is implemented by staff consistently with all groups of pupils
- Ensuring that all staff understand the behavioural expectations and the importance of maintaining them
- Providing new staff with a clear induction into the school's behavioural culture to ensure they understand its rules and routines, and how best to support all pupils to participate fully
- Offering appropriate training in behaviour management, and the impact of special educational needs and disabilities (SEND) and mental health needs on behaviour, to any staff who require it, so they can fulfil their duties set out in this policy
- Ensuring this policy works alongside the child protection policy to offer pupils both sanctions and support when necessary
- Ensuring that the data from the behaviour log is reviewed regularly, to make sure that no groups of pupils are being disproportionately impacted by this policy

### **6.3 Teachers and staff**

Staff are responsible for:

- Creating a calm and safe environment for pupils
- Establishing and maintaining clear boundaries of acceptable pupil behaviour
- Implementing the behaviour policy consistently
- Communicating the school's expectations, routines, values and standards through teaching behaviour and in every interaction with pupils
- Modelling expected behaviour and positive relationships
- Providing a personalised approach to the specific behavioural needs of particular pupils
- Considering their own behaviour on the school culture and how they can uphold school rules and expectations
- Reporting behaviour incidents promptly
- Challenging pupils to meet the school's expectations
- Providing specific support for pupils experiencing any difficulties, whether this is an ongoing need or a short term difficulty a pupil may be having
- The Senior Leadership Team (SLT) and Behaviour Lead will support staff in responding to behaviour incidents.

#### **6.4 Parents and carers**

Parents and carers, where possible, should:

- Get to know the school's behaviour policy and reinforce it at home where appropriate
- Support their child in adhering to the school's behaviour policy
- Inform the school of any changes in circumstances that may affect their child's behaviour
- Discuss any behavioural concerns with the class teacher promptly
- Engage with support offered by the school and other agencies to further support their child's needs
- Raise any concerns about the management of behaviour with the school directly, whilst continuing to work in partnership with the school
- The school will endeavour to build a positive relationship with parents and carers by keeping them informed about developments in their child's behaviour and the school's policy, and working in collaboration with them to tackle behavioural issues.

#### **6.5 Pupils**

Pupils will be made aware of the following during their induction into the behaviour culture:

- The expected standard of behaviour they should be displaying at school
- That they have a duty to follow the behaviour policy
- The school's key rules and routines
- The rewards they can earn for meeting the behaviour standard, and the consequences they will face if they don't meet the standard

- The pastoral support that is available to them to help them meet the behavioural standards

Pupils will be supported to meet the behaviour standards and will be provided with repeated induction sessions wherever appropriate.

Pupils will be supported to develop an understanding of the school's behaviour policy and wider culture.

Pupils will be asked to give feedback on their experience of the behaviour culture to support the evaluation, improvement and implementation of the behaviour policy.

Extra support and induction will be provided for pupils who are mid-phase arrivals.

## **7. School behaviour curriculum**

Our behaviour policy identifies a set of values that have been developed and agreed by staff, pupils, parents and the Governing Board. These values underpin all that we strive to achieve at the school and enable our pupils not only to make progress and flourish in the classroom, but also to promote their social, moral and spiritual development.

Pupils are expected to:

- Behave in an orderly and self-controlled way
- Show respect to members of staff and each other
- In class, make it possible for all pupils to learn
- Move quietly around the school
- Treat the school buildings and school property with respect
- Wear the correct uniform at all times
- Accept sanctions when given
- Refrain from behaving in a way that brings the school into disrepute, including when outside school or online

Where appropriate and reasonable, adjustments may be made to routines within the curriculum to ensure all pupils can meet behavioural expectations in the curriculum.

Our Leaders of Learning have also identified seven core values, which demonstrate the attributes and traits that all staff and pupils strive to achieve. The seven core values are:

### **Resilience**

Children demonstrate resilience by tackling difficult work and seeking challenges in class. Children learn to employ strategies and overcome obstacles on their own or with peers before seeking help. Children learn from mistakes and maintain a positive attitude when faced with disappointment.

### **Teamwork**

Children show teamwork in all their lessons by sharing ideas, responding to others and assisting their peers. We pride ourselves on how we help others collaboratively. Children work in pairs to read and improve work, generate ideas and overcome problems. Teamwork means allowing others to shine, maintaining a positive working environment and learning when to give and when to take.

### **Creativity**



Children show creativity in all subjects and we encourage all children to share and use their own ideas. Our lessons always allow for creativity and are never task focused – children are encouraged to show their creativity in their presentation, their ideas and their method.

### Independence

Independence is a vital skill for future learning and one we encourage in all children. The power to make independent choices, improve their own learning and self-correct and edit is important. Children need to grow in confidence and be determined to meet challenges on their own and trust their own judgement.

### Positivity

Our school is a positive environment for pupils and staff. A positive outlook and attitude is vital to learning and we pride positivity as one of our core values. Children are encouraged to ensure their behaviour creates a positive working environment for everyone.

### Intelligence

Children are encouraged to pride themselves on their growing understanding of the world around them. Intelligence can also be seen in the choices we make and how quickly we learn from our mistakes.

### Bravery

Bravery is shown by our pupils throughout the curriculum. Children sharing their ideas, taking risks and challenging themselves is all part of bravery. Children are encouraged to be brave and show themselves as an example of behaviour to other children.

Our expectations are that the children at Burnham-on-Crouch Primary School will follow the core values in the following:

- Before and after school
- In and around school
- In lessons and clubs
- At lunchtime and playtimes
- On visits and when meeting visitors

## **7.1 Mobile Phones**

Pupils are expected to:

- Have written permission logged with their class teacher from a parent or carer before bringing a phone to school.
- Store their phone in the specified place at the start of the school day and only collect when leaving school. The specified place is defined by the class teacher, usually a box or drawer in class.
- To mitigate the risks of distraction, disruption, bullying and abuse, phones should be turned off during the day, unless for a specific, agreed reason between the parent / carer and the

class teacher. Safe usage of mobile phones and the wider online community is taught as part of the RSHE curriculum across the school.

- Take responsibility for their own phone. They are liable for any loss or damage while in possession of their own phone. This includes leaving the phone in school overnight or longer.
- There will be exceptions to the rules for medical or personal reasons. This will depend on context.

## **8. Responding to behaviour**

### **8.1 Classroom management**

Teaching and support staff are responsible for setting the tone and context for positive behaviour within the school.

They will:

- Create and maintain a stimulating environment that encourages pupils to be engaged
- Display the behaviour curriculum or their own classroom rules
- Develop a positive relationship with pupils, which may include:
  - Greeting pupils in the morning/at the start of lessons
  - Establishing clear routines
  - Communicating expectations of behaviour in ways other than verbally
  - Highlighting and promoting good behaviour
  - Concluding the day positively and starting the next day afresh
  - Having a plan for dealing with low-level disruption
  - Using positive reinforcement

### **8.2 Safeguarding**

The school recognises that changes in behaviour may be an indicator that a pupil is in need of help or protection. We will consider whether a pupil's misbehaviour may be linked to them suffering, or being likely to suffer, significant harm.

Where this may be the case, we will follow our child protection policy, and consider whether pastoral support, an early help intervention or a referral to children's social care is appropriate.

Please refer to our child protection policy for more information.

### **8.3 Responding to good behaviour**

We strongly believe in rewarding excellent behavior and hard work. This policy is designed to promote and acknowledge outstanding behaviour rather than merely to deter misbehaviour. Incentive schemes are in place to recognise achievements, 'doing the right thing' and generally being kind and helpful to others.

We aim to praise and reward pupil's outstanding behaviour in a variety of ways:

- Verbal praise
- Written praise in books
- Display of work
- Postcards home
- Telephone calls home
- Assembly certificates
- Headteacher awards
- House points
- Special treats e.g. reward events and trips
- Whole school reward events

#### **8.4 Responding to misbehaviour**

In line with Government guidance, Teachers, Learning Support Assistants, Midday Assistants and other paid staff with responsibility for pupils can impose any reasonable disciplinary penalty in response to misbehaviour. The school employs a number of whole school sanctions to enforce the school rules, and to ensure a safe and positive learning environment. All adults are expected to use these sanctions consistently, fairly and respectfully.

These sanctions are as follows:

- Verbal reprimand
- Detentions - 15 minutes for EYFS and KSI pupils, 30 minutes for KS2 pupils. Detentions will take place at lunchtime. All detentions will be recorded by the Behaviour Lead.
- Letter home
- Phone call home
- Referral to SLT (Assistant Head or Headteacher)
- Meeting with parents
- Headteacher after-school detention (24 hours' notice will be given)
- Suspension
- Permanent exclusion

Persistent or serious misbehaviour leading to a Headteacher's detention or suspension will lead to the removal of privileges until behaviour is improved. This includes the right to attend extra-curricular activities, school trips and the Year 6 residential.

Personal circumstances of the pupil will be taken into account when choosing sanctions and decisions will be made on a case-by-case basis, but with regard to the impact on perceived fairness.

## 8.5 Reasonable force

Guidance states that staff may physically intervene and use reasonable force if a pupil is at risk of harm to themselves or others. Staff will use professional judgement when deciding whether or not reasonable force is required. They will consider the following:

- The pupil's behaviour and level of risk presented at the time of the incident
- The degree of force needed
- The effect on the pupil or member of staff
- The child's age

Staff who physically intervene are trained to do so and will use the correct restraint procedures. The school does not require parental consent to use force on a pupil.

'The use of force is reasonable if it is proportionate to the consequences it is intended to prevent. This means the degree of force used should be no more than is needed to achieve the desired result'.

When considering using reasonable force, staff should, in considering the risks, carefully recognise any specific vulnerabilities of the pupil, including SEND, mental health needs or medical conditions. For further information, see the reasonable force and restraint policy.

## 8.6 Searching, Screening and Confiscation

At our school, we are all aware that there are legal provisions which enable school staff to confiscate items from pupils:

DfE Advice for Schools July 2023 - [Searching, screening and confiscation in schools](#)

From this guidance, our staff understand that they may confiscate items that are of high value, deemed inappropriate and are against the school policies or are causing concern. Where a specific policy about the item does not exist, the teacher should use their discretion about whether the item is returned to the pupil or to their parent/carer. Items returned to them should usually be returned no later than the end of that school day. If the item needs collecting by a parent/carer, the teacher should ensure that the parent/carer is made aware that an item has been confiscated – either through the pupil or via text/phone call. Where the item is of high value or deemed inappropriate, contact should be made directly with the parent/carer.

Staff do have the power to search without consent for "prohibited items" including:

- Knives or weapons
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco and cigarette papers
- Fireworks
- Pornographic images

- Any article a staff member 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)

Searches will only be carried out by a member of staff who has been authorised to do so by the headteacher, or by the headteacher themselves.

Subject to the exception below, the authorised member of staff carrying out the search will be of the same sex as the pupil, and there will be another member of staff present as a witness to the search.

An authorised member of staff of a different sex to the pupil can carry out a search without another member of staff as a witness if:

- The authorised member of staff carrying out the search reasonably believes there is risk that serious harm will be caused to a person if the search is not carried out as a matter of urgency; and
- In the time available, it is not reasonably practicable for the search to be carried out by a member of staff who is the same sex as the pupil; or
- It is not reasonably practicable for the search to be carried out in the presence of another member of staff

When an authorised member of staff conducts a search without a witness, they should immediately report this to another member of staff, and make sure a written record of the search is kept.

If the authorised member of staff considers a search to be necessary, but is not required urgently, they will seek the advice of the headteacher, designated safeguarding lead (or deputy) or pastoral member of staff who may have more information about the pupil. During this time the pupil will be supervised and kept away from other pupils.

A search can be carried out if the authorised member of staff has reasonable grounds for suspecting that the pupil is in possession of a prohibited item or any item identified in the school rules for which a search can be made, or if the pupil has agreed.

An appropriate location for the search will be found. Where possible, this will be away from other pupils. The search will only take place on the school premises or where the member of staff has lawful control or charge of the pupil, for example on a school trip.

Before carrying out a search the authorised member of staff will:

- Assess whether there is an urgent need for a search
- Assess whether not doing the search would put other pupils or staff at risk
- Consider whether the search would pose a safeguarding risk to the pupil
- Explain to the pupil why they are being searched
- Explain to the pupil what a search entails – e.g. “I will ask you to turn out your pockets and remove your scarf”
- Explain how and where the search will be carried out
- Give the pupil the opportunity to ask questions

- Seek the pupil's co-operation

If the pupil refuses to agree to a search, the member of staff can give an appropriate behaviour sanction.

If they still refuse to co-operate, the member of staff will contact the headteacher or designated safeguarding lead (or deputy], to try to determine why the pupil is refusing to comply.

For further information please refer to the DfE Advice for Schools July 2023 - [Searching, screening and confiscation in schools](#)

## **8.7 Off-site misbehaviour**

Sanctions may be applied where a pupil has misbehaved off-site when representing the school. This means misbehaviour when the pupil is:

- Taking part in any school-organised or school-related activity (e.g. school trips)
- Travelling to or from school
- Wearing school uniform
- In any other way identifiable as a pupil of our school

Sanctions may also be applied where a pupil has misbehaved off-site, at any time, whether or not the conditions above apply, if the misbehaviour:

- Could have repercussions for the orderly running of the school
- Poses a threat to another pupil
- Could adversely affect the reputation of the school

Sanctions will only be given out on school premises or elsewhere when the pupil is under the lawful control of a staff member (e.g. on a school-organised trip).

## **8.8 Online misbehaviour**

The school can issue behaviour sanctions to pupils for online misbehaviour when:

- It poses a threat or causes harm to another pupil
- It could have repercussions for the orderly running of the school
- It adversely affects the reputation of the school
- The pupil is identifiable as a member of the school

Sanctions will only be given out on school premises or elsewhere when the pupil is under the lawful control of a staff member.

## **8.9 Suspected criminal behaviour**

If a pupil is suspected of criminal behaviour, the school will make an initial assessment of whether to report the incident to the police.

When establishing the facts, the school will endeavour to preserve any relevant evidence to hand over to the police.

If a decision is made to report the matter to the police, the Headteacher will make the report.

The school will not interfere with any police action taken. However, the school may continue to follow its own investigation procedure and enforce sanctions, as long as it does not conflict with police action.

If a report to the police is made, the Designated Safeguarding Lead (DSL) will make a tandem report to children's social care, if appropriate.

### **8.10 Zero-tolerance approach to sexual harassment and sexual violence**

The school will ensure that all incidents of sexual harassment and/or violence are met with a suitable response, and never ignored.

Pupils are encouraged to report anything that makes them uncomfortable, no matter how 'small' they feel it might be.

The school's response will be:

- Proportionate
- Considered
- Supportive
- Decided on a case-by-case basis

The school has procedures in place to respond to any allegations or concerns regarding a child's safety or wellbeing. These include clear processes for:

- Responding to a report
- Carrying out risk assessments, where appropriate, to help determine whether to:
  - Manage the incident internally
  - Refer to early help
  - Refer to children's social care
  - Report to the police

Please refer to our child protection policy and harmful sexual behaviour policy for more information.

### **8.11 Malicious allegations**

Where a pupil makes an allegation against a member of staff and that allegation is shown to have been deliberately invented or malicious, the school will consider whether to discipline the pupil in accordance with this policy.

Where a pupil makes an allegation of sexual violence or sexual harassment against another pupil and that allegation is shown to have been deliberately invented or malicious, the school will consider whether to discipline the pupil in accordance with this policy.

In all cases where an allegation is determined to be unsubstantiated, unfounded, false or malicious, the school (in collaboration with the Local Authority Designated Officer (LADO), where relevant) will consider whether the pupil who made the allegation is in need of help, or the allegation may have been a cry for help. If so, a referral to children's social care may be appropriate.

The school will also consider the pastoral needs of staff and pupils accused of misconduct.

Please refer to our child protection policy for more information on responding to allegations of abuse against staff or other pupils.

## **9. Serious sanctions – suspension and permanent exclusions**

Good discipline in schools is essential to ensure that all pupils can benefit from the opportunities provided by education. The Government supports Headteachers in using exclusion as a sanction where it is warranted. However, permanent exclusion should only be used as a last resort, in response to a serious breach or persistent breaches of the school's behaviour policy, and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school. The behaviour of a pupil outside school can also be considered grounds for an exclusion.

Only the Headteacher (or the Acting Headteacher) has the power to exclude a pupil from school. The Headteacher may suspend a pupil for one or more fixed periods, including lunchtimes, for up to 45 days in any one school year.

The Headteacher may also exclude a pupil permanently. It is also possible for the Headteacher to issue a permanent exclusion immediately after a suspension in exceptional cases where further evidence has come to light. The Headteacher can permanently exclude a pupil in response to a serious breach, or persistent breaches, of the school's behaviour policy. In addition, a pupil can be permanently excluded if their actions are seriously harming the education and welfare of other pupils in the school. In the event of a permanent exclusion, the parents and carers have the right to appeal and the case be brought to the Governing Board.

If a parent or carer believes that their child has been discriminated against in the exclusion process because of a disability, then they may also make a claim to the First-tier Tribunal (Special Educational Needs and Disability) within six months of the exclusions: [www.tribunals.gov.uk/Tribunals/Firsttier/firsttier.htm](http://www.tribunals.gov.uk/Tribunals/Firsttier/firsttier.htm). The Tribunal can consider claims about suspension and permanent exclusions. For permanent exclusions, this can be done instead of, or in addition to, an independent review panel. If a parent believes that a suspension or permanent exclusion occurred as a result of discrimination other than in relation to disability (e.g. in relation to race) they can make a claim to the County Court.

Information on school discipline and exclusions issued by the Department for Education can be found here <https://www.gov.uk/school-discipline-exclusions/exclusions>.

Before suspending or excluding a pupil, where practical, the Headteacher will give the pupil an opportunity to present their case. If the Headteacher suspends or excludes a pupil, she/he will inform the parents immediately, giving reasons for the suspension or exclusion. At the same time, the Headteacher will make it clear to the parents that they can, if they wish, appeal against the decision to the Governing Board. The school will inform parents how to make any such appeal. A reintegration meeting with the Headteacher or deputy and Behaviour Lead will be arranged to discuss the support for the pupil and to reinforce the school's expectations.

The Headteacher informs the Local Authority and the Governing Board about any permanent exclusion, and about any suspension beyond five days in any one term. The Governing Board itself cannot either exclude a pupil or extend the suspension period made by the Headteacher.

The Governing Board has a discipline committee which is made up of between three and five members. This committee considers any appeals on behalf of the Governors. When appeals panels meet to consider a suspension or exclusion, they consider the circumstances in which the pupil was



suspended or excluded, consider any representation by parents and the LA, and consider whether the pupil should be reinstated. If the Governors' appeals panel decides that a pupil should be reinstated, the Headteacher must comply with this ruling. In reaching the decision on whether to reinstate, the Governing Body will consider whether the decision to suspend or exclude the pupil was:

- **Lawful**
- **Reasonable**
- **Procedurally Fair and Proportionate**, taking into account the Headteacher's legal duties

Early intervention to address underlying causes of disruptive behaviour will include an assessment of whether appropriate provision is in place to support any SEN or disability that a pupil may have. The Headteacher will also consider the use of a multi-agency assessment for a pupil who demonstrates persistent disruptive behaviour. Such assessments may pick up unidentified SEN but the scope of the assessment could go further, for example, by seeking to identify mental health or family problems.

The school will engage proactively with parents/carers in supporting the behaviour of pupils with additional needs. In relation to looked after children, the school will co-operate proactively with foster carers or children's home workers, the local authority that looks after the child and the local authority's virtual school head.

Where the school has concerns about the behaviour, or risk of exclusion, of a child with additional needs, a pupil with an EHC plan or a looked after child, it will, in partnership with others (including the local authority as necessary), consider what additional support or alternative placement may be required. This may involve assessing the suitability of provision for a pupil's SEN. Where a pupil has an EHC plan, the school may consider requesting an early annual review or interim/emergency review.

Additionally, a Positive Referral to Child Support Unit may be made when a child's behaviour puts them in danger of permanent exclusion. A reduced timetable may also be implemented to support a child's reintegration or where full attendance at school is not possible due to behaviour issues. This will be agreed as recommended by the specialist behaviour team. A part-time timetable may be used as short term measure towards achieving full reintegration, building back up to full time hours as long as parents/carers, Local Authority staff, and other agencies where involved are all in agreement and a written plan is put into place. A part-time timetable must not be treated as a long-term solution; they must have a time limit by which point the pupil is expected to attend full-time or be provided with alternative provision. If in the circumstances the last resort means that there is an agreeing to a part-time timetable then the school has agreed to a pupil being absent from school for part of the week or day and therefore must record it as authorised absence.

The Headteacher will only ever exclude a pupil based on disciplinary reasons. A decision to exclude a pupil permanently will only be taken:

- in response to a serious breach or persistent breaches of the school's behaviour policy; and
- where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

When considering a suspension or permanent exclusion, the Headteacher will always have regard to the SEN Code of Practice and the Equality Act 2010. When imposing a suspension or exclusion,

the Department for Education's statutory guidance on suspension and permanent exclusion published in 2022 will be followed. A copy of the Department for Education's statutory guidance on suspension and permanent exclusion can be obtained from the school's office on request.

## **10. Responding to misbehaviour from pupils with SEND**

### **10.1 Recognising the impact of SEND on behaviour**

The school recognises that pupils' behaviour may be impacted by a special educational need or disability (SEND).

When incidents of misbehaviour arise, we will consider them in relation to a pupil's SEND, although we recognise that not every incident of misbehaviour will be connected to their SEND. Decisions on whether a pupil's SEND had an impact on an incident of misbehaviour will be made on a case-by-case basis.

When dealing with misbehaviour from pupils with SEND, especially where their SEND affects their behaviour, the school will balance their legal duties when making decisions about enforcing the behaviour policy. The legal duties include:

- Taking reasonable steps to avoid causing any substantial disadvantage to a disabled pupil caused by the school's policies or practices (Equality Act 2010)
- Using our best endeavours to meet the needs of pupils with SEND (Children and Families Act 2014)
- If a pupil has an education, health and care (EHC) plan, the provisions set out in that plan must be secured and the school must co-operate with the local authority and other bodies

As part of meeting these duties, the school will anticipate, as far as possible, all likely triggers of misbehaviour, and put in place support to prevent these from occurring.

Any preventative measures will take into account the specific circumstances and requirements of the pupil concerned.

Such approaches may include:

- Short, planned movement breaks for a pupil with SEND who finds it difficult to sit still for long periods of time
- Adjusting seating plans to allow a pupil with visual or hearing impairment to sit in sight of the teacher
- Adjusting uniform requirements for a pupil with sensory issues or who has severe eczema
- Training for staff in understanding conditions such as autism
- Use of spaces outside of the classroom where pupils can regulate their emotions during a moment of sensory overload

### **10.2 Adapting sanctions for pupils with SEND**

When considering a behavioural sanction for a pupil with SEND, the school will take into account:

- Whether the pupil was unable to understand the rule or instruction
- Whether the pupil was unable to act differently at the time as a result of their SEND

- Whether the pupil is likely to behave aggressively due to their particular SEND

If the answer to any of these questions is yes, it may be unlawful for the school to sanction the pupil for the behaviour.

The school will then assess if it is appropriate to use a sanction and if so, whether any reasonable adjustments need to be made to the sanction.

### **10.3 Considering whether a pupil displaying challenging behaviour may have unidentified SEND**

The SENDCo may evaluate a pupil who exhibits challenging behaviour to determine whether they have any underlying needs that are not currently being met.

Where necessary, support and advice will also be sought from an educational psychologist, medical practitioners and/or others, to identify or support specific needs.

When acute needs are identified in a pupil, we will liaise with external agencies and plan support programmes for that child. We will work with parents to create the plan and review it on a regular basis.

### **10.4 Pupils with an education, health and care (EHC) plan**

The provisions set out in the EHC plan must be secured and the school will co-operate with the local authority and other bodies.

If the school has a concern about the behaviour of a pupil with an EHC plan, it will make contact with the local authority to discuss the issue. If appropriate, the school may request an emergency review of the EHC plan.

## **11. Supporting pupils following a sanction**

Following a sanction, the school will consider strategies to help pupils to understand how to improve their behaviour and meet the expectations of the school. The school will always seek to try and understand the underlying causes of behaviour and whether additional support is needed.

These might include:

- A targeted discussion with the pupil, including explaining what they did wrong, the impact of their actions and how they can do better in the future
- Reintegration meetings
- Daily contact with the Behaviour Lead
- Social, emotional or behavioural interventions

## **12. Pupil transition**

### **12.1 Inducting incoming pupils**

The school will support incoming pupils to meet behaviour standards by offering an induction process to familiarise them with the behaviour policy and the wider school culture.

### **12.2 Preparing outgoing pupils for transition**

To ensure a smooth transition to the next year, pupils have transition sessions with their new teacher(s). In addition, staff members hold transition meetings.

To ensure behaviour is continually monitored and the right support is in place, information related to pupil behaviour issues may be transferred to relevant staff at the start of the term or year.

### **13. Training**

As part of their induction process, our staff are provided with regular training on managing behaviour, including training on:

- › The needs of the pupils at the school
- › How SEND and mental health needs impact behaviour

Behaviour management will also form part of continuing professional development.

### **14. Equality**

The Equality Act 2010 consolidated all previous equality legislation into one act of parliament. The Act identifies the following protected characteristics which are relevant to pupils at the school:

- Sex
- Race
- Religion or belief
- Sexual orientation
- Gender reassignment
- Pregnancy and maternity
- Disability

It is unlawful for the school to discriminate against a pupil by treating them less favourably than others because they or somebody they associate with (including a family member) have a protected characteristic. This applies specifically to the imposition of any sanctions against pupils, including the imposition of suspensions and permanent exclusions. The Act also provides that the school must make “reasonable adjustments” for pupils with a disability, by taking reasonable steps to avoid any disadvantage suffered by those pupils because of their disability. Where appropriate, the school will also seek expert, external advice to help implement various ‘reasonable adjustments’ successfully. A disability is defined as being a physical or mental impairment which has a substantial and long term adverse effect (lasting or recurring, or likely to last or recur, for at least twelve months) on the pupil’s ability to carry out normal day to day activities. A disability may include a behavioural disability, regardless of whether the pupil has a statement of SEN.

A “reasonable adjustment” may include imposing a less serious sanction in relation to a disabled pupil who has breached this behaviour policy in a case where a pupil who is not disabled may have received a more serious sanction, including not imposing a suspension in a case where a pupil who is not disabled may have had a suspension imposed, or imposing a suspension in a case where a pupil who is not disabled may have been permanently excluded. This does not, however, always mean that a disabled pupil will not receive a suspension or permanent exclusion for serious or

repeated breaches of this behaviour policy. The school does not use a 'blanket exclusion policy' and each incident will be investigated on a case-by-case basis.

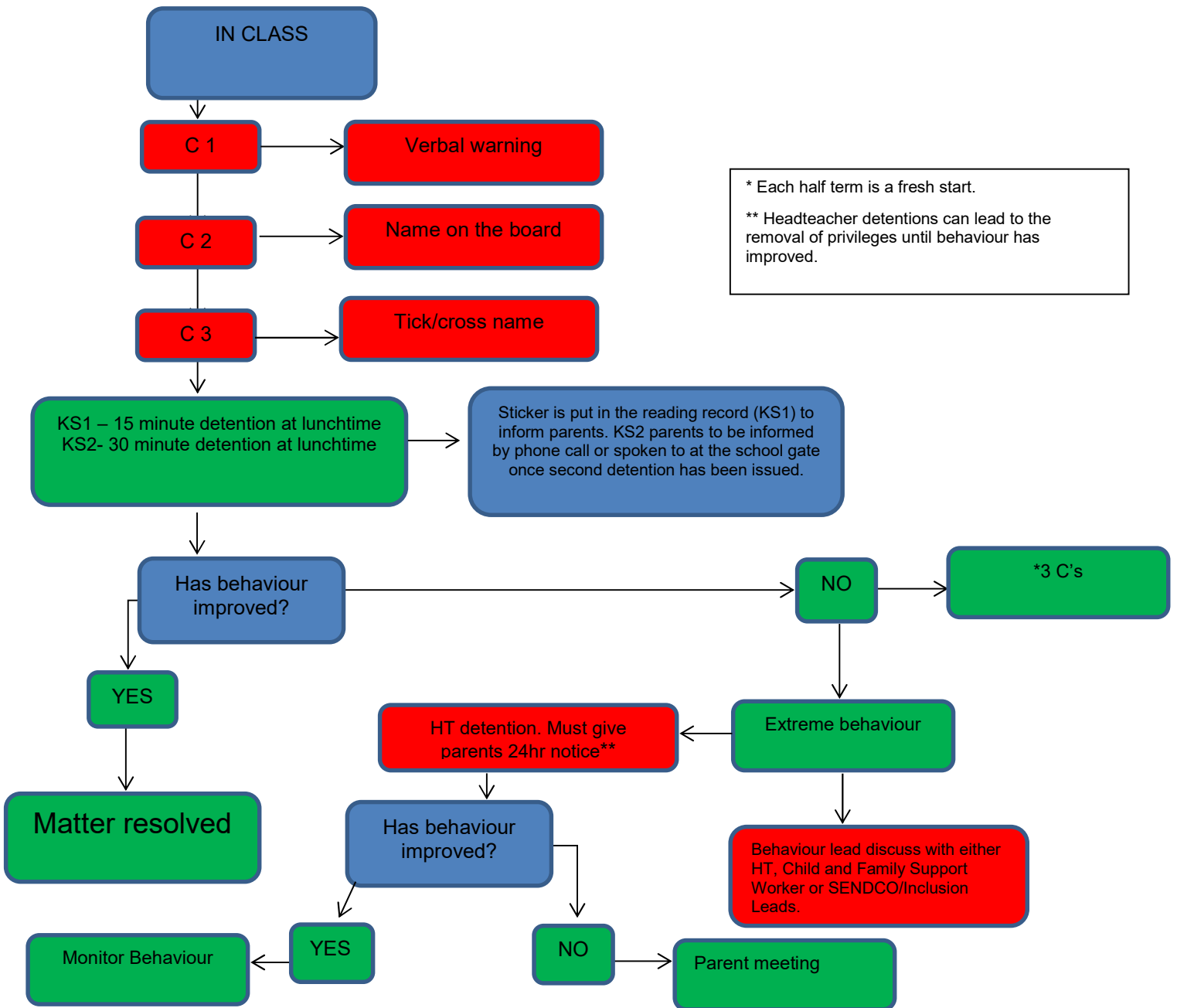
While the Act does not apply to pupils discriminating against other pupils, teachers, members or staff or volunteers because they or somebody they associate with have a protected characteristic, such behaviour by a pupil towards another person is unacceptable and will be regarded as a high level breach of this behaviour policy for which sanctions may be imposed, including suspension and permanent exclusion.

## **15. Monitoring and Review**

The Headteacher, along with the Behaviour Lead, monitors the effectiveness of this behaviour policy on a regular basis, and reports on its effectiveness to the Governing Body. If necessary, the Headteacher will make recommendations to the Governing Body for further improvements. The school keeps record of incidents of misbehaviour in the whole school behaviour folder. This is monitored by the Behaviour Lead and Headteacher. The Behaviour Lead records incidents in which a pupil is sent to her on account of misbehavior (this could be both during class and at break or lunchtime). Parents are then informed by stickers in the child's reading record (KS1) or will receive a phone call or spoken to at the school gate once a second detention has been issued (KS1 and KS2). Persistent poor lunchtime behaviour can also result in a Headteacher after school detention.

The Headteacher keeps a record of any pupil who receives a suspension, or who is permanently excluded. It is the responsibility of the Governing Board to monitor the rate of exclusions, and to ensure that the school's behaviour policy is administered fairly and consistently. The Governing Board will pay particular attention to matters of equality, and ensure that no pupil is treated unfairly or placed at a disadvantage because they have a characteristic protected under the Equality Act 2010. The Governing Board reviews this behaviour policy every two years. The Governors may, however, review the policy earlier than this if the Government introduces new regulations, or if the Governing Board receives recommendations on how the policy might be improved from the Headteacher.

# Burnham-on-Crouch Primary School Sanctions Flow Chart



\* Each half term is a fresh start.  
 \*\* Headteacher detentions can lead to the removal of privileges until behaviour has improved.