

Student Behaviour and Discipline Policy

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| Policy Code: | SW4 |
| Policy Start Date: | December 2021 |
| Policy Review Date: | December 2022 |

Please read this policy in conjunction with the policies listed below:

- HR6 Data Protection Policy
- HR9 Positive Handling and Safe Touch Policy
- ICT3 Online Safety (Pupils) Policy
- SW3 Misuse of Drugs Policy
- SW5 Safeguarding and Child Protection Policy
- SW6 Anti-Bullying Policy
- SW9 Parental Communications and Complaints Policy
- SW15 LAC and post-LAC Policy
- TL6 Special Educational Needs and Disability Policy

1 Policy Statement

- 1.1 The policy outlines the manner in which pupil behaviour will be managed and relates to the following legislation: *Education Act 1996; Education and Inspections Act 2006; Section 93, Education and Inspections Act 2006; Education (Independent School Standards) (England) Regulations 2014; DfE Behaviour and discipline in schools 2016; The Equality Act (2010); Special educational needs code of practice: 0 to 25 years.*
- 1.2 The Priory Federation of Academies Trust supports the principles enshrined in Articles 28 (right to education) and 29 (goals of education) of Unicef’s Rights of the Child Charter. The Trust endorses the position that: “Education must develop every child’s personality, talents and abilities to the full. It must encourage the child’s respect for human rights, as well as respect for their parents, their own and other cultures, and the environment.”
- 1.3 Any procedures used specifically to support children with challenging behaviour will be in line with the appropriate Local Authority’s “Ladder of Intervention”.
- 1.4 References to the Trust or Academy within this policy specifically include all primary, secondary and special academies within the Trust, as well as the Early Years setting at the Priory Witham Academy, Priory Apprenticeships and Lincolnshire SCITT.
- 1.5 This policy does not form part of any member of staff’s contract of employment and it may be amended at any time.
- 1.6 During exceptional circumstances, for example, during a pandemic, settings may need to amend their behaviour procedures to reflect temporary and/or updated government guidance. Any resulting additions or adjustments will be reflected in the setting’s own guidance/procedures and not in this policy. No changes adopted by any setting will be contrary to any statements set out in this policy.

2 Roles, Responsibility and Implementation

- 2.1 The Education and Standards Committee has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. This committee delegates day-to-day responsibility for operating the policy and ensuring its maintenance and review to the Director of Pupil Welfare.
- 2.2 Leaders and Managers have a specific responsibility to ensure the fair application of this policy and all staff are responsible for supporting colleagues and ensuring its success. The implementation of this policy

on an operational level is the responsibility of the Senior Leader responsible for pupil welfare in each Academy.

3 Aims

- 3.1 The Priory Federation of Academies aims to promote an environment where everyone feels valued and respected. We will endeavour to develop positive relationships between pupils, staff, parents/carers and other members of the wider community where everyone is treated fairly and with equal respect. We are a caring community whose values are built on mutual trust and respect for all. Our aim is to encourage and help to develop self-discipline and responsible behaviour in all pupils in order to support this ethos.
- 3.2 This policy provides generic responses to pupil behaviour, which need to be implemented having due regard to the age and maturity of pupils.

4 A Positive Approach Supporting Principles and Values

- 4.1 We acknowledge that positive behaviour is a prerequisite for effective teaching and learning, to which all pupils have equal access and with equal regard. We will ensure the reinforcement of Academy aims at individual, class and Academy levels, supported by positive adult role models. This policy aims not only to promote a set of values for each Academy, but a set of values that our pupils will take into the community both whilst they are at Academy and after they leave. A curriculum that promotes the spiritual, moral, social and cultural development of the pupils in our care will support this philosophy. Each Academy will play an important part in providing pupils with these values.
- 4.2 Our policy and practice seeks to lead pupils towards high self-esteem and self-discipline. Good discipline arises from positive relationships and from setting expectations of good behaviour.
- 4.3 The Trust's values are:
- Wisdom
 - Curiosity
 - Generosity
 - Courage
 - Passion

Each Academy/setting will promote these values alongside the following principles of:

- Awareness of the needs of others
- Compassion
- Courtesy

- Fairness
- Honesty
- Respect for truth and justice
- Trust
- Responsibility for one's own actions
- Tolerance
- Self-discipline

5 General Rights and Responsibilities

- All teachers have the right to teach
- All pupils have the right to learn
- Everybody has the right to be and feel safe
- Everybody has the right to be listened to
- Everybody has the right to dignity and personal respect

5.1 Rights and Responsibilities of all staff members

- To recognise their duty to work together with pupils to ensure they can achieve their potential, whilst promoting mutual respect
- To ensure lessons are adequately prepared and resourced
- To create an orderly atmosphere conducive to learning and effective teaching
- To make expectations of behaviour clear to all pupils
- To provide positive adult role models of caring, considerate and cooperative behaviour
- To have high expectations of the pupils in terms of behaviour
- To treat each pupil fairly and ensure that the Academy's expectations are applied consistently
- To reward and celebrate good behaviour
- To adhere to the Academy's reward and sanction system

5.2 Rights and responsibilities of all pupils

- To show consideration to others
- To be polite at all times
- To act in a responsible manner at all times
- To dress smartly and to adhere strictly to the Academy's uniform expectations
- To complete all the work set to the best of your ability
- To show respect for other people's property
- To support each other and staff
- To be punctual to Academy and lessons
- To arrive at the Academy properly equipped and ready for work
- To follow the Academy rules
- To engage in their learning at all times, never distracting others

6 Rewards and Sanctions

- 6.1 Pupils who demonstrate the aforementioned may be rewarded by;
- praise from staff
 - comments in books
 - the Academy's reward system
 - displays of work
 - letters home to parents/carers
 - involvement in Academy trips
 - an invitation to meet the Governors and/or the Headteacher
 - awards at the Academy's Award Ceremonies
- 6.2 The Form Tutor/Class Teacher is responsible for inducting pupils in the expectations of the Academy, and thereafter sustaining the basis of good discipline and responsible behaviour.
- 6.3 For those pupils who demonstrate unacceptable behaviour, the following sanctions may be appropriate:
- classroom strategies
 - departmental or year detention
 - Academy detention
 - telephone call to parent/carer
 - letter home
 - withdrawal of certain privileges
- 6.4 For more serious incidents such as bullying, persistent disruption of learning, fighting, vandalism, theft, actions likely to put pupils or staff at risk of harm, some of the measures below may be appropriate, after there has been consultation with Senior Staff:
- meeting with Pastoral Leader or Senior Teacher (Pastoral)
 - withdrawal of privileges
 - removal from timetable (parents/carers notified by phone or in writing)
 - the use of the report system
 - pupil and parent/carer meeting
 - placement on a Pastoral Support Plan (PSP)
 - suspension
 - referral to external providers of appropriate alternative provision
 - placement for a specified period with an external provider of appropriate alternative provision
 - a managed move/supported transition
 - permanent exclusion (parents/carers have a right to make representation to governors and the right to make an independent appeal)

- 6.5 Any measures related to an exclusion period of any duration will follow DfE guidance *Exclusion from maintained schools, academies and pupil referral units in England 2017*.
- 6.6 In circumstances where intervention by the Class Teacher/Member of Staff/Form Tutor has left the situation unresolved or the behaviour continues, then a senior member of staff will be consulted and therefore take on the responsibility for addressing particular difficulties and implementing their Academy sanction and reward systems.
- 6.7 Each Academy will respond, as far as possible and where appropriate, to reported pupil behaviour outside the Academy e.g.:
- taking part in any Academy-organised or Academy-related activity
 - travelling to or from the Academy
 - wearing Academy uniform
 - in some other way identifiable as a pupil at the school

It will also respond to misbehaviour at any time, whether or not the above conditions apply, that:

- could have repercussions for the orderly running of the Academy
- poses a threat to another pupil, a member of staff or member of the public
- could adversely affect the reputation of the Academy/Trust

In all of these circumstances, the Headteacher should also consider whether it is appropriate to notify the police or anti-social behaviour coordinator in their local authority of the actions taken against a pupil. If the behaviour is criminal or poses a serious threat to a member of the public, the police should always be informed.

- 6.8 Academy staff should consider whether the misbehaviour may be linked to the child suffering, or being likely to suffer, significant harm. In this case, the Academy staff should follow the safeguarding policy and inform the Designated Safeguarding Lead (DSL) or a Designated Safeguarding Officer (DSO). Please refer to SW5 Safeguarding and Child Protection Policy.
- 6.9 Each case will be treated individually and specific circumstances taken into account. Where additional pupil needs are identified, for example, a pupil has ADHD, reasonable adjustments may need to be put in place by the academy in order to support the child. In the event that behaviour incidents occur, the academy should consider the extent to which those reasonable adjustments were in place and how a pupil's needs may impact upon their behaviour.

7 Support strategies

7.1 The Trust recognises that challenging behaviour is rarely without cause and that effective behaviour management will include support strategies that explore the reasons for any behaviour and provide appropriate responses. Some of the support measures which may be used include:

- Restorative conversations
- Mentoring
- Referrals to external services
- Referral to Academy safeguarding team
- Pastoral Support Plan (PSP)
- Screening for unmet learning needs

8 Drug-related incidents

8.1 Pupils who commit a drug-related offence may expect to be suspended (Please refer to SW3 Misuse of Drugs Policy.) However, suspension should not be the automatic response to a drug incident and permanent exclusion should only be used in serious cases, where allowing the pupil to remain in the Academy would seriously harm the education or welfare of the pupil or others in the Academy.

9 Sexual violence and sexual harassment

9.1 All pupils are encouraged, and supported, to report any incident of sexual violence and/or sexual harassment. The Trust encourages all pupils to call out and report anything that makes them uncomfortable, no matter how 'small' they think it is. For definitions of sexual violence and sexual harassment, please see SW5 Safeguarding and Child Protection Policy.

9.2 Through the work done with pupils, each academy will make it clear to children and young people that reporting incidents can benefit everyone, including:

- The victim(s): by stopping the problem and getting the help and support they need
- Other people: by preventing it happening to someone else
- The alleged perpetrator(s): catching problematic behaviour early can help them avoid criminal offences later in life

9.3 Where any individual makes a report, the Trust will:

- Take their safety and wellbeing seriously
- Listen to them
- Act on their concerns
- Not tolerate or accept abuse

- 9.4 All reports of sexual violence and/or sexual harassment will be dealt with in accordance with SW5 Safeguarding and Child Protection Policy, with sanctions used as appropriate in line with this policy. In line with the DfE guidance *Sexual violence and sexual harassment between children in schools and colleges 2021* and guidance from the Lincolnshire Safeguarding Children Partnership, an initial assessment will determine whether an academy needs to:
- Manage the incident internally
 - Refer to early help
 - Refer to children's social care
 - Report to the police
- 9.5 Any academy's response to an incident of sexual violence and/or sexual harassment will, in line with this policy, be proportionate, considered and supportive (for all individuals involved).

10 Suspensions (Formerly 'Fixed Term Exclusions')

- 10.1 The Trust takes the view that suspensions should be used sparingly and in instances where other Academy sanctions/consequences/support strategies and involvement of parents/carers have not had a positive impact upon pupil behaviour. Where a very serious 'one-off' incident occurs, where a pupil's behaviour is seriously persistently disruptive or where a pupil's behaviour has placed the safety of pupils or staff at risk the Headteacher may decide that a suspension is appropriate.
- 10.2 The final decision for a suspension rests with the Headteacher following consideration of all available evidence of each individual case. A pupil can only be suspended by the Headteacher or in their absence from the Academy by a delegated Senior Leader.
- 10.3 The Trust is keen to ensure there is a balance between the use of suspensions to deal with persistent disruption and their impact on an individual pupil's ability to re-engage with their learning.
- 10.4 Upon return from a suspension the pupil and parents/carers will attend a reintegration meeting with either the Headteacher or delegated Senior Leader (and a member of the Pastoral Team if appropriate) to discuss the incident and agree any further intervention or support strategies needed.

11 Permanent exclusions

- 11.1 The Trust takes the view that permanent exclusions are a last resort; in instances where other Academy sanctions/consequences/support strategies/suspensions and involvement of parents/carers have not had a positive impact upon pupil behaviour and where allowing the pupil to remain in the Academy would seriously harm the education or welfare of

the pupil or others in the Academy. Where a very serious 'one-off' incident occurs or where a pupil's behaviour is seriously persistently disruptive the Headteacher may decide that a permanent exclusion is appropriate.

- 11.2 Cases where this decision would be taken might include instances where allowing the pupil to remain within the Academy will seriously harm the education or welfare of pupils or others in the Academy.
- 11.3 The final decision for a permanent exclusion rests with the Headteacher following consideration of all available evidence of each individual case.

12 Prohibited and banned Items

- 12.1 All stakeholders will recognise that there is a broad range of items which, if brought into a school setting or in the possession of a young person, could compromise the health and safety of the individual pupil and other members of the school community, including pupils, staff or visitors to the Academy.
- 12.2 The Priory Federation of Academies Trust has a duty under paragraph 7 of Schedule 1 to the Independent School Standards (England) Regulations 2010 to ensure that arrangements are made to safeguard and promote the welfare of the pupils in all its academies.
- 12.3 See Appendix A for a list of prohibited items and those items held by The Trust to be 'banned items' in each setting.
- 12.4 The Trust considers that all of the items listed in Appendix A are inappropriate and possession of such items on academy premises, on the journey to and from the academy, on an academy visit or any extra-curricular activity (on or off the academy premises) is unacceptable.

13 Responding to an incident involving prohibited or unauthorised items

- 13.1 The Trust understands that pupils can, at times, make poor choices and that these choices may from time to time breach the standards of expected behaviour, or a pupil may foolishly or unwittingly bring into the Academy an inappropriate, prohibited or banned item. When considering the consequences of such an event, the Headteacher or designated member of staff will thoroughly investigate the circumstances. If necessary the Headteacher may issue a suspension whilst this process is underway.
- 13.2 When considering the appropriate response, the Headteacher will have regard to the reason for the pupil's actions, the pupil's own vulnerability, any mitigating factors or history of trauma. The Headteacher will also

consider any intent to use the item, and any history of intimidating or threatening behaviour from the pupil.

- 13.3 The following will be considered:
- Motivation and intent
 - The specific item
 - Pupil's awareness of the health and safety implications of the item in possession
 - The pupil's own account and rationale for possession of the item
 - Any threats or intimidation made in relation to the item
 - Any mitigating circumstance, e.g. victim of bullying
 - Perceived or actual threats/intimidation from others towards the pupil (inside or outside of the Academy)
 - Frequency/repeated breaches
 - Manipulation/duress of the pupil by others
 - Mental health of the pupil/history of self-harm
 - History of trauma
 - Vulnerability of the pupil
 - SEND the pupil may experience
- 13.4 The Headteacher will thoroughly assess the response to any such breaches and give balanced consideration to safeguarding all staff and pupils, including the pupil involved, the impact of the incident on the pupil of any decision to permanently exclude them from the Academy.

14 Searching, screening and confiscation

- 14.1 In accordance with the DfE's guidance *Searching, Screening and Confiscation 2018*, staff can search a pupil for any item if the pupil agrees. However, staff must be alert to the fact that a pupil's ability to give consent may be influenced by their age or other factors.
- 14.2 In addition to this, Headteachers, and staff authorised by them, have a statutory power to search pupils or their possessions, without consent, where they have reasonable grounds for suspecting that the pupil may have a prohibited item. Headteachers and authorised staff can also search for any item banned by the school rules which has been identified in the rules as an item which may be searched for (see Appendix A).
- 14.3 All searching, screening or confiscation will be carried out by the Headteacher and/or staff authorised by them and in accordance with the DfE guidance *Searching, Screening and Confiscation*. Academies must be aware that the powers only apply in England.
- 14.4 The member of staff carrying out the search must be the same sex as the pupil, and there must be a witness (also a staff member) and, if possible, they should also be the same sex as the pupil being searched.

The limited exception to this rule is that a member of staff can carry out a search on a pupil of the opposite sex, and without a witness present, only where the member of staff reasonably believes that there is a risk that serious harm can be caused if they do not conduct the search immediately and where it is not reasonably practical to summon another member of staff.

- 14.5 Staff conducting the search may not require the pupil to remove any clothing other than outer clothing. 'Outer clothing' means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear but 'outer clothing' includes hats; shoes; boots; gloves and scarves. 'Possessions' means any goods over which the pupil has or appears to have control – this includes desks, lockers and bags.
- 14.6 The power to search without consent enables a personal search, involving removal of outer clothing and searching of pockets; but not an intimate search going further than that, which only a person with more extensive powers (e.g. a police officer) can do.
- 14.7 Members of staff can use such force as is reasonable given the circumstances when conducting a search for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm. Such force cannot be used to search for items banned under the school rules. For more information, please see HR9 Positive Handling and Safe Touch Policy.
- 14.8 Searches without consent can only be carried out on the Trust premises or, if elsewhere, where the member of staff has lawful control or charge of the pupil, for example on school trips in England or in training settings.
- 14.9 Staff can seize any prohibited item found as a result of a search. They can also seize any item they consider harmful or detrimental to school discipline. Any prohibited or banned items found will be confiscated and managed in line with the DfE guidance.
- 14.10 A search form will be completed and signed by the members of staff carrying out the search and the pupil.
- 14.11 The pupil will be removed from normal Academy activities and given the opportunity to make an account concerning their reasons for having this item in school.
- 14.12 Settings are not required to inform parents/carers before a search takes place or to seek their consent to search their child. Parents/carers will be contacted following the search, and may be invited to the Academy to discuss the issue.

- 14.13 If necessary, a suspension will be considered to give opportunity for the incident to be investigated by the Headteacher or a senior member of the Academy.
- 14.14 The Headteacher will consider whether appropriate to inform the police. However, for all incidents which involve the possession of a weapon or an item used offensively, the police will be informed. 'Items used offensively' refers to routine items, e.g. compass, pencil, used inappropriately to cause harm, distress or intimidation.
- 14.15 In the event that the item has been used to intimidate, threaten or harm others, the police should be informed. The Headteacher will follow the advice in the DfE guidance *Searching, Screening and Confiscation* when deciding whether to pass the confiscated item to the police, destroy it or return it.
- 14.16 The response to any pupil found with or believed to have possession of a prohibited or banned item will be managed in accordance with this policy.
- 14.17 A pupil refusing to co-operate with a search raises the same kind of issues as where a pupil refuses to stay in a detention or refuses to stop any other unacceptable behaviour when instructed by a member of staff – in such circumstances, the refusal will be responded to in line with this policy.

15 Obligations under the European Convention on Human Rights (ECHR)

- 15.1 Under Article 8 of the European Convention on Human Rights, pupils have a right to respect for their private life. In the context of these particular powers, this means that pupils have the right to expect a reasonable level of personal privacy.
- 15.2 The right under Article 8 is not absolute, it can be interfered with but any interference with this right by a school (or any public body) must be justified and proportionate.
- 15.3 The powers to search in the Education Act 1996 are compatible with Article 8. Any Trust setting exercising these powers lawfully should have no difficulty in demonstrating that it has also acted in accordance with Article 8.

16 Safeguarding response to an incident involving banned items

- 16.1 The Headteacher will always consider their safeguarding responsibilities arising from the discovery of a prohibited or banned item and the

Designated Safeguarding Lead (DSL) will make referrals as appropriate. Each academy will always consider a multi-agency approach to addressing wider needs including completing an Early Help Child and Family Assessment with the child/family. Referrals to appropriate external support agencies will be made where necessary.

- 16.2 In the event that a pupil is found with racist or extremist material a safeguarding referral will be made to the Local Authority, in accordance with the Prevent duties. The Academy will also establish internal interventions and support to address these concerns with the pupil and the wider Academy community.
- 16.3 Some young people experiencing distress may have a tendency to self-harm and may in this circumstance be particularly vulnerable to breaches of this policy and be found in possession of an inappropriate item. In all instances of this nature, the Academy should seek to safeguard the pupil by responding in a sensitive and supportive rather than a punitive manner.

17 Consequences

- 17.1 The Trust does not condone any behaviour which places the individual pupil, or any other person, at risk; a serious breach of the Academy's behaviour policy will result in a consequence. However, any decision to suspend or permanently exclude the pupil will be made in line with exclusion legislation. That is, the decision will be rational, reasonable, fair and proportionate.
- 17.2 Consideration will be given to the support already in place for the pupil, for example, reasonable adjustments made as a result of an additional need.
- 17.3 Following a thorough investigation the Headteacher will consider the appropriate response which could include one or a combination of:
- Family/Academy meeting
 - PSP
 - A period of internal exclusion
 - Amended timetable
 - Restrictions on movement around Academy site
 - Detentions
 - Loss of privileges
 - Suspension
 - Managed move
 - Changing classes or teaching groups
 - Restorative conversation
 - Formal restorative conference
 - Behaviour contract

- Referral to external support
- Implementation of risk-assessment
- Permanent exclusion

17.4 Before any decision to permanently exclude a pupil, the Headteacher will:

- Thoroughly investigate the incident
- Enable the pupil to make their own account regarding the incident
- Consult with the Local Authority (where appropriate)
- Consider a referral for a restorative conversation or conference
- Complete a risk-assessment to inform how the Academy can support the continuation of the pupil in the Academy
- Thoroughly consider the support and interventions the Academy can establish in order to sustain the pupil in their current setting
- Explore a managed move or suspended permanent exclusion (where applicable)
- For pupils with an Education, Health and Care (EHC) plan or for Looked after Children, contact the relevant team at Lincolnshire Children's Services

18 Policy change

18.1 This policy may only be amended or withdrawn by The Priory Federation of Academies Trust.

Appendix A

Prohibited items

The DfE's *Searching, Screening and Confiscation* advice from 2018, identifies prohibited items as:

- Knives or weapons

The definition of 'knife' in this document includes any bladed article including – craft knife, Stanley knife, Swiss Army knife, fishing knife, razors, kitchen knives or any bladed item including improvised or self-made items. The term 'weapon' refers to any gun, including air rifle, BB gun, toy guns, pellet guns, crossbow, tasers, blow pipes, knuckledusters or any similar item made for the purpose of assault or defence. Self-made items are those that have been crafted or adapted for the purpose of self-harm, or to threaten others, and include but is not restricted to shards of glass, mirrors, sharpened sticks, pencil sharpener blades, broken rulers.

- 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).

This list is not exhaustive; it is not constrained by the criminal definition of an offensive weapon but refers to any item which could cause harm, injury or distress to the holder or others, or which could be used to threaten, alarm, distress or intimidate others.

Banned items

In addition to the items identified above there are a number of other items which could cause harm, distress or injury to pupils or persons, or could adversely affect good order and discipline of the school community. The Trust consider that the following items are inappropriate and should not be brought into the Academy:

- Chains

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- Catapults
 - Chewing gum
 - Lighters/matches
 - Tools, e.g. screwdrivers, hammer, nails etc.
 - Pepper sprays and gas canisters
 - Any item fashioned to cause injury, e.g. a sharpened stick
 - Laser pens
 - Dangerous chemicals, e.g. acids, hair dyes, bleaches
 - Aerosol (including deodorant and hair spray)
 - E-Cigarettes
 - Stink bombs/smoke bombs/flares
 - Solvents, legal highs or other substances
 - Super glue
 - Needles (syringes, if required for medical grounds, should be kept in accordance with the pupil's Individual Medical Care Plan and the Trust's HS2 Medical Treatment Policy)
 - Offensive material, e.g. anything pornographic, racist, homophobic, transphobic, extremist material
 - Rope and cable ties

This is not an exhaustive list and the Headteacher may consider other items as inappropriate if they believe that the possession of the item is to cause harm, distress or injury to another.

The Priory Federation of Academies Trust Student Behaviour and Discipline Policy

This Policy has been approved by the Education and Standards Committee:

Signed..... Name..... Date:

Trustee

Signed..... Name..... Date:

Chief Executive Officer

Signed..... Name..... Date:

Designated Member of Staff

Please note that a signed copy of this agreement is available via Human Resources.