



# Charles Darwin School

## Behaviour

### Management Policy

**Persons Responsible:**

**Governors: Ethos Committee**

**SLT: Mrs L Rees**

Formally adopted:	2 February 2015
Reviewed:	7 December 2015
Reviewed	19 July 2016

## **Communicating Intent**

### **1. Published procedure statement**

- 1.1. This behaviour procedure was first adopted by the governing body on 11th February 2008.
- 1.2. The school has ensured that parents/carers are fully informed of the behaviour procedure by communicating it through the school prospectus, home-school agreements, “The Link” (newsletter distributed by email every Friday) and other normally used channels, including the school's website.
- 1.3. The school has communicated the behaviour procedure to all new and existing pupils through the school rules or expectations, school prospectus, pupil planner, pupil notice boards, “The Link”, school assemblies, and within the curriculum wherever relevant.
- 1.4. The school will seek to ensure that the procedures are accessible to parents/carers and pupils by providing these in appropriate languages and formats where available.
- 1.5. The school will ensure that all staff are consulted regularly about the procedure and its implementation.
- 1.6. The school has communicated the behaviour procedure to all staff by providing copies of the procedure in the staff handbook. It is regularly reinforced via staff briefings, INSET, staff bulletin and training programmes and is on the school website.
- 1.7. This Behaviour Policy should be read in conjunction with the school’s Safeguarding Policy, Anti-bullying Policy, E-Safety Policy and the Attendance Policy.

### **2. Acceptable and unacceptable behaviour**

- 2.1. The school defines acceptable behaviour as that which promotes courtesy, cooperation and consideration from all pupils in terms of their relationships with other pupils within/outside the school, teachers and other school staff and with visitors or other persons within/outside the school premises.
- 2.2. The school has identified examples of unacceptable behaviour as that which includes name calling, verbal abuse, threatening language or behaviour, intimidation, physical abuse, damage to or theft of property belonging to another, bullying (including cyber bullying), harassment and all forms of prejudice-related behaviours (including bullying on the grounds of body image/size/obesity, homophobic bullying, racist bullying, faith-based bullying, ageist bullying, disability bullying, and sexist bullying).

### **3. Recognition, rewards and sanctions**

- 3.1. The school will promote good and improved behaviour by pupils through a system of recognition and reward. This will include the use of:
  - praise and positive feedback, e.g. house points, communication with home;
  - commendations and awards, e.g. Jack Petchey Achievement Award (monthly), certificates, Form Tutor Award (termly), Progress Pens (termly); Marjorie McClure Awards (annually);
  - reward postcards for homework – half termly
  - letters to parents/carers;
  - extension of school privileges;
  - use of assemblies and year group notice boards;
  - reward trips for example ice skating, bowling trips and Quasar trips.

- 3.2. The school website will be used to promote individuals who receive awards.
- 3.3. The school will ensure it gives appropriate support to individual pupils who may be at risk of disaffection or exclusion, including:
- learner support;
  - mentoring, e.g. Peer Mentors, Sixth Form “Buddies”, academic mentors (from January 2016);
  - Education, Health and Care Plans (EHCPs);
  - curriculum and curriculum resources;
  - teaching strategies;
  - personal advisors offering careers education information advice and guidance (CEIAG)
  - lunchtime learning support club;
  - use of Student Support Advisor, Targetted Youth Support or Behaviour Mentor for individual mentoring, anger management, self-awareness, anti-bullying, risk of NEET or permanent exclusion etc.
- 3.4. The school will implement an agreed range of strategies to deal with inappropriate behaviour by pupils, including:
- talking 'privately' with the pupil;
  - verbal reprimand;
  - parking pupil in another classroom in the faculty;
  - referring matters to the appropriate member of staff;
  - referral to Student Isolation Room (SIR);
  - withdrawal of school privileges;
  - letters to parents/carers;
  - meetings with parents/carers;
  - referral to external agencies, e.g. Behaviour Mentor, CAMHS, Police;
  - Whole School Detention (WSD);
  - Extended day in SIR (8.15am to 4.00pm) as an alternative to fixed term exclusion,
  - fixed-term or permanent exclusion, referred to as suspension and expulsion in Northern Ireland (See Annex 1).
- 3.5. The school will monitor the use of rewards and sanctions through SIMS to ensure that its arrangements operate with due regard to equal opportunities and anti-discrimination, and the school's statutory duties in respect of SEN and disability, race relations and gender equality.

## **4. Early intervention**

- 4.1. The school will develop measures to encourage pupils to take responsibility for their own behaviour and to help them to recognise the consequences of inappropriate behaviour including bullying. This may be through 1:1 mentoring via the Tutor Programme (PHSE) assemblies, or subject teaching where appropriate.
- 4.2. The school will undertake reviews of the educational needs of pupils, as appropriate. Details of reviews undertaken will be included within each pupil's file.
- 4.3. The pastoral team will complete a Vulnerable Children’s Audit for their year team every Autumn term. This will identify level of intervention required based on risk factors, and will be completed in consultation with the form tutors. The audit should be reviewed mid-year. The school will involve external agencies where it is appropriate to do so, for the purposes of pupil

education and guidance. This audit will also help to identify the most vulnerable pupils who require “first day calling” for absence [see Attendance Policy 2016].

- 4.4. The school will provide appropriate training for all staff in order to promote positive and consistent behaviour standards within the school.
- 4.5. Parents will be contacted via pupil planners and CallParent to notify them of WSD and senior staff detention.
- 4.6. Parents will be contacted via phone call, letter and CallParent to notify them of a Saturday detention.
- 4.7. Parents/carers will be contacted promptly by the school and normally within two working days to notify them of any reported serious incidents of misbehaviour in which their child has been involved.

## 5. Investigating cases

- 5.1. The school will investigate, as appropriate, reported incidents of pupil misbehaviour.
- 5.2. The school will ensure that relevant staff receive adequate and appropriate training for the conduct of any investigations, including in respect of the recording of evidence and the taking of witness statements.
- 5.3. The school will provide adequate time for the conduct of investigations.
- 5.4. The school will notify the police and other relevant bodies of incidents where it is appropriate to do so.
- 5.5. The school will complete investigations within a reasonable timescale and not normally exceeding two days.
- 5.6. The school will ensure that appropriate feedback from any investigation undertaken is provided to relevant persons together with recommendations for action.
- 5.7. A copy of the results of all investigations undertaken will be held on record until such time as the pupil leaves the school. Where an investigation finds that there is no case to be heard, the report will be held by the school but will not be kept within the pupil's file.
- 5.8. A copy of the school's Anti-Bullying Policy should be referred to for specific methods for dealing with bullying incidents. This policy is reviewed and updated annually by Year 8 Student Voice, The School Council and the Pastoral team.
- 5.9. A pupil version of this policy is in the pupil planner given to each pupil in years 7 to 11 in September.
- 5.10. The school will consider any diagnosed special educational need or known mental health issue when considering a suitable sanction.
- 5.11. **Behaviour management – available sanctions**  
The following sanctions are options that teachers can consider. Each sanction is considered on a case by case basis.

- Whole School Detention (low level disruption) 45 minutes
- Pupil parking in faculties, student is moved to another classroom to work under supervision
- Senior Staff detention 1.5 hours
- Saturday detention 2 hours, Saturday morning
- Use of Student Isolation Room (SIR)
- Lunchtime or breaktime detentions in the SIR
- Extended day in Student Isolation Room (8.15am to 4.00pm);
- Fixed term exclusion

- Managed move
  - Referral to Fair Access Panel [FAP] Croydon
  - Permanent exclusion.
- 5.12. Assistant headteachers and Deputy headteachers are involved in authorising some of the more severe sanctions above to ensure the Behaviour Management Policy is applied consistently across year groups and key stages.
- 5.13. The Behaviour Management grid gives a summary of sanctions used and reasons for these sanctions (see appendix).
- 5.14. The school's Safeguarding Policy will be adhered to, if when investigating a case, there are any concerns of this nature that arise.

## Developing Capacity

### 6. Training and professional development for all staff

- 6.1. The school has a comprehensive behaviour management training programme which has been reviewed to ensure that it is appropriate to the needs of staff and the circumstances of the school.
- 6.2. The school reviews regularly the health, safety and welfare of all staff and provides for professional and personal support (including counselling and training).
- 6.3. The school provides relevant information and training on behaviour management matters to all groups of staff, including:
- support staff (e.g. learning support assistants, teaching assistants, cover supervisors);
  - newly qualified teachers during their formal induction period;
  - students undertaking programmes of initial teacher training;
  - class teachers;
  - leadership group.
- 6.4. This training and development will be provided through whole school INSET and specific planned or tailored training.
- 6.5. The school undertakes annual reviews of the continuing professional development (CPD) needs of teachers and headteachers through the performance management appraisal process.
- 6.6. The school provides opportunities, as appropriate, for staff to develop their knowledge and skills in relation to such issues as:
- implementing the school's behaviour procedure;
  - logging and recording of incidents;
  - school leadership;
  - teaching strategies;
  - lunchtime supervision;
  - classroom management;
  - educational visits;
  - learning styles;
  - the implications of legislation affecting behaviour management (e.g. detention, exclusion, child protection, pupil restraint, pupil searches);
  - pupil support;
  - equal opportunities and anti-discrimination;
  - safeguarding
  - WRAP [Prevent] training
  - techniques for promoting positive behaviour eg Growth Mindset

## **7. Clear roles and responsibilities**

- 7.1. The school ensures that staff job descriptions include appropriate reference to responsibility for implementing the school's behaviour procedure,
- 7.2. The governing body is advised of the implications of the behaviour procedure for their own practice and relevant committees recognise their responsibilities under the terms of the procedure and any other regulations and government guidance.
- 7.3. The senior leadership team will be made aware of sanctions used across the school on a year group basis by the deputy head, staff and pupil welfare.

## **8. Referral**

- 8.1. The school will undertake reviews of pupils' needs prior to identifying suitable educational plans, strategies and alternatives for pupils.
- 8.2. The school undertakes regular monitoring and review of its internal and external arrangements for pupil referral and support.
- 8.3. The school has identified the main points of external referral (including Bromley Wellbeing, pupil counselling, education welfare officers, educational psychologists, voluntary sector, health authority/trust, social services and police).
- 8.4. The school maintains appropriate records on the use of referrals, using the relevant referral forms. (See Proformas: Expression of concern.)
- 8.5. The school ensures that appropriate staff (including the class teacher/form tutor) are informed in full of the outcome of any referral.

## **9. Resources**

The school will provide the resources needed to ensure the effective implementation of the behaviour management procedure, including reviews of the following:

- 9.1. Staffing issues:
  - staffing levels;
  - staff training and development;
  - provision of appropriate time to carry out their professional roles and responsibilities;
  - workload;
  - health and safety,
- 9.2. Data management and record keeping:
  - provision of administrative and record keeping systems (including use of ICT);
  - monitoring arrangements (including use of ICT).
- 9.3. Curriculum review and alternative provision:
  - alternative education provisions for pupils, including the use of off-site provisions, e.g. respite. Risk assessments will be completed for any off-site provision and held with relevant documentation in student services;
  - review of curriculum appropriateness;
  - use of curriculum flexibility, including dis-application (where appropriate);
  - on-site facilities wherever possible and appropriate, e.g., Student Isolation Room (SIR),

- Student Learning Zone (SLZ), access to learning support, mentoring;
  - review of managed moves to an alternative school.
- 9.4. The school will participate appropriately in implementing the Common Assessment Framework and uphold our Safeguarding Policy to ensure effective early identification and integration of services to meet the needs of children and families, including:
- Bromley Wellbeing Service;
  - Referral to school's Student Learning Zone;
  - Education Welfare Service;
  - Education Psychology Service;
  - Health Services, including Child and Adolescent Mental Health Services (CAMHS);
  - social services;
  - careers information, advice and guidance;
  - youth workers;
  - Youth Offending Team;
  - drug counselling agencies;
  - mentors;
  - police.
- 9.5. Members of the Pastoral Team will have relevant Safeguarding training and have responsibility for overseeing completion of the CAF with support from the relevant staff.
- 9.6. The school has a Pupil Support Programme, which is on three levels and regularly reviews the need for mentoring, counselling and peer mediation. Families should be involved with the child in the implementation and review of PSPs.
- 9.7. The school has an e-safety policy which is regularly reviewed to comply with new guidance when required.

## Meeting Needs

### 10. Needs assessment/reviews

- 10.1. Through its referral processes, the school will undertake assessments and reviews of the needs of pupils whose behaviour is disruptive.
- 10.2. The school provides appropriate training for all relevant persons responsible for the conduct of assessments and reviews.
- 10.3. The school ensures that adequate time is given during the normal school day for the conduct of pupil assessments and reviews and for the development and implementation of the pupil support programme.
- 10.4. The school ensures that staff receive adequate time to provide support to individual pupils.
- 10.5. The school will ensure that the Safeguarding Policy is fully adhered to.

### 11. Curriculum flexibility

- 11.1. The school's curriculum is appropriate to the needs of pupils.
- 11.2. The school's curriculum provides an opportunity for pupils to talk about behaviour issues and to formulate personal and group strategies to minimise and avoid conflict.
- 11.3. The school's Student Learning Zone provides a supervised setting for lesson withdrawal via referral from named senior staff.

- 11.4. Regular reviews will be completed to ensure needs are fully met through any alternative curriculum provided by the school.
- 11.5. The school's Safeguarding Policy will be adhered to regarding off-site alternative provision and risk assessments.

## **12. Pupil involvement**

- 12.1. The school encourages pupils to take responsibility for their own learning and behaviour.
- 12.2. The school encourages pupils to take responsibility for developing a positive behaviour culture within the school, e.g. School Council's review of the Sexual Health and Relationship Policy from 2012 and use of Growth Mindset from 2015.
- 12.3. The school provides opportunities for pupils' positive involvement in the life of the school and community.
- 12.4. The school seeks to engage pupils in the review of the behaviour procedure, e.g. the anti-bullying policy has been reviewed by the School Council and Student Voice from 2007 and all year groups focus on anti-bullying during assembly and tutorials at key times in the year.

## **13. Parental/carer involvement**

- 13.1. The school ensures that parents/carers are informed promptly of any concerns regarding their child and are given the opportunity to be involved in responding to their needs.
- 13.2. The school provides opportunities to encourage parental involvement and support for the behaviour procedure. Parental questionnaires are encouraged at Parents' Evenings and parental forums are available.

## **14. Community involvement**

- 14.1. The school liaises with a range of bodies as appropriate to support and promote positive behaviour. Charles Darwin is a full service extended school and as such offers a breakfast opportunity from 7:45am, with the school site and some provisions open until 6.00pm.
- 14.2. The School Council annually canvasses the views of local residents and their perception of Charles Darwin School pupils and their behaviour.

## **Reviewing Effectiveness**

### **15. Data management**

- 15.1. The prompt and accurate reporting of incidents is considered particularly important to the effectiveness of the school's behaviour procedure.
- 15.2. The school maintains accurate records of all behaviour incidents and in respect of bullying, including homophobic bullying and racist incidents and the application of rewards and sanctions.
- 15.3. The school has a low bureaucracy system of data collection and record keeping.
- 15.4. The school has advised all staff of the need for timeliness, accuracy and completeness in the recording of behaviour management incidents and has advised staff of the correct procedures for recording statements.
- 15.5. The school provides for the logging of incidents and monitoring of trends as appropriate.
- 15.6. The school deploys appropriate staff to undertake routine administration and record keeping.

## 16. Monitoring and evaluation

- 16.1. The school monitors behaviour incidents in order to identify issues and trends. The Expression of Concern (EOC) is used and regularly revised (see Proforma 1), WSDs are recorded on SIMS to allow easy monitoring procedures (see Proforma 2), Faculty parking is tracked via the Student Isolation Room from 2015.
- 16.2. The school makes effective use of SIMS to support the implementation of its procedures.
- 16.3. Staff receive individual and collective feedback (as appropriate) on behaviour management issues, trends and the outcome of referrals.
- 16.4. The school monitors incidents of disruptive behaviour in terms of:
  - Whole school detention type
  - Faculty parking (pupils, subject, member of staff, time of day)
  - type of incident (including prejudice-related incidents);
  - critical days/times in the week;
  - critical places within/outside the school;
  - pupils involved;
  - profile of pupils involved (ethnicity, gender, disability, age, SEN);
  - timeliness of response;
  - outcomes.
- 16.5. The school records details of racist incidents and bullying incidents, including homophobic bullying separately.
- 16.6. The school is vigilant towards any form of extremist behaviours. Staff are regularly updated and the schools safeguarding policy reflects this and other areas reinforced in Keeping Children Safe in Education July 2015 (Child missing form Education, Child Sexual Exploitation, Female Genital Mutilation and Preventing Radicalisation) and further reminded in May 2016 update.
- 16.7. The school ensures that its pupil record keeping systems provide analysis of the impact of its behaviour procedure on particular groups of pupils and in respect of special educational needs, Pupil Premium, disability, ethnic origin, gender and children in public care.
- 16.8. The school assures appropriate levels of confidentiality within its monitoring and reporting arrangements.
- 16.9. The school evaluates its procedure and effectiveness of its implementation strategies against key improvement objectives which include:
  - improvement of individual behaviour;
  - academic progress.
  - (ii) class/department/whole-school measures:
    - general behaviour patterns;
    - balance in the use of rewards and sanctions;
    - staff support and training needs;
    - curriculum access and academic progress;
    - equal opportunities;
    - behaviour management trends over time for example the use of the SIR, Saturday detention, WSD, senior staff detention and faculty parking;
    - reduction of fixed term exclusions;
    - effectiveness of the procedure in encouraging positive behaviours.
- 16.10. The school provides details of issues and trends to staff and the governing body as a basis for effective decision making,

## **17. Sharing good practice**

- 17.1. The school shares information on good practice gleaned from reviews of:
- individual practice;
  - whole-school practice;
  - practice in other schools;
  - cross-phase practice;
  - cross-departmental practice.
- 17.2. Relevant information is shared with all members of staff and the governing body to better inform decision making, and to assist in meeting the educational needs of all pupils at the school.

## **18. Review of Policy**

- 18.1. The Behaviour Management Policy will be reviewed on an annual basis and updated more frequently dependent on external guidance.

# Proformas

## Expression of Concern



# Annex

Sections 1-3 of  
Exclusion from maintained schools, academies and PRUs in England, January 2015

# 1. The headteacher's power to exclude

## A guide to the law<sup>7</sup>

1. The headteacher<sup>8</sup> of a school can exclude a pupil on disciplinary grounds<sup>9</sup>. The behaviour of pupils outside school may be relevant and can be considered as grounds for an exclusion decision.

2. A pupil may be excluded for one or more fixed periods (up to a maximum of 45 school days in a single academic year<sup>10</sup>), or permanently. In exceptional cases, usually where further evidence has come to light, a fixed period exclusion may, in effect, be “extended” by issuing a further fixed period exclusion or a subsequent permanent exclusion may be issued<sup>11</sup>. It would, however, be unlawful to impose a fixed period exclusion for an indefinite period of time.

3. A fixed period exclusion does not have to be for a continuous period; for example, where pupils attend more than one school then the exclusion could relate only to the days on which they attend the school at which an incident occurred. A fixed period exclusion can also involve a part of the school day; for example, if pupils' behaviour at lunchtime is disruptive, they may be excluded from the school premises for the duration of the lunchtime period. The legal requirements relating to exclusion, such as the headteacher's duty to notify parents, apply in all cases. Lunchtime exclusions are considered as half a school day for statistical purposes and also in determining whether a governing body meeting is triggered.

4. Any decision of a school, including exclusion, must be made in line with the principles of administrative law, i.e. the decision must be: lawful (with respect to the legislation relating directly to exclusions and a school's wider legal duties, including under the European Convention on Human Rights and the Equality Act 2010); rational; reasonable; fair and proportionate.

5. Headteachers must take account of their legal duty of care to a pupil when taking a decision to send a pupil home following an exclusion.

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<sup>7</sup> Section 51A Education Act 2002 and the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012.

<sup>8</sup> 'Headteacher' includes acting headteacher by virtue of section 579(1) of the Education Act 1996.

<sup>9</sup> The headteacher may withdraw an exclusion that has not been reviewed by the governing body.

<sup>10</sup> This total includes exclusions from previous schools covered by the exclusion legislation.

<sup>11</sup> In these circumstances the legal requirements relating to exclusion still apply, including duties to notify parties about the exclusion and the parents' right to make representations about the exclusion.

6. When establishing the facts in relation to an exclusion the headteacher must apply the civil standard of proof and not the criminal standard of “beyond reasonable doubt”. This means that if something is more likely than not to have occurred (“on the balance of probabilities”) then the standard is met.

7. Under the Equality Act 2010 (“the Equality Act”), schools must not discriminate against, harass or victimise pupils because of their: gender, race, disability, religion or belief, or sexual orientation; because of a pregnancy / maternity; or because of a gender reassignment. For disabled children, this includes a duty to make reasonable adjustments to policies and practices.

8. The public sector equality duty means that, in carrying out their functions, schools must also have due regard to the need to:

- eliminate discrimination, harassment, victimisation and other conduct that is prohibited by the Equality Act;
- advance equality of opportunity between people who share a protected characteristic and people who do not; and
- foster good relations between people who share a protected characteristic and people who do not; in particular by having due regard to the need to tackle prejudice and promote understanding.

9. These duties must be taken into account when deciding whether to exclude a pupil. Schools must also ensure that their policies and practices do not indirectly discriminate against pupils by unfairly placing them at a greater risk of exclusion than others. Provisions within the Equality Act allow schools to take action to deal with particular disadvantages that may affect a specific group, where this can be shown to be a reasonable and proportionate way of dealing with such issues<sup>12</sup>.

10. Headteachers and governing bodies must take account of their statutory duties in relation to special educational needs (SEN) when administering the exclusion process. This includes having regard to the SEN Code of Practice.

11. It is unlawful to exclude a pupil for a non-disciplinary reason. For example, it would be unlawful to exclude a pupil simply because he or she has additional needs or a disability that the school considers it is unable to meet, or for a reason such as: academic attainment / ability; the action of a pupil’s parents; or the failure of a pupil to meet specific conditions before reinstatement, such as attend a reintegration meeting. Repeatedly disobeying a teacher’s instructions to do school work could provide grounds for an exclusion decision.

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<sup>12</sup> Non-statutory advice from the Department for Education has been issued to help schools understand how the Equality Act affects them and how to fulfil their duties under the Act ([www.GOV.UK](http://www.GOV.UK)).

12. Exclusion legislation does not provide for 'informal' or 'unofficial' exclusions, such as sending pupils home 'to cool off'. Pupils of compulsory school age are entitled to a full-time education. Removing a pupil from the school without a legal basis is unlawful, regardless of whether it occurs with the agreement of parents or carers. Any exclusion of a pupil, even for short periods of time, must be formally recorded. Formally arranged part-time timetables may be necessary as a temporary measure in exceptional circumstances to meet pupils' needs but must not be used as a disciplinary sanction<sup>13</sup>.

13. Schools have powers to direct pupils off-site for education to improve their behaviour<sup>14</sup>. A pupil can also transfer to another school as part of a 'managed move' where this occurs with the consent of the parties involved, including the parents. The threat of exclusion must never be used to influence parents to remove their child from the school.

### **Statutory guidance on the decision to exclude**

14. Headteachers should be confident in using exclusion where they deem it to be a lawful, reasonable and fair sanction. The use of exclusion should reflect the importance of good behaviour for the education and welfare of all pupils. In considering whether to exclude a pupil, headteachers should weigh up the seriousness, or persistence, of the pupil's behaviour, together with the impact of not excluding the pupil on the school as a whole and the integrity of its behaviour policy. Whilst every effort should be made to identify pupils at risk of exclusion, and to put in place strategies to address problematic behaviour, adopting a blanket approach of never excluding pupils may undermine the school's ability to maintain discipline.

15. It is for the headteacher to decide whether a child's behaviour warrants permanent exclusion, though this is a serious decision and should be reserved for:

- a serious breach, or persistent breaches, of the school's behaviour policy; or
- where a pupil's behaviour means allowing the pupil to remain in school would be detrimental to the education or welfare of the pupil or others in the school.

16. Allowing pupils an opportunity to present their case before taking the decision to exclude will help ensure that the decision is fair, although this may not always be

<sup>13</sup> All pupils of compulsory school age are entitled to a full-time education, unless this would not be in their best interests because of health needs. Departmental advice on attendance ([www.GOV.UK](http://www.GOV.UK)) is that, in very exceptional circumstances, there may be a need for a temporary part-time timetable to meet a pupil's individual needs but this must not be treated as a long-term solution.

<sup>14</sup> Maintained schools' power is provided by Section 29A of the Education Act 2002. Statutory guidance relating to this power is provided in guidance on alternative provision ([www.GOV.UK](http://www.GOV.UK)). Academies can also place a pupil in another educational setting under general powers within their Articles of Association.

practicable. Headteachers should also take account of any contributing factors that are identified after an incident of poor behaviour has occurred; for example, where it comes to light that a pupil has suffered bereavement, has mental health issues or has been subject to bullying or other emotional stress.

17. Early intervention to address underlying causes of disruptive behaviour should include an assessment of whether appropriate provision is in place to support any SEN or disability that a pupil may have. Headteachers should also consider the use of a multi- agency assessment for pupils who demonstrate persistent disruptive behaviour. Such assessments may pick up unidentified special educational needs but the scope of the assessment could go further, for example, by seeking to identify mental health or family problems.
18. Where a pupil has received multiple exclusions or is approaching the legal limit of 45 school days of fixed period exclusion in an academic year, headteachers should consider whether exclusion is providing an effective sanction.

### **Statutory guidance on the exclusion of pupils from groups with disproportionately high rates of exclusion**

19. The exclusion rates for certain groups of pupils are consistently higher than average. This includes: pupils with SEN, pupils eligible for Free School Meals, looked after children<sup>15</sup> and pupils from certain ethnic groups. The ethnic groups with the highest rates of exclusion are: Gypsy / Roma, Travellers of Irish Heritage, and Caribbean pupils.
20. In addition to the approaches on early intervention set out above, headteachers should consider what extra support might be needed to identify and address the needs of pupils from these groups in order to reduce their risk of exclusion. For example, schools might draw on the support of the local authority, or other professionals, to help build trust when engaging with families from Gypsy/ Roma or Traveller communities.

### **Statutory guidance to headteachers on the exclusion of pupils with Education, Health and Care Plans (EHC plans) and looked after children**

21. As well as having disproportionately high rates of exclusion, there are certain groups of pupils with additional needs who are particularly vulnerable to the impacts of exclusion. This includes pupils with Education, Health and Care Plans (EHC plans)<sup>16</sup> and

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<sup>15</sup> As defined in section 22 of the Children Act 1989.

<sup>16</sup> References to pupils with EHC plans include pupils with statements of SEN whilst they remain.

looked after children. Headteachers should, as far as possible, avoid permanently excluding any pupil with an EHC plan or a looked after child.

22. Schools should engage proactively with parents in supporting the behaviour of pupils with additional needs. In relation to looked after children, schools should co- operate proactively with foster carers or children's home workers, the local authority that looks after the child and its Virtual School Head.
  
23. Where a school has concerns about the behaviour or risk of exclusion of a child with additional needs, including a pupil with an EHC plan or a looked after child, it should, in partnership with others (including the local authority as necessary), consider what additional support or alternative placement may be required. This should involve assessing the suitability of provision for a pupil's SEN. Where a pupil has an EHC plan, schools should consider requesting an early annual review or interim / emergency review.

# The headteacher's duty to inform parties about an exclusion

## 2.1 Informing parents about an exclusion

### A guide to the law<sup>17</sup>

24. Whenever headteachers exclude a pupil they must, without delay, notify parents of the period of the exclusion and the reasons for it.

25. They must also, without delay, provide parents with the following information in writing:

- the reasons for the exclusion;
- the period of a fixed period exclusion or, for a permanent exclusion, the fact that it is permanent;
- the parents' right to make representations about the exclusion to the governing body (in line with the requirements set out in Section 4.1) and how the pupil may be involved in this;
- how any representations should be made; and
- where there is a legal requirement for the governing body to consider the exclusion, that parents have a right to attend a meeting, be represented at this meeting (at their own expense) and to bring a friend.

26. Written notification of the information in paragraph 25 can be provided by: delivering it directly to the parents; leaving it at their last known address; or by posting it to this address.

27. Where an excluded pupil is of compulsory school age the headteacher must also notify the pupil's parents of the days on which they must ensure that the pupil is not present in a public place at any time during school hours. These days would be the first five school days of an exclusion (or until the start date of any alternative provision where this is earlier). Parents who fail to comply with this duty without reasonable justification commit an offence and may be given a fixed penalty notice or prosecuted<sup>18</sup>. The headteacher must notify the parents of the days on which their duty applies without delay and, at the latest, by the end of the afternoon session.

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<sup>17</sup> Section 51A Education Act 2002 and the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012.

<sup>18</sup> Sections 103 to 105 Education and Inspections Act 2006 and the Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007.

28. If alternative provision is being arranged then the following information must be included with this notice where it can reasonably be found out within the timescale:

- the start date for any full-time educational provision that has been arranged for the pupil during the exclusion;
- the start and finish times of any such provision, including the times for morning and afternoon sessions where relevant;
- the address at which the provision will take place; and
- any information required by the pupil to identify the person that he / she should report to on the first day.

29. Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session it may be provided in a subsequent notice, but it must be provided without delay and no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of an exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.

30. The information in paragraphs 28 and 29 must be provided in writing but can be given to parents by any effective method (paragraph 33 provides guidance on this issue). It may, but does not have to, be combined with the information in paragraph 28, where this complies with the legal time limits.

31. The failure of a headteacher to give notice of any required information by the required time does not relieve the head of the duty to serve the notice. A notice is not made invalid solely because it has not been given by the required time.

### **Statutory guidance to headteachers on informing parents about an exclusion**

32. When notifying parents about an exclusion, the headteacher should set out what arrangements have been made to enable the pupil to continue his / her education prior to the start of any alternative provision or the pupil's return to school, in line with the legal requirements and guidance in section 3.

33. For notifications under paragraphs 27 and 28, effective methods for providing the information may include: email or text message; giving the notice directly to the parents; or sending the information home with the excluded pupil. Where information is sent home with a pupil, headteachers should consider sending a duplicate copy by an alternative method or confirming that the information has been received.

- When notifying parents about an exclusion headteachers should draw attention to relevant sources of free and impartial information. Schools should ensure that these sources of information are checked regularly and updated as required. This information should include: a link to this statutory guidance on exclusions

([www.gov.uk/government/publications/school-exclusion](http://www.gov.uk/government/publications/school-exclusion));

- a link to the Coram Children’s Legal Centre ([www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)), 08088 020 008; and
- where considered relevant by the headteacher, links to other information, advice and support services, such as Traveller Education Services or the local parent partnership ([www.iassnetwork.org.uk](http://www.iassnetwork.org.uk)).

34. Headteachers should ensure that information provided to parents is clear and easily understood. Where the parents’ first language is not English, consideration should be given, where practicable, to translating the letter or taking additional steps to ensure that the details of the exclusion and parents’ right to make representations to the governing body have been understood.

## 2.2 Informing the governing body and local authority about an exclusion

### A guide to the law<sup>19</sup>

36. The headteacher must, without delay, notify the governing body and the local authority of:

- a permanent exclusion (including where a fixed period exclusion is followed by a decision to permanently exclude the pupil);
- exclusions which would result in the pupil being excluded for more than five school days (or more than ten lunchtimes) in a term<sup>20</sup>; and
- exclusions which would result in the pupil missing a public examination or national curriculum test.

37. For a permanent exclusion, if the pupil lives outside the local authority in which the school is located, the headteacher must also advise the pupil’s “home authority” of the exclusion without delay.

38. For all other exclusions the headteacher must notify the local authority and governing body once a term.

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<sup>19</sup> Section 51A Education Act 2002 and the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012.

<sup>20</sup> Where a school’s academic year consists of three terms or fewer, ‘term’ in this guidance means one of those terms. Where a school’s academic year consists of more than three terms, then a reference to ‘term’ means the period falling between: 31 December to Easter Monday; Easter Monday to 31 July; or 31 July to 31 December.

39. Notifications must include the reasons for the exclusion and the duration of any fixed period exclusion.

40. In addition, within 14 days of a request, governing bodies must provide to the Secretary of State and (in the case of maintained schools and PRUs) the local authority information about any exclusions within the last 12 months<sup>21</sup>.

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<sup>21</sup> As set out in the Education (Information About Individual Pupils) (England) Regulations 2013.

### 3. The governing body's and local authority's duties to arrange education for excluded pupils

#### A guide to the law<sup>22</sup>

41. For a fixed period exclusion of more than five school days, the governing body (or local authority in relation to a pupil excluded from a pupil referral unit) must arrange suitable full-time education for any pupil of compulsory school age. This provision must begin no later than the sixth school day of the exclusion. Where a child receives consecutive fixed period exclusions, these are regarded as a cumulative period of absence for the purposes of this duty. This means that if a child has more than five consecutive days of exclusion, then education must be arranged for the sixth school day of exclusion regardless of whether this is as a result of more than one fixed period exclusion<sup>23</sup>.

42. For permanent exclusions, the local authority must arrange suitable full-time education for the pupil to begin no later than the sixth day of the exclusion. This will be the pupil's "home authority" in cases where the school is maintained by (or located within) a different local authority.

43. In addition, where a pupil has an Education, Health and Care Plan (EHC plan), the local authority must ensure that an appropriate full-time<sup>24</sup> placement is identified in consultation with the parents, who retain their rights to express a preference for a school that they wish their child to attend or make representations for a placement in any other school<sup>25</sup>.

44. Local authorities must have regard to the relevant statutory guidance when arranging the education of looked after children<sup>26</sup>.

45. Provision does not have to be arranged by either the school or local authority for pupils who are in the final year of compulsory education and do not have any further public examinations to sit.

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<sup>22</sup> Section 100 and 101 of the Education and Inspections Act 2006, section 19 of the Education Act 1996 and the Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007.

<sup>23</sup> This requirement is clarified by the Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014.

<sup>24</sup> The placement should be full-time unless the pupil's EHC plan indicates that the maximum number of hours' education per week should be less.

<sup>25</sup> Schedule 27 of the Education Act 1996.

<sup>26</sup> Latest guidance provided at [www.GOV.UK](http://www.GOV.UK).

## **Statutory guidance on the education of pupils prior to the sixth day of an exclusion**

46. It is important for schools to help minimise the disruption that exclusion can cause to an excluded pupil's education. Whilst the statutory duty on governing bodies or local authorities is to provide full-time education from the sixth day of an exclusion, there is an obvious benefit in starting this provision as soon as possible. In particular, in the case of a looked after child, schools and local authorities should work together to arrange alternative provision from the first day following the exclusion.

47. Where it is not possible, or appropriate, to arrange alternative provision during the first five school days of an exclusion, schools should take reasonable steps to set and mark work for pupils. Work that is provided should be accessible and achievable by pupils outside school.

## SCHOOL DETENTIONS 2015-16

Type of Detention	Duration	Examples of reasons for detention	Day/time/place	Action Required - Gatekeeper
<b>Uniform Detentions</b>	20 mins	<ul style="list-style-type: none"> <li>No tie</li> <li>Trainers</li> <li>No blazer</li> </ul>	<ul style="list-style-type: none"> <li>Every day (Yrs 7–11)</li> <li>12:30pm - 12:50pm</li> <li>Student Isolation Room</li> </ul>	<ul style="list-style-type: none"> <li>Tutor/teacher to send student to Student Services</li> <li>Note in planner</li> <li>Detention taken by member of staff on duty in SIR and/or pastoral team member</li> </ul>
<b>Whole School Detentions* (Years 7-11)</b>  <i>To be recorded in student planners</i>	40 mins	<ul style="list-style-type: none"> <li>Persistent Low Level Disruption – after <b>one</b> warning</li> <li>Failure to complete homework/classwork on time:                             <ul style="list-style-type: none"> <li>Issue another WSD, if the work is not completed</li> <li><b>Staff must not set a WSD as a threat to get homework in. If a pupil misses a homework deadline they receive a WSD.</b></li> </ul> </li> <li>Missing equipment (tutors) – Planner, pen, pencil, ruler</li> <li>Missing equipment (P.E. &amp; Maths staff) – calculator &amp; P.E. kit</li> </ul>	<ul style="list-style-type: none"> <li>Everyday apart from Tuesday and INSET days</li> <li>3.05pm – 3.45pm Register outside room:                             <ul style="list-style-type: none"> <li><b>Year 7 - room Sc4</b></li> <li><b>Year 8 - room Sc3</b></li> <li><b>Year 9 - room Te6</b></li> <li><b>Year 10 - room Vq6</b></li> <li><b>Year 11 - room Sc2</b></li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li><b>Subject teacher to record WSD in student planner – reason/ date/ staff</b></li> <li>Record on SIMS</li> <li>Tutors to remind pupils of daily WSD (names red on register)</li> <li>P.6 teachers to escort pupils to WSD</li> <li>MRa to publish tracking sheet to tutors and ACo's</li> <li>ACo's to use the 3, 6, 9, 12, 15 WSD ruling (tutor, ACo, SLT intervention)</li> </ul>
		<ul style="list-style-type: none"> <li>Poor behaviour in or outside of school.</li> </ul>		<ul style="list-style-type: none"> <li>Member of staff to EoC incident</li> <li>ACo to set WSD &amp; place note in planner</li> </ul>
		<ul style="list-style-type: none"> <li>Persistent lateness, ie, every second late to school.</li> </ul>		<ul style="list-style-type: none"> <li>Student Services – to collate for ACo to hand-out during Weds meetings</li> </ul>
<b>Whole School Detentions – 2<sup>nd</sup> attempt (Years 7-11)</b>	1hr 10mins	<ul style="list-style-type: none"> <li>Failure to attend 1<sup>st</sup> WSD without authorisation.</li> <li>Sent out of 1<sup>st</sup> WSD for communicating/misconduct</li> </ul>	<ul style="list-style-type: none"> <li>Same as above except timings – 3.05pm – 4.15pm</li> </ul>	<ul style="list-style-type: none"> <li>Team leader to remain behind after normal WSD with 1 hour 10 min pupils</li> </ul>
<b>Senior Staff Detention (Years 7-11 and 6<sup>th</sup> Form)</b>	1hr 30 mins	<ul style="list-style-type: none"> <li>Arriving to school after 9.30am</li> <li>For persistent lateness (on third WSD for lateness)</li> <li>Missing 2 x WSD (Years 7-11)</li> <li>Missing tutor or HoD/F detentions (6<sup>th</sup> Form)</li> <li>Aggressive behaviour in and around school</li> <li>Anti-social behaviour to and from school</li> <li>Smoking</li> <li>Lesson truancy</li> </ul>	<ul style="list-style-type: none"> <li>Set Mon/ Weds/ Fri 3:05pm – 4:30pm</li> </ul>	<ul style="list-style-type: none"> <li>SLT on gate duty to stop SSD pupils on the gate</li> <li>HoF/ACo to liaise with:                             <ul style="list-style-type: none"> <li>LRe – if Year 7-9 student</li> <li>MBo – if Year 10 &amp; 11 student</li> <li>JGR – if year 12 or 13 student</li> </ul> </li> <li>Sanction detention on pro forma</li> <li>Letter home via main office and Call-Parent sent</li> <li>Detention taken by AH teachers &amp; DH teachers</li> </ul>
			<ul style="list-style-type: none"> <li>6<sup>th</sup> form in the Hub</li> </ul>	
<b>Sixth Form detentions</b>	30-45 mins	<ul style="list-style-type: none"> <li>Teaching staff detain pupils for concerns over students work</li> <li>Tutors set for persistent lateness</li> </ul>	<ul style="list-style-type: none"> <li>am or pm/ classrooms</li> </ul>	<ul style="list-style-type: none"> <li>This can be set without warning. Staff to EoC HOD/F and Head of Year LFU/RGO</li> </ul>
	1 hour	<ul style="list-style-type: none"> <li>HOD/HOF set detention for missing 45mins</li> </ul>	<ul style="list-style-type: none"> <li>am or pm/ classrooms</li> </ul>	<ul style="list-style-type: none"> <li>HOF to inform home and EOC LFu/RGo</li> </ul>
<b>Headteacher Detention</b>	2 hours	<ul style="list-style-type: none"> <li>Missing 2 x Senior Staff detention</li> <li>Day truancy</li> <li>Persistent WSD's (12+)</li> <li>Serious breaches of school Discipline</li> <li>Behaviour on bus to and from school</li> </ul>	<ul style="list-style-type: none"> <li>Saturday morning</li> <li>8.30-10.30am</li> <li>Meetings Room</li> </ul>	<ul style="list-style-type: none"> <li>SCh/LRe/MBo/LKe to sanction all Saturday detentions on pro forma</li> <li>Letter home via main office and Call-Parent sent</li> <li>Detention to be taken by DHT/HT</li> </ul>

ACo to monitor

\* Class detentions should be avoided

\* a minimum of 24hrs notice should be given for detentions