



## BEHAVIOUR POLICY

<b>ODBST Level 1 Statutory Policy:</b>	<b>ALL</b> Schools require this policy with <b>no changes</b> allowed to core text. No changes are necessary to personalise this with school name and branding, as this is a Trust level policy for use, without change, by all schools, <b>except</b> where a school contact is required as identified in the content of the policy. LGBs will <b>note</b> adoption in LGB meetings. Review will take place at Trust level, and schools will be notified of updates and review dates as necessary.
<b>Other related ODBST policies and procedures:</b>	Safeguarding and Child Protection Policy Attendance Policy SEND Policy Suspensions and Exclusions Policy Use of Force Policy Equality Policy Tackling Extremism and Radicalisation Policy Anti-bullying Policy ODBST E-Safety Policy
<b>Committee responsible:</b>	SEC
<b>Approved by:</b>	SEC
<b>Date Approved:</b>	31 <sup>st</sup> January 2024
<b>Review Date:</b>	Spring term 2025

### I Statement of Intent

*A clear school behaviour policy, consistently and fairly applied, underpins effective education. ODBST believes that high standards of behaviour lie at the heart of a successful school and that this enables our pupils to make the best possible progress in all aspects of their school life. A fundamental part of a child's education is learning to be part of the society in which they live.*

*Through our behaviour policy guidance, we aim to encourage and acknowledge behaviour which allows others to learn and our schools to flourish. We value everyone as an individual, capable of growth, change and development. Our relationships are underpinned by the principles of justice, equality, mutual respect, fairness and consistency. We have high expectations that support the development of our pupils as effective and responsible citizens.*

## Introduction

The proprietors of Academies have a duty under paragraph 7 of Schedule 1 to the Education (Independent Schools Standards) (England) Regulations 2010 to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children.

The proprietors of Academy Schools are required to ensure that a written policy to promote good behaviour among pupils is drawn up and effectively implemented by each school's Local Governing Body (LGB). Such policies must set out the disciplinary sanctions to be adopted if a pupil misbehaves. Academies are also required to ensure that an effective anti-bullying strategy is drawn up and implemented.

Information about the school's behaviour policy must be made available to parents on the school's website and on request.

## Objectives

The ODBST behaviour policy is based on the key principles in which our schools:

- respect and accept pupils and staff, regardless of age, gender, race, sexuality, religious beliefs, disability or academic ability;
- allow teachers to teach and learners to learn;
- help our school to act with trust, honesty and equity;
- take pride in our school, its uniqueness and individual ethos.

This document describes how we, the ODBST, design and implement policies to promote good behaviour, self-discipline and respect, prevent bullying and regulate the conduct of pupils. Our policy shows how behaviour is monitored, praised or corrected and how we expect our school communities to function and flourish.

## Scope

- ODBST Trustees
- Local Governing Body
- Headteacher
- Teaching staff
- Support staff
- All school staff
- Pupils
- Central Office Staff
- Contractors/Service providers
- Users of the school site and buildings

## Relevant Legislation

- Education Act 1996
- School Standards and Framework Act 1998
- Education Act 2002
- Education and Inspections Act 2006
- School Information (England) Regulations 2008
- Equality Act 2010
- The Education (Independent School Standards) (Attended) (England) Regulations 2014
- Education Act 2011
- Schools (Specification and Disposal of Articles) Regulations 2012

- Behaviour in School Advice for Headteachers and school staff 2023
- Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement: Guidance for maintained schools, academies and pupil referral units in England September 2023
- Searching, Screening and Confiscation advice for schools 2022

#### Related Policies

- ODBST Safeguarding and Child Protection Policy
- ODBST Attendance Policy
- ODBST SEND Policy
- ODBST Suspensions and Exclusions Policy
- ODBST Use of Force Policy
- ODBST Equality Policy
- ODBST Tackling Extremism and Radicalisation Policy
- ODBST Anti-bullying Policy
- ODBST E-Safety Policy

#### Date of Review

The policy will be reviewed as required by the Board of Trustees of ODBST to take account of any legislative changes and/or national policy development as well as feedback from ODBST staff and schools and in any event, by 30<sup>th</sup> April 2025.

#### General Principles

##### **Definitions**

- Where the term “relevant body” has been used in legislation this refers to the Board of Trustees of ODBST. In this document the term trustees is used for simplicity.
- The term “Proprietor” is also used to refer to Trustees of ODBST.
- Unless indicated otherwise, all references to “teacher” include the Headteacher.
- Unless indicated otherwise, all references to staff include teaching and support staff.
- All references to “parent” include the parents, carers and any other person with parental responsibility.
- The term “behaviour” is deemed to include all policies dealing with conduct, attitudes, sanctions, rewards, detention and the authority of employed staff to discipline pupils.
- The term “consequence” covers the actions taken or issued as a result of positive behaviour (often known as rewards) or negative behaviour (often known as sanctions). Consequences can be ‘protective’ (to keep that individual or others safe from harm) or ‘educational’ – those consequences which seek to correct and improve the individual’s behaviour or attitude.

#### Delegation

The Trustees have chosen to delegate its functions to Local Governing Bodies and Headteachers as set out in this policy.

#### Monitoring and Evaluation

The Local Governing Body and Headteacher will monitor the operation and effectiveness of the school’s Behaviour Policy and deal with any queries relating to it. The Director of Education will quality assure the implementation of this behaviour policy. The Oxford Diocesan Bucks Schools Trust (ODBST), through the School Effectiveness Committee, will monitor any concerns or complaints raised in relation to the policy on an annual basis.

## **Behaviour Policy**

## 1. Policy Background

1.1 Good behaviour in schools is central to a good education. Schools need to manage behaviour well so that they create calm, safe and supportive environments which children and young people want to attend and where they can learn and thrive. Being taught how to behave well and appropriately within the context they are in is vital for all pupils to succeed personally. All schools need to work continuously to maintain high standards of behaviour.

Where behaviour is poor, pupils suffer from issues as diverse as lost learning time, child-on-child abuse, anxiety, bullying, violence and distress. It can cause some pupils to stay away from school and continually dealing with misbehaviour negatively affects the wellbeing of teachers and, for some, it is a reason why they leave the profession.

Well-managed schools create cultures where pupils and staff flourish in safety and dignity. It is particularly important that Headteachers lead the creation and reinforcement of this culture, ensuring that it permeates through every aspect of school life. Staff will be trained to make sure that they collectively embody this school culture, upholding the behaviour policy at all times and responding to misbehaviour consistently and fairly.

Schools can create environments where positive behaviours are more likely by proactively supporting pupils to behave appropriately. Pupils will be taught explicitly what good behaviour looks like. Some pupils will need additional support to reach the expected standard of behaviour. Where possible, this support will be identified and put in place as soon as possible to avoid misbehaviour occurring in the first place.

When pupils do misbehave, our schools will respond promptly, predictably and with confidence to maintain a calm, safe learning environment and then consider how such behaviour can be prevented from recurring.

In some cases, particularly when a pupil is persistently disruptive and support or guidance are not deterring misbehaviour, further action may be needed. In serious instances, a pupil may need to be suspended or excluded and the school will refer to the specific DfE guidance on suspension and permanent exclusion and the ODBST Suspensions and Exclusion policy. **In the event that a suspension is given to a pupil, the ODBST Director of Education will be informed the same day. No pupil should be permanently excluded without first discussing the grounds for the permanent exclusion with the ODBST Director of Education.**

## 2. Creating and maintaining high standards of behaviour

2.1 The culture for behaviour in our schools reflects the overall ODBST vision and the vision and is one which ensures that pupils can learn in a calm, safe and supportive environment and which protects them from disruption. The ODBST is clear about which behaviours are permitted and prohibited; the values, attitudes and beliefs they promote and then social norms and routines that should be encouraged throughout the school community. The behaviour policy is the starting point for laying out this vision and is one of the important ways the school culture is communicated to pupils, staff and parents. It is equally important that the behaviour policy is implemented effectively to create a positive behaviour culture in which pupils are encouraged to reflect the values of an individual school and the ODBST as a whole.

2.2 All Headteachers should take responsibility for implementing measures to secure acceptable standards of behaviour.

The ODBST approach to behaviour meets the following national minimum expectations so that:

- each school has high expectations of pupils' conduct and behaviour, which are commonly understood by staff and pupils and applied consistently and fairly to help create a calm and safe environment;
- school leaders visibly and consistently support all staff in managing pupil behaviour through following the behaviour policy;
- measures are in place, and both general and targeted interventions are used, to improve pupil behaviour and support is provided to all pupils to help them meet behaviour standards, making reasonable adjustments for pupils with a disability as required;
- pupil behaviour does not normally disrupt teaching, learning or routines. Disruption is not tolerated and proportionate action is taken to restore acceptable standards of behaviour;
- all members of each school community create a positive, safe environment in which bullying, physical threats or abuse and intimidation are not tolerated, in which pupils are safe and feel safe and everyone is treated respectfully;
- any incidents of bullying, discrimination, aggression and derogatory language (including name calling) are dealt with quickly and effectively.

2.3 At an ODBST School. establishing and maintaining high standards of behaviour is not only vital in ensuring that teachers can deliver the curriculum, but also plays a critical role in ensuring that all ODBST Schools are a safe environment for all pupils. This behaviour policy is aligned with all School's legal duties and standards relating to the welfare of children. All staff are aware of the measures outlined in this behaviour policy and how they should implement these measures; this is one of the key systems in place in ODBST school's which supports safeguarding.

2.4 It is essential that all staff are aware of their safeguarding responsibilities, as set out in statutory guidance Part 1 of Keeping Children Safe in Education (KCSiE 2023). KCSiE 23 is clear that all school staff have a responsibility to provide a safe environment in which pupils can learn. The ODBST behaviour policy is designed to bear in mind. As part of taking a whole Trust approach to behaviour and safeguarding, it is important to us that the respective policies complement one another.

2.5 Where circumstances arise that endanger the safety of a pupil or staff member, each school will act swiftly and decisively to remove the threat and reduce the likelihood of its reoccurrence.

The Headteacher has determined measures to:

- encourage good behaviour and respect for others;
- secure an acceptable standard of behaviour of pupils;
- promote, amongst pupils, self-discipline and proper regard for authority;
- prevent all forms of bullying (including cyber bullying, prejudice based and discriminatory bullying);
- ensure that pupils complete any tasks reasonably assigned to them in connection with their education; and
- otherwise regulate the conduct of pupils.

See Curzon's Behaviour Guidelines.

2.6 A behaviour policy should include detail on the following:

**Purpose:**

School leaders are committed to a therapeutic approach to behaviour management, utilising the 'Steps' approach, promoted by Buckinghamshire Council. Milton Keynes schools will also adopt this therapeutic approach.

**School systems and social norms:** see Curzon's Behaviour Guidelines

The 'Step On' approach is based on sound evidence-based principles which promote positive behaviour strategies such as consistency, de-escalation, behaviour analysis and differentiated planning.

**Staff induction, development and support:**

Staff receive training on the Behaviour Policy and approach as part of their induction. Staff receive Bucks Step On training usually within a term of the commencement of their employment. Relevant staff may receive Step Up/Team Teach training, where a particular need has been identified, from a member of the Steps Team at the Buckinghamshire/Milton Keynes Pupil Referral Units. Behaviour analysis is shared half termly with all staff. The school behaviour policy is revisited with all staff each September. Staff who join during the year are inducted into our systems and given a copy of the policy.

**Pupil support:** see Curzon's behaviour Guidelines

It may be considered that the child's behaviour is associated with particular needs, in which case the child's parents/carers will be involved with the school in compiling and implementing a SEND Support Plan to incorporate behaviour. Other local agencies may be involved.

The child's special needs with regards to behaviour will be reviewed along the following lines;

- the nature of the incident/s;
- the frequency of specific incidents (e.g. number of times day / week);
- the persistence of occurrence;
- the severity of incidents in context and compared to normal expectations for a child of the age concerned.
- the support provided

If the behaviour under review gives cause to suspect that a child is suffering, or likely to suffer significant harm or is child on child abuse, then the safeguarding policy will be followed.

The headteacher may choose to discuss the Prevent Agenda with the parents of any child who is deemed to be vulnerable or potentially could be vulnerable in the future.

**Child-on-child abuse:**

Child on child abuse incidents are recorded on CPOMs, our safeguarding record keeping system. They are reported to Governors. All incidents are taken seriously with parents usually involved. For more serious incidents, the school seeks advice from First Response and the ODBST. Pupils are encouraged to report any concerns with the knowledge that they will be listened to and taken seriously. Clear records will be kept and incidences reported to governors

**List of banned items**

In line with national policy, Curzon staff have the authority to search pupils and confiscate property. Non prohibited items which do not pose danger to pupils will usually be returned by the end of the school day. Staff have the power to search for, and if necessary, delete inappropriate images (or files) on electronic devices.

- *knives and weapons;*
- *alcohol;*
- *illegal drugs;*
- *stolen items;*
- *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 property of; any person (including the pupil).
- an article specified in regulations:
- tobacco and cigarette papers;
- fireworks; and
- pornographic images
- mobile devices

2.7 The Local Governing Body must have regard to the guidance and statute provided by the Trust, the DfE or other responsible bodies to include the following:

- screening and searching pupils;
- the power to use reasonable force and other physical contact;
- the power to discipline beyond the school gate;
- when to work with other local agencies to assess the needs of pupils who display continuous disruptive behaviour; and
- pastoral care for staff accused of misconduct.

2.8 The Local Governing Body decides:

- the standard of behaviour expected of pupils at the school;
- the school rules and any disciplinary penalties for breaking the rules;
- teachers' power to discipline;
- the power to discipline pupils even when they are not at school or in the charge of a member of staff.

2.9 Each Headteacher will publicise the ODBST behaviour policy, in writing to staff, parents and pupils at least once a year. The behaviour policy is published on individual schools' websites and at [www.odbst.org.uk](http://www.odbst.org.uk)

### 3. Designing the Behaviour Policy

3.1 In developing the ODBST behaviour policy, the Trustees have reflected on the following ten key aspects of school practice that, when effective, contribute to improving the quality of pupil behaviour:

1. A consistent approach to behaviour management
2. Strong school leadership
3. Effective classroom management
4. Consequences (rewards and sanctions)
5. Behaviour strategies and the teaching of good behaviour
6. Effective staff development and support
7. Pupil support systems
8. Liaison with parents and other agencies
9. Managing pupil transition
10. Organisation and facilities

3.2 The ODBST takes the safety of our staff seriously. This is the disciplinary action that will be taken out against pupils who are found to have made malicious accusations against school staff: *set out school specific actions here*

3.3 The ODBST behaviour policy acknowledges our legal duties under the Equality Act 2010, in respect of safeguarding and in respect of pupils with Special Education Needs (SEND).

### 4. Discipline in Schools – teachers' powers

4.1 The Trustees has taken into account statutory authorities' expectations and determined that:

- teachers have statutory powers to discipline pupils whose behaviour is unacceptable, who break the school rules or who fail to follow a reasonable instruction;
- the power applies to all paid staff (unless the Headteacher has said otherwise) with responsibility for pupils including teaching assistants;
- teachers can discipline pupils at any time the pupil is in school or elsewhere under the charge of a teacher, including on school visits;
- teachers can discipline pupils in certain circumstances when a pupil's misbehaviour occurs outside of school.

Teachers can confiscate pupils' property. The following items may not be brought into ODBST schools:

- knives or weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that the member of staff reasonably suspects has been, or is likely to be, used:
  - to commit an offence, or
  - to cause personal injury to, or damage to the property of, any person (including the pupil).

Staff can confiscate, retain or dispose of a pupil's property as a consequence in the same circumstances as other consequences. The law protects staff from liability in any proceedings brought against them for any loss or damage to items they have confiscated, provided they acted lawfully. Staff should consider whether the confiscation is proportionate and consider any special circumstances relevant to the case.

[www.searching,screeningandconfiscationatschool.gov.uk](http://www.searching,screeningandconfiscationatschool.gov.uk)

4.2 Teachers in ODBST schools can discipline pupils whose conduct falls below the standard which could reasonably be expected of them. This means that if a pupil misbehaves, breaks a school rule or fails to follow a reasonable instruction, the teacher can impose a consequence on that pupil.

4.3 To be lawful, the consequence (including detentions) must satisfy the following three conditions:

1. The decision to impose a consequence on a pupil will be made by a paid member of school staff or a member of staff authorised by the Headteacher.
2. The decision to impose a consequence on a pupil and the consequence itself will be made on the school premises or while the pupil is under the charge of the member of staff.
3. It will not breach any other legislation (for example in respect of disability, special educational needs, race and other equalities and human rights) and it will be reasonable in all the circumstances.

4.4 A consequence will be proportionate. In determining whether a consequence is reasonable account will be taken of the pupil's age, any special educational needs or disability they may have, and any religious requirements affecting them.



4.5 The Headteacher may limit the power to apply particular consequences to certain staff and/or extend the power to discipline to adult volunteers, for example to parents who have volunteered to help on a school trip.

4.6 Corporal consequences are illegal in all circumstances.

4.7 Our ODBST policy insists staff consider whether the behaviour under review gives cause to suspect that a child is suffering, or is likely to suffer, significant harm. Where this may be the case, school staff will follow the ODBST safeguarding and child protection policy. Staff will also consider whether continuing disruptive behaviour might be the result of unmet educational or other needs. At this point we will consider whether a multiagency assessment is necessary.

4.8 Teachers have the power to discipline pupils for misbehaving outside of the school premises “to such an extent as is reasonable”.

4.9 Teachers may discipline pupils for misbehaviour when the pupil is:

- taking part in any school-organised or school-related activity; or
  - travelling to or from school; or
  - wearing school uniform; or
  - is in some other way identifiable with the school; or
- misbehaviour at any time, whether or not the conditions above apply, that:
- could have repercussions for the ordinary running of the school; or
  - poses a threat to another pupil or member of the public; or
  - could adversely affect the reputation of the school.

In all cases of misbehaviour, the teacher can only discipline the pupil on school premises or when the pupil is under the lawful control of the staff member.

## **5. Behaviour and Consequences (Rewards and Sanctions)**

5.1 Maintaining a positive culture requires constant work and each school will positively reinforce the behaviour which reflects the values of the ODBST and prepares pupils to engage in their learning. Trustees expect school staff, pupils and parents to be clear about the high standards of behaviour expected of all pupils at all times. The ODBST behaviour policy is supported and backed up by senior members of staff and the Headteacher.

5.2 The ODBST encourages good behaviour through a mixture of high expectations, clear policy and an ethos which fosters discipline and mutual respect between pupils, and between staff and pupils.

5.3 Each school has in place a range of consequences to both reinforce and praise good behaviour and sanction those who do not comply with our behaviour policy. These will be proportionate a fair response that may vary according to the age of the pupils and any other circumstances that affect the pupil. See Curzon’s Behaviour Guidelines.

5.4 When a member of staff becomes aware of misbehaviour, they will respond predictably, promptly and assertively in accordance with the ODBST behaviour policy. The first priority will be to ensure the safety of pupils and staff and to restore a calm environment. We recognise that it is important that staff across our Trust respond in a consistent, fair and proportionate manner so pupils know with certainty that misbehaviour will always be addressed. De-escalation techniques can be used to help prevent further behaviour issues arising and recurring and we may use pre-agreed scripts and phrases to help to restore calm. All Bucks schools follow the Step On approach to

behaviour management and staff receive regular training on this. Milton Keynes schools follow the principles of the Step On approach and are supported by Team Teach.

The aim of any response to misbehaviour is to maintain the culture of each school, to restore a calm and safe environment in which all pupils can learn and thrive and to prevent the recurrence of behaviour.

5.5 The ODBST is very clear about when behaviour is child-on-child abuse and, in such instances, will refer to the ODBST Safeguarding and Child Protection policy supporting all involved parties and recording all instances as safeguarding concerns. The ODBST uses CPOMS to record all safeguarding concerns and this will involve all behaviours, including those behaviours seen online, that are considered to be child-on-child abuse as indicated in our policy. To achieve these aims, our response to behaviour has a clear purpose which includes:

- **deterrence:** consequences can often be effective deterrents for a specific pupil or as a general deterrent for all pupils at the school;
- **protection:** keeping pupils safe is a legal duty of all staff. A protective consequence in response to inappropriate behaviour, for example, removing a pupil from a lesson may be immediate or after an assessment of risk;
- **improvement:** educational consequences support pupils to understand and meet the behaviour expectations of the school and re-engage in meaningful education. Pupils will test boundaries, may find their emotions difficult to manage or may have misinterpreted the rules. Pupils will be supported to understand and follow the rules. This may be via protective consequences, reflective conversations or targeted pastoral support.

5.6 Where appropriate, staff will take account of any contributing factors that are identified after a behaviour incident has occurred; for example, if the pupil has suffered a bereavement, experienced abuse including neglect, has mental health needs, has been subject to bullying, has needs including SEND (including any not previously identified), has been subject to criminal exploitation or is experiencing significant challenges at home.

5.7 This behaviour policy includes a range of protective consequences clearly communicated and understood by pupils, staff and parents: see Curzon's Behaviour Guidelines.

All pupils are given the opportunity to reflect on their actions and take responsibility for bringing about the required change in behaviour before parents are informed. We also look to promote the Christian value of forgiveness during this process. Where repeated poor behaviour occurs, or a single act of behaviour is deemed severe, parents are advised promptly and are consulted and involved at every stage in both delivering and reinforcing appropriate strategies and monitoring and reporting resultant behaviour. Severe acts of behaviour are also recorded as a red card behaviour on the behaviour log.

Written statements from any investigations of an incident remain confidential to the school. Details of any sanctions or involvement of any external parties also remain confidential between the school and the family of the child concerned.

Discriminatory remarks (e.g. disablist, transphobic, homophobic, racist, cultural) made by pupils are taken seriously by the school as one of our key values is respect towards all. An immediate red card is issued and often parents are informed. Challenge includes explanation and information to help the child understand the seriousness and the impact of their comments. Any previous comments will be checked on file to analyse any pattern to see if further preventative measures are needed including

following up to ensure the incident has been effectively dealt with. Clear records will be kept and incidences reported to governors.

## **6.0 Behaviour expectations and pupils with Special Educational Needs and/or Disability (SEND)**

6.1 The ODBST culture consistently promotes high standards of behaviour and provides the necessary support to ensure that all pupils in the school, including pupils with SEND, so that everyone can feel that they belong in the school community and that high expectations are maintained for all pupils. The ODBST understands that good behaviour cultures will create calm environments which will benefit pupils with SEND, enabling them to learn.

6.2 Some behaviours are more likely to be associated with particular types of SEND, such as pupils with speech, language and communication needs who may not understand a verbal instruction. Behaviour will be considered in relation to a pupil's SEND, although we know that it does not follow that every incident of misbehaviour will be connected to their SEND.

6.3 Each school will manage pupil behaviour effectively, whether or not the pupil has underlying needs. When a pupil is identified as having SEND, the graduated approach will be used to assess, plan, deliver and then review the impact of support being provided.

6.4 The law requires this school to balance a number of duties which will have a bearing on our behaviour policy and practice, particularly where a pupil has SEND that at times affects their behaviour.

In particular:

schools have duties under the Equality Act 2010 to take such steps as is reasonable to avoid any substantial disadvantage to a disabled pupil caused by the school's policies or practices;

- under the Children and Families Act 2014, relevant settings have a duty to use their 'best endeavours' to meet the needs of those with SEND;
- if a pupil has an Education, Health and Care 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 any of these duties, schools should, as far as possible, anticipate likely triggers of misbehaviour and put in place support to prevent these.

Illustrative examples of preventative measures include (but are not limited to):

- short, planned movement breaks for a pupil whose SEND means that they find it difficult to sit still for long
- visual timetables in all classrooms
- 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.
- ELSA programme to support the development of social skills
- Zones of regulation.

Any preventative measure should take into account the specific circumstances and requirements of the pupil concerned.

**7. Taking disciplinary action and providing appropriate support are not mutually exclusive actions.** They can and should occur at the same time if necessary. Each school is clear about its approach and in which category any action falls, ensuring that any action complies with the law relating to each category.

7.1 Each School will consider whether the misbehaviour gives cause to suspect that a pupil is suffering, or is likely to suffer harm. Where this might be the case, as set out in Part 1 of Keeping Children Safe in Education 2023, school staff will follow the Safeguarding and Child Protection Policy and speak to the Designated Lead (Mrs Payne, Mrs Bradshaw, Mrs Allen). They will consider if pastoral support, an early help intervention or a referral to children's social care is appropriate.

7.2 Alternative protective consequences can be considered on a case-by-case basis for any pupil where the individual school believes an alternative arrangement would be more effective for that particular pupil, based on their knowledge of that pupil's personal circumstances. The school will have regard to the impact on consistency and perceived fairness overall when considering any alternative arrangements.

## **8. Responding to the behaviour of pupils with SEND**

8.1 The ODBST will consistently and fairly promote high standards of behaviour for all pupils and provide additional support where needed to ensure that pupils can achieve and learn as well as possible.

8.2 The ODBST will not assume that because a pupil has SEND, it must have affected their behaviour on a particular occasion; this is a question of judgement for each school on the facts of the situation.

8.3 The ODBST will consider whether a pupil's SEND has contributed to the misbehaviour and if so, whether it is appropriate and lawful to sanction the pupil. In considering this, the ODBST will refer to the Equality Act 2010 and school guidance.

8.4 The ODBST will also consider whether any reasonable adjustments need to be made to the consequence in response to any disability the pupil may have. Each School will seek to try and understand the underlying cause of the behaviour and whether additional support is needed. *In 2018 an Upper Tribunal judgment found that if a child in education has a recognised condition that is more likely to result in a tendency to physical abuse, that can be a disability. This does not necessarily mean that a disabled child will be exempt from sanction.*

## **9. Supporting pupils following a protective consequence**

Protective consequences should be accompanied with an educational consequence. These should help all pupils to understand how to improve their behaviour and meet the behaviour expectations of the school.

These might include:

- a targeted discussion with the pupil, including explaining what they did wrong, the impact of their actions, how they can do better in the future and what will happen if their behaviour fails to improve.

This may also include:

- advising them to apologise to the relevant person, if appropriate;
- a phone call with parents, and the Virtual School Head for looked after children;

- inquiries into the pupil's conduct with staff involved in teaching, supporting or supervising the pupil in school;
- inquiries into circumstances outside of school, including at home, conducted by the designated safeguarding lead or a deputy; or
- considering whether the support for behaviour management being provided remains appropriate. Designated staff should be appropriately trained to deliver these interventions. These interventions are often part of a wider approach that involves the wellbeing and mental health of the pupil.
- Working with the emotional support team (ELSA) to support them to make the right choices in future.

## 10. Removal

Removal is where a pupil, for serious disciplinary reasons, is required to spend a limited time out of the classroom at the instruction of a member of staff. This is to be differentiated from circumstances in which a pupil is asked to step outside of the classroom briefly for a conversation with a staff member and asked to return following this. The use of removal will allow for continuation of the pupil's education in a supervised setting. The continuous education provided by may differ from the mainstream curriculum but should remain meaningful to the pupil.

**In instances where removal is being used for a pupil, the circumstances surrounding this decision should be discussed with the pupil's parents, the LGB and the Director of Education in advance of removal being used as a strategy.**

## 11. Managed moves

A managed move is used to initiate a process which leads to the transfer of a pupil to another mainstream school permanently. If a temporary move needs to occur to improve a pupil's behaviour, then off-site direction (as described in paragraphs 33 to 42 of the Suspension and Permanent Exclusion guidance) should be used. Managed moves should only occur when it is in the pupil's best interests.

## 12. Behaviour outside of school premises

12.1 Schools have the power to sanction pupils for misbehaviour outside of the school premises to such an extent as is reasonable. Each school will respond proportionately and in accordance with in school consequences to non-criminal poor behaviour and bullying which occurs off the school premises or online and which is witnessed by a staff member or reported to the school, including the consequences that will be imposed on pupils. Each school will collaborate with local authorities to promote good behaviour on school transport.

12.2 For conduct outside school premises, including online conduct, that each school will issue a consequence to pupils for misbehaviour:

when taking part in any school-organised or school-related activity;

- when travelling to or from school;
- when wearing school uniform;
- when in some other way identifiable as a pupil at the school;
- that could have repercussions for the orderly running of the school;
- that poses a threat to another pupil; or
- that could adversely affect the reputation of the school.

The decision to sanction a pupil will be lawful if it is made on the school premises or elsewhere at a time when the pupil is under the control or charge of a member of staff at the school.

13.2 Each school has a clear system in place to ensure that relevant members of staff are aware of any pupil persistently misbehaving, whose behaviour is not improving following low-level consequences or whose behaviour reflects a sudden change from previous patterns of behaviour. Examples of interventions Curzon C of E Combined School will consider are

- frequent and open engagement with parents, including home visits if deemed necessary;
- short-term behaviour report cards or longer-term behaviour plans;
- working with the Buckinghamshire PRU
- engaging with local partners and agencies to address specific challenges such as poor anger management, a lack of resilience and difficulties with peer relationships and social skills.

13.3 Initial intervention to address underlying factors leading to misbehaviour will include an assessment of whether appropriate provision is in place to support any SEND that a pupil may have. The graduated response will be used to assess, plan, deliver and then review the needs of the pupil and the impact of the support being provided. If the pupil has an Education, Health and Care Plan (EHCP), early contact with the local authority about the behavioural needs will be appropriate and an emergency review of the plan might be needed.

13.4 Where a school has serious concerns about a pupil's behaviour, it will consider whether an multiagency assessment such as an early help assessment or statutory assessment that goes beyond the child's educational needs, is required (see guidance Working Together to Safeguard Children).

#### **14. Reintegration**

Each school has a clear strategy for reintegrating pupils who have been removed from the classroom, time spent in a pupil referral unit, in another setting offsite or following suspension. This may involve reintegration meetings between the school, pupils, parents and if relevant, other agencies. Each school will consider what support is needed to help the pupil return to mainstream education and meet the expected standards of behaviour.

#### **15. Monitoring and evaluating school behaviour**

The ODBST has strong and effective systems for data capture, including all components of the behaviour culture. This is monitored and objectively analysed by skilled staff and reported back to Trustees and LGBs termly.

Each School has a clear and relevant curriculum in place that is taught effectively and that is subject to regular review.

The ODBST, centrally and within each school, collects data from the following sources:

- behaviour incident data, including on removal from the classroom;
- attendance, permanent exclusion and suspension data;
- use of pupil support units, off-site directions and managed moves;
- incidents of searching, screening and confiscation; and
- anonymous surveys for staff, pupils, governors, trustees and other stakeholders on their perceptions and experiences of the school behaviour culture.

School leaders and staff analyse data with an objective lens and from multiple perspectives: at school level, group level and individual staff and pupil level. School leaders pose questions to drill down further to identify possible factors contributing to behaviour, system problems or failure to provide appropriate support. Analysing the data by protected characteristic and using those findings to inform policy and practice helps our school to ensure that it is meeting its duties under the 2010 Equalities Act. This data analysis is shared with the LGB at least termly.

## 16. Policy review

16.1 The ODBST behaviour policy will be reviewed annually as part of the overall policy review.

16.2 This policy will be used by the Local Governing Body of each school to frame its local behaviour policy with a view to adopting this at the first LGB meeting of the academic year.

16.3 This guidance will be reviewed on or before the following date: April 2025.

## Appendix A - Specific Guidance

### A. Power to use reasonable force refer to specific ODBST Use of Force Policy

### B. Seclusion / isolation rooms

- Schools can adopt a policy which allows disruptive pupils to be placed in an area away from other pupils for a limited period, in what are often referred to as seclusion or isolation rooms. If a school uses seclusion or isolation rooms as a disciplinary penalty this should be made clear in their behaviour policy. As with all other disciplinary penalties, schools must act reasonably in all the circumstances when using such rooms (see 3.4).
- Any use of isolation that prevents a child from leaving a room of their own free will should only be considered in exceptional circumstances. The school must also ensure the health and safety of pupils and any requirements in relation to safeguarding and pupil welfare.
- Any use of isolation must be discussed in advance with the Director of Education and the LGB. Parents should also be consulted before isolation is used as a strategy.

It is for individual schools to decide how long a pupil should be kept in seclusion or isolation, and for the staff member in charge to determine what pupils may and may not do during the time they are there. Schools should ensure that pupils are kept in seclusion or isolation no longer than is necessary and that their time spent there is used as constructively as possible. Schools should also allow pupils time to eat or use the toilet.

### C. Detention

- ODBST is aware of the statutory powers for schools but would want a clear discussion should a ODBST primary schools seek to include 'detention' outside school hours in its list of consequences.
- With lunchtime or break time detentions, staff should allow reasonable time for the pupil to eat, drink and use the toilet. This should be articulated clearly to the pupil and their parents in a such as way as is meaningful and understood by all parties.

Trustees are aware that teachers have a power to issue a detention<sup>1</sup> to pupils (aged under 18) but that LGBs would need to have made clear to pupils and parents that they use detention (particularly detention outside of school hours) as a consequence. **The decision to use detention outside of normal school hours should be discussed with, and approved by, the Director of Education in advance.**

- The LGB should be aware of the times outside normal school hours when detention can be given (the 'permitted day of detention'). These include:

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<sup>1</sup> Section 90 of the Education and Inspections Act 2006

- a) any school day where the pupil does not have permission to be absent;
  - b) weekends - except the weekend preceding or following the half term break; and
  - c) non-teaching days – usually referred to as ‘training days’, ‘INSET days’ or ‘noncontact days’.
- The LGB should also be clear which members of staff are authorised by the Headteacher to place pupils in detention and the limits to this devolved authority.
  - Parental consent is not required for detentions, however ODBST would expect any policy which uses detention to expect staff to act reasonably (see 3.4) when imposing a detention.
  - School staff should not issue a detention where they know that doing so would compromise a child's safety. When ensuring that a detention outside school hours is reasonable, staff issuing the detention should consider the following points:
    - whether the detention is likely to put the pupil at risk;
    - whether the pupil has known caring responsibilities which mean that the detention is unreasonable;
    - whether the parents ought to be informed of the detention. In many cases it will be necessary to do so, but this will depend on the circumstances. For instance, notice may not be necessary for a short after school detention where the pupil can get home safely; and
  - Whether suitable travel arrangements can be made by the parent for the pupil. It does not matter if making these arrangements is inconvenient for the parent.

## **Appendix B**

### **Searching, screening and confiscation – Guidance for Headteachers, school staff and governing bodies. (September 2022).**

The Department for Education has issued guidance to explain to schools their powers of screening and searching pupils. It explains the use of the power to search pupils without consent. It also explains the powers schools have to seize, confiscate and destroy items found during a search. It includes guidance for dealing with electronic devices and the files they may hold. Trustees are clear that this guidance forms a part of the Trust’s Behaviour Policy and should be referred to in individual school’s behaviour policies by the adoption of this annex. The full guidance is available [here](#).

#### **Searching**

School staff can search a pupil for any item if the pupil agrees.<sup>2</sup>

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. Prohibited items are:

- knives or weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks

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<sup>2</sup> The ability to give consent may be influenced by the child’s age or other factors



- 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).
- 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.

Staff are empowered to search if they have reasonable grounds for suspecting that a pupil is in possession of a prohibited item. ODBST would expect that searching member of staff should be the same sex as the pupil being searched; and are clear for the protection of their employees, that there must be a witness (also a staff member). The limited exception to this is where you carry out a search of a pupil of the opposite sex to you and / or without a witness present, where the school reasonably believe that there is a risk that serious harm will be caused to a person if you do not conduct the search immediately.

Items banned by the school's rules may be searched for under these powers if they have been identified in the school rules as an item that can be searched for.

#### Extent of searches

- You may not require the pupil to remove any clothing other than the outer clothing.
- "Outer clothing" means clothing that it not worn next to the skin or immediately over a garment that is being worn as underwear but outer clothing does include hats, shoes, boots, gloves and scarves.
- Possessions means any goods over which the pupil appears to have control; this includes desks, lockers and bags.

#### **Confiscation**

Schools' general power to discipline, enables a member of staff to confiscate, retain or dispose of a pupil's property as a disciplinary penalty, where reasonable to do so. School 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.

Where any article is reasonably suspected to be

- weapons or items which are evidence of an offence
- controlled drugs
- substances which are believed to be controlled drugs
- stolen items
- extreme or child pornography
- articles that have been (or are likely to be) used to commit an offence or to cause personal injury

must be passed to the police

Where a member of staff finds

- tobacco or cigarette papers
- alcohol
- fireworks

- pornographic images, (unless they suspect that its possession constitutes a specified offence)

they may be retained and disposed of. They should not be returned to the pupil.

### **Guidance for dealing with electronic devices**

At XXXX School electronic devices are ..... *(add in your details for bringing in electronic devices)*.

Where an electronic device that is prohibited by the school rules is found and suspected it has been, or may be, used to commit an offence, cause personal injury or damage to property, staff may examine any data or files on the device. They may delete data or files if they think there is a good reason to do so, unless they are going to give the device to the police. There is no need to have parental consent to search through a young person's mobile phone if it has been seized in a lawful 'without consent' search and is prohibited by the school rules.

### **Parents**

The ODBST is not required to inform parents before a search takes place or to seek their consent to search their child.

### **Complaints**

There is no legal requirement to make or keep a record of a search. Schools should inform the individual pupil's parents or guardians where alcohol, illegal drugs or potentially harmful substances are found, though there is no legal requirement to do so. Complaints about screening or searching should be dealt with through the normal school complaints procedure.