

Promoting Positive Behaviour – Exclusions and use of reasonable force 2017

To be reviewed Winter Term 2019



Rationale and Aim

All teachers have the right to teach and all pupils have the right to learn in a mutually respectful environment.

RBA aims:

- To provide a safe, welcoming, friendly and caring environment where individuals are valued for their own unique contribution and personality.
- To promote skills of self-confidence, self-discipline, self-motivation and self-awareness.
- To foster social skills, such as positive attitudes and considerate behaviour towards others.
- To develop mutual respect for adults and children alike, where all feel able to speak openly and honestly about their feelings and concerns with due regard to others.
- The staff and governors of RBA recognise the need to ensure a positive atmosphere based on a sense of community and shared values. This behaviour policy (Promoting Positive Behaviour – Classroom management) is an attempt to put in more detail how the above aims and statements may be achieved in practice. This policy has been updated with regard to The Education Act of 2011.

Policy

Teachers Statutory Authority

Teachers have statutory authority to discipline pupils whose behaviour is unacceptable, who break the academy rules or who fail to follow a reasonable instruction (Section 91 of the Education and Inspections Act 2006). The power also applies to all paid staff with responsibility for pupils, such as Teaching Assistants. This also means that:

- Teachers can discipline pupils at any time the pupil is in the academy or elsewhere under the charge of a teacher, including on academy visits.
- Teachers can also discipline pupils for misbehaviour outside the academy.
- Teachers can confiscate pupils' property.
- Teachers have a specific legal power to impose detention outside academy hours. Parental consent is not required.
- Teachers have the powers to search without consent for prohibited items.

Power to use reasonable force

The legal provisions on academy discipline also provide members of staff with the power to use reasonable force to prevent pupils committing an offence, injuring themselves or others or damaging property, and to maintain good order and discipline in the classroom.

Principals and authorised academy staff may also use such force as is reasonable given the circumstances when conducting a search without consent for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm. Force cannot be used to search for other items banned under the academy rules.

If academy staff resort to the use of reasonable force they must inform parents/carers verbally and in writing.

Role of the Principal

- The Principal has overall responsibility for both pupils and staff. The Principal takes the lead in defining the aims of the academy in relation to standards of behaviour.
- The Principal has overall responsibility for ensuring that these standards are consistently applied throughout the academy through regular monitoring.
- The Principal or designated senior member of staff ensure that records are kept of all reported incidents of misbehaviour. All incidents of bullying are reported to the governing body.
- The Principal has responsibility for giving fixed term exclusion to individual children for serious acts of misbehaviour. For repeated or very serious acts, the Principal may permanently exclude a child.
- The Principal will ensure that their academy has a behaviour and reward display.

Role of the Staff

- Staff have a responsibility to maintain order and promote good behaviour in their classrooms and around the academy sites (refer to Promoting Positive Behaviour – Classroom management).
- Staff understand the importance of pastoral care and promote good behaviour by recognising and praising good behaviour.
- Staff recognise that personal and social education are important as a means of promoting the values of mutual respect, self-discipline and social responsibility.
- Rules are applied consistently by all members of staff but there must be flexibility in the use of punishments to take account of individual circumstances.
- Punishments/sanctions should make the distinction between minor and more serious misbehaviour clear to pupils and should be fairly and consistently applied.

Role of Parents

RBA acknowledges that relationships with parents/carers are important. RBA should be a welcoming place, which encourage parental involvement.

- Parents are informed of positive behaviour as well as negative.
- All parents are encouraged to attend parents' evenings and also discuss issues/concerns with staff outside of these events.
- Parents support the home/school agreement.
- RBA expect parents to support their child's learning and take responsibility for their behaviour. RBA encourage parents to work in partnership with them and to support their actions.
- RBA staff will inform parents if any concerns arise concerning their child's welfare or behaviour.

Role of Pupils

- To respect, support and care for each other both in school and the wider community.
- To listen to others and respect their opinions.
- To attend school regularly, on time, ready and equipped to learn and take part in activities.
- To take responsibility for their own actions and behaviour.
- To do as instructed by all members of staff throughout the school day.
- To be tolerant of, and engage with others, irrespective of race, gender, religion, age, ability/disability.

Role of the Governors

The governing body has the responsibility of setting down these general guidelines on standards of discipline and behaviour, and of reviewing their effectiveness. The governors support the Principal in adhering to these guidelines.

A Governors Discipline Committee (GDC) will be formed from 3 local governors, to hear appeals of FTE (fixed term exclusions) and PE (permanent exclusions). RBA buy back the Local Authority Independent Appeals panel to hear appeals that have been upheld by the GDC.

In continued or extreme cases of misbehaviour, the following may be considered:

Managed Moves

Managed moves are processes which allow pupils to move between schools without the stigma of exclusion. RBA works collaboratively on managed moves as an alternative to exclusion, or as an opportunity to provide a pupil with a “fresh start” when it is felt that all other processes have been exhausted or where the relationship between the pupil, parent/carer and the academy has in effect broken down.

Exclusions

The academy will follow the Department for Education guidance “Exclusion from maintained schools, Academies and pupil referral units in England,” September 2012.

Fixed Term Exclusions

Excluding a pupil from the academy for a fixed term is a serious step to take. Only the Principal (or in their absence, the Vice Principal) has the authority to exclude a pupil. In all cases the parents will be informed either by telephone and letter on the day the pupil is excluded and the reasons for the exclusion. On the pupil’s return to the academy, they should come in with a parent/guardian to meet with a senior member of staff. Work will be set during the period of the exclusion. If a pupil is excluded for a second or third time and seems not to be treating the sanction seriously, a member of the governing body may be included in the re-admittance process.

Offences for which exclusion will be considered, but are not limited to, include:

- Verbal abuse/use of offensive language at a member of staff
- Using threatening/aggressive behaviour or fighting.
- Any behaviour which causes/is likely to cause danger or harm to others
- Serious abuse or vandalism of academy property
- Bringing or using illegal substances, including alcohol, into the academy
- Possession of any offensive weapons in the academy
- Using illegal substances or alcohol in the academy
- Supplying or selling illegal substances in the academy
- Persistent refusal to follow reasonable requests from staff
- Disobedience, defiance or refusal to co-operate with members of staff
- Bullying
- Theft
- Abuse of the internet or IT facilities e.g. viewing, accessing or downloading any inappropriate material from the internet including racist, homophobic, sexist or pornographic images or text.
- Cyber bullying or threatening behaviour towards another pupil
- Taking or being in possession of images without consent
- Discriminatory behaviour or abuse which is racial, sexual, physical or mental.
- Denying others access to their learning
- Serious intimidation of another pupil or member of staff, including of a sexual nature.
- Any other behaviour which may bring the name of the academy into disrepute, this may occur inside or outside the academy.

If a pupil is excluded for a period of more than 5 days alternative educational provision will be provided at another RBA site.

Parents/carers have the right to appeal against a decision to exclude their child.

Pupils returning to an RBA after a FTE must do so on a Pastoral Support Programme (PSP) after a re-admittance meeting.

Permanent Exclusion

A decision to exclude a pupil permanently is very serious and is considered as a last resort, in response to a serious breach, or persistent breaches of the academy's Behaviour Management Policy or where allowing the pupil to remain at the academy would seriously harm the education or welfare of the pupil or others in the academy.

The decision to permanently exclude will be taken by the Principal.

RBA will work closely with the Academy of Central Bedfordshire (ACB) to try and avoid permanently excluding any pupil. Pupils can attend the ACB as stage 1 (instead of a PE) or stage 2 (as a managed move or part-time alternative provision). The GDC will meet as a result of PE or to sanction a move to the ACB or if a pupil has 15 or more days of FTE in any one term.

Monitoring & Evaluation

RBA hold a variety of records concerning incidents of misbehaviour. Information concerning incidents of misbehaviour are reported to the local governing bodies on a regular basis. It is the responsibility of the governing body to monitor the rate of exclusions and to ensure that this policy is administered fairly and consistently.

Implementation & Review

This policy will be made known to all staff, parents/carers and governors, and published on the RBA website. Copies are also available upon request from the academy office. This policy will be reviewed two yearly or as required.

Drafted by S. Fox, approved by Site Management Committee
Steve Fox, January 2017

Date January 2017