

SILVER BIRCH ACADEMY TRUST

Behaviour Policy

Also includes Exclusions Policy,
Positive Handling Policy and
Anti-Bullying Policy

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Aims and Expectations

We aim to create an environment which expects and promotes positive behaviour as the basis for effective learning. The expectations are designed to focus on positive actions. It is the primary aim of our school that every child of the school community feels valued and respected, and that each child is treated fairly and well. We are a caring community, whose values are built on mutual trust and respect for all. The school behaviour policy is therefore designed to support the way in which all members of the school can live and work together. It aims to promote an environment where everyone feels happy, safe and secure.

To help protect our rights and encourage responsibility, we have basic rules for our school. However, the primary aim of the behaviour policy is not to enforce rules but to use them to set clear expectations. The behaviour policy is a means of promoting good relationships, so that people can work together with the common purpose of helping everyone to learn. This policy supports the school community in aiming to allow everyone to work together in an effective and considerate way. The school expects every member of the school community to behave in a considerate way towards others.

We treat all children fairly and apply this behaviour policy in a consistent way.

This policy aims to help children to grow in a safe and secure environment, and to become positive, responsible and increasingly independent members of the school community.

The school rewards good behaviour, as it believes that this will develop an ethos of kindness and co-operation. This policy is designed to promote good behaviour, rather than merely deter anti-social behaviour.

This policy also sets out the school's approach to Exclusions, Positive Handling and Anti- Bullying

'Stay on Green'

All children have the opportunity to make positive choices about their behaviour and influence outcomes and those children who regularly meet the school's expectations are recognised and celebrated. To support children in taking responsibility for their own behaviour and to reward those children who are making good choices, we have adopted a positive behaviour strategy called 'Stay on Green'.

The principles behind this system are:

- That all children have the opportunity to make positive choices about their behaviour and influence outcomes
- That all staff promote positive behaviour and effective behaviour management skills
- Children who regularly follow the rules are noticed and rewarded.

Rewards and Sanctions

Our 'Stay on Green' behaviour plan system highlights clear rewards and consequences for pupil behaviour.

Types of behaviours that will be praised include:

- Keeping the school and class rules
- Being helpful
- Continued good behaviour
- Lining up nicely
- Completing work to the best of ability
- Being polite
- Being kind or considerate
- Meeting a target

- Moving around the school sensibly
- Listening well
- Showing respect for the environment
- Keeping on task
- Demonstrating a positive attitude
- Setting a good example

We praise and reward children for good behaviour in a variety of ways:

- teachers congratulate children
- children from each class receive a certificate in the school assembly
- we distribute stickers/certificates to children, either for consistent good work or behaviour, or to acknowledge outstanding effort or acts of kindness in school
- all classes have an opportunity to lead an achievement assembly where they are able to show examples of their best work.

Our 'Stay on Green' behaviour system highlights clear rewards and consequences for pupil behaviour.

The school employs a number of sanctions to enforce the school rules, to ensure a safe and positive learning environment. We employ each sanction appropriately to each individual situation.

We expect children to listen carefully to instructions in lessons. If they do not do so, we give them a reminder and if they ignore this reminder they move themselves onto the blue square. If children persist in their behaviour they then move themselves onto yellow, which results in a loss of breaktime. Here they will stay with a member of SLT who will speak to them about their behaviour. During this time, they will be asked to reflect on their actions and strategies they could adopt to avoid recurrence.

We expect children to try their best in all activities and demonstrate positive attitudes to learning. If they do not do so, we may ask them to redo a task.

The safety of the children is paramount in all situations. If a child's behaviour endangers the safety of others, the class teacher stops the activity and prevents the child from taking part for the rest of that session. If a child threatens, hurts or bullies another pupil, the class teacher records the incident and the child is given a sanction. If a child repeatedly acts in a way that disrupts or upsets others, the school contacts the child's parents/carers and seeks an appointment to discuss the situation, with a view to improving the behaviour of the child.

The class teacher discusses the school rules with each class. In addition to the school rules, each class follows the 'Stay on Green' behaviour plan, which is clearly displayed in each classroom. In this way, every child in the school knows the standard of behaviour that we expect in our school. If there are incidents of anti-social behaviour, the class teacher discusses these with the whole class during 'circle time'.

The school does not tolerate bullying of any kind. If we discover that an act of bullying or intimidation has taken place, we act immediately to stop any further occurrences of such behaviour; we strive to ensure that all children attend school free from fear. (Please see full Anti- Bullying Policy below).

All members of staff are aware of the regulations regarding the use of reasonable force by teachers, as identified in the DfE Guidance on the use of Reasonable Force, July 2013, relating to Section 93 of the Education and Inspection Act 2008.

Staff only intervene physically to restrain children or to prevent injury to a child, or if a child is in danger of hurting him/herself. The actions that we take are in line with government guidelines on the restraint of children. (See Appendix B: Positive Handling Policy)

The role of adults in the school

It is the responsibility of the class teacher to ensure that the school rules are enforced in their class, and that their class behaves in a responsible manner during lesson time. The class teachers in our school have high expectations of the children in terms of behaviour, and they strive to ensure that all children work to the best of their ability.

The Trust expects every adult to treat each child fairly and enforce the behaviour policy consistently. All children will be treated with respect and understanding.

If a child misbehaves repeatedly in class, the class teacher keeps a record of all such incidents. In the first instance, the class teacher deals with incidents him/herself. However, if poor behaviour continues, the class teacher seeks help and advice from a senior member of staff.

It is the responsibility of the class teacher to ensure that children follow the 'Stay on Green' behaviour plan. The plan is clearly displayed around the school.

The class teacher may liaise with external agencies, as necessary, to support and guide the progress of each child. Parents are kept informed of any external involvement regarding their child.

The role of the Executive Headteacher

The Academy is required to ensure that a written policy to promote good behaviour among pupils is drawn up and effectively implemented, under the Education (Independent School Standards) (England) Regulations 2010. The Executive Headteacher will report to governors, when requested, on the effectiveness of the policy. It is also the responsibility of the Executive Headteacher and Governors to ensure arrangements are made to safeguard and promote the welfare of all children in the school.

The Executive Headteacher supports the staff in implementing the policy, by setting the expectations of behaviour.

The Executive Headteacher has the responsibility for implementing fixed-term exclusions of individual children for serious acts of misbehaviour. For repeated or very serious acts of anti-social behaviour, the Executive Headteacher may permanently exclude a child. Both these actions are only taken after the school trustees have been notified. (See Appendix A: Exclusion Policy)

The role of parents/carers

The school works collaboratively with parents/carers, so children receive consistent messages about how to behave at home and at school. We explain the school rules in the school prospectus, and we expect parents/carers to read these and support them.

We expect parents/carers to make their child aware of appropriate behaviour in all situations, support their child's learning and to co-operate with the school. We try to build a supportive dialogue between the home and the school, and we inform parents immediately if we have concerns about their child's welfare or behaviour.

If the school has to use reasonable sanctions to discipline a child, parents should support the actions of the school. If parents have any concern about the way that their child has been treated, they should initially contact the class teacher. If the concern remains, they should contact the local governing body. If these discussions cannot resolve the problem, a formal grievance or appeal process can be implemented.

The role of the local governing body

The local 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 Executive Headteacher in carrying out these guidelines.

The Executive Headteacher or senior leader has the day-to-day authority to implement the school behaviour and discipline policy, but local governors may give advice to the Executive Headteacher about particular disciplinary issues.

Monitoring and Review

The policy will be made available to parents and published on our school website.

The senior leadership team monitors the effectiveness of this policy on a regular basis. They will report to the local governing body on the effectiveness of the policy and, if necessary, makes recommendations for further improvements.

The school keeps a variety of records of incidents of misbehaviour. The class teacher records minor classroom incidents. A record of any incidents that occur at break or lunchtimes is maintained. Regular whole school analysis is carried out to monitor the frequency and nature of incidents to inform whole school strategic actions.

It is the responsibility of the local governing body to monitor the rate of exclusions, and to ensure that the school policy is administered fairly and consistently.

The local governing body reviews this policy every two years. Governors may, however, review the policy earlier than this, if the government introduces new regulations, or if the local governing body receives recommendations on how the policy might be improved.

Appendix A: Exclusions Policy

If a serious incident occurs, pupils may be excluded from school. The school considers the support of parents/carers during the process to be essential in ensuring the actions taken are of the most benefit to the child.

Fixed – term and permanent exclusions

This policy is based on statutory guidance from the Department for Education: Exclusion from maintained schools, academies and pupil referral units (PRUs) in England.

It is based on the following legislation, which outline schools' powers to exclude pupils:

- Section 52 of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil exclusions and Reviews) (England) Regulations 2012
- Sections 64-68 of the School Standards and Framework Act 1998

In addition, the policy is based on:

- Part 7, chapter 2 of the Education and Inspections Act 2006, which looks at parental responsibility for excluded pupils
- Section 579 of the Education Act 1996, which defines 'school day'
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended by The Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014

This policy complies with our funding agreement and articles of association.

Only the Executive Headteacher (or the Acting Headteacher/Head of School) has the power to exclude a pupil from school. The Executive Headteacher may exclude a pupil for one or more fixed periods, for up to 45 days in any one school year. The Executive Headteacher may also exclude a pupil permanently. It is also possible for the Executive Headteacher to convert a fixed-term exclusion into a permanent exclusion, if the circumstances warrant this.

A decision to exclude a pupil will be taken only:

- In response to serious or persistent breaches of the school's behaviour policy, **and**

- If allowing the pupil to remain in school would seriously harm the education or welfare of others

Before deciding whether to exclude a pupil, either permanently or for a fixed period, the Executive Headteacher will:

- Consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked
- Allow the pupil to give their version of events
- Consider if the pupil has special educational needs (SEN)

If the Executive Headteacher excludes a pupil, s/he informs the parents immediately, giving reasons for the exclusion. At the same time, the Executive Headteacher makes it clear to the parents that they can, if they wish, appeal against the decision to the local governing body. The school informs the parents how to make any such appeal.

The Executive Headteacher informs the Local Authority (LA) and the local governing body about any permanent exclusion, and about any fixed-term exclusions beyond five days in any one term.

The local governing body itself cannot either exclude a pupil or extend the exclusion period made by the Executive Headteacher.

The local governing body has a discipline committee, which is made up of between three and five members. This committee considers any exclusion appeals on behalf of the governors. When an appeals panel meets to consider an exclusion, they consider the circumstances in which the pupil was excluded, consider any representation by parents and the LA, and consider whether the pupil should be reinstated.

If the governors' appeals panel decides that a pupil should be reinstated, the Executive Headteacher must comply with this ruling.

Vulnerable Pupils

Pupils with special educational needs

Guidance is that schools should avoid permanently excluding statemented students, other than in the most exceptional circumstances. Schools should also make every effort to support students at School Action Plus of the SEN Code of Practice, including those undergoing assessment for a statement. (DfE §63)

Disabled pupils

Schools have a duty under the Disability Discrimination Act 1995 not to discriminate against pupils by excluding them from school because of behaviour caused by their disability. Discrimination is seen as occurring where a disabled pupil is treated less favourably than other pupils for a reason relating to their disability, without justification.

Discrimination

Discrimination can also occur where a school fails to take reasonable steps to ensure that disabled pupils are not placed at a substantial disadvantage compared to their non-disabled peers. (DfE §68)

Students from racial minorities

The law places specific duties on schools to ensure they do not discriminate against pupils on racial grounds. Schools should monitor and analyse exclusions by ethnicity to ensure they do not treat some groups of pupils more harshly than others. Schools are required to assess whether policies that lead to sanctions, including exclusion, have a disproportionately adverse impact on pupils from particular racial groups. If an adverse impact is identified that cannot be justified, then the policy and practice should be reviewed. (DfE §73-76)

Children in care

Exclusion of children in care should be an absolute last resort. Before exclusion schools, in conjunction with the LA, should first consider alternative options for supporting the child. No child in care should be excluded without discussion with the LA. (DfE §77-83)

Appendix B: Positive Handling Policy

The purpose of this policy is to describe the trust's approach to the management of relatively rare situations when children and young people present extremely challenging behaviour, which may require some form of physical intervention from adults. This is sometimes referred to as restraint or care and control. Our approach has adopted the term, Positive Handling, in line with the DfE guidelines.

The Legal Position – Who can use force to control or restrain and when?

Section 93 of the Education and Inspections Act 2006 "enables school staff to use force as is reasonable in the circumstances to prevent a pupil from doing or continuing to do any of the following:

- i. committing any offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil)
- ii. causing personal injury to, or damage to the property of, any person (including the pupil himself), or
- iii. prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school whether during a teaching session or otherwise."

The definition of 'school staff' applies to:

1. any teacher who works at the school, and
2. any other person whom the Headteacher/ Head of School has authorised to have control or charge of pupils.
This includes:
 - i. support staff whose job normally included supervising pupils such as teaching assistants, learning support assistants, learning mentors and lunchtime supervisors
 - ii. can also include people to whom the Headteacher/ head of School has given temporary authorisation to have control or charge of pupils such as paid members of staff whose job does not normally involve supervising pupils (for example catering or premises – related staff) and unpaid volunteers (for example parents accompanying pupils on school – organised visits)
 - iii. does not include 'other pupils'.

It is lawful for all teachers and other staff as described above to use 'reasonable' force. However, the definition of 'reasonable' is open to interpretation.

The DfE Non-Statutory Guidance to Schools states:

There is no legal definition of when it is reasonable to use force. That will always depend on the precise circumstances of individual cases. To be judged lawful, the force used would need to be in proportion to the consequences it is intended to prevent. The degree of force used should be the minimum needed to achieve the desired result. Use of force could not be justified to prevent trivial misbehaviour.

However, deciding whether behaviour is trivial also depends upon the circumstances. For example running in a corridor crowded with small children may be dangerous enough not to be regarded as trivial."

This power to use reasonable force is in addition to the common law power of any citizen in an emergency to "use reasonable force in self-defence, to prevent another person from being injured or committing a criminal offence". (The DfE Non-statutory Guidance to Schools para. 15)

The guidance explains that staff may use force to prevent behaviour that prejudices the maintenance of school discipline regardless of whether that behaviour would also constitute a criminal offence.

Staff may use reasonable force to search pupils without their consent for weapons using powers exercised under section 45 of the Violent Crime Reduction Act 2006. However, the DfE Non- statutory Guidance to Schools (para 16) strongly advises schools “not to search a pupil where resistance is expected but rather to call the police”.

All policies and practice regarding the supervision of children during the school day should be appropriate to the identified needs and behaviours of the child. This, combined with the whole school approach to behaviour, should minimize the likelihood of requiring positive handling.

We believe it is important for members of staff who may need to physically intervene to do so after other behaviour management techniques have been tried and preferably following training in such techniques.

All staff must be aware that they must not:

1. use force as a punishment as this action would fall within the definition of corporal punishment which has been abolished;
2. use pain to gain compliance;
3. deprive the person of food or drink;
4. require the person to wear inappropriate clothing;
5. humiliate/degrade the child or young person.

In the following situations, staff must judge whether or not a physical intervention would be reasonable or appropriate:

1. risk to the safety of staff, children or visitors;
2. where there is a risk of serious damage to property;
3. where a child’s behaviour is seriously prejudicial to good order and discipline;
4. where a child is committing a criminal offence.

This judgment will take into account the circumstances of the incident. All staff should be aware that the use of a physical intervention in response to a clear or developing danger of injury is intended to be used to manage behaviour positively to prevent a deterioration of the situation.

Staff should view physical intervention with a child as a ‘last resort’ and for the purposes of maintaining a safe environment. We have in place a variety of measures which will reduce the likelihood of the need for positive handling to be used which is in line with our behaviour policy. For example:

- i. A calm and supportive school environment
- ii. Positive relationships
- iii. Whole school approach to developing social and emotional skills
- iv. A structured approach to staff development

If a child is behaving disruptively or anti-socially, every non-physical strategy will be used to manage the behaviour positively to prevent a deterioration of the situation. Staff understand the importance of listening to and respecting children to create an environment that is calm and supportive, especially when dealing with children who may have emotional and behavioural needs, which may increase their aggression.

All staff across the trust understand the importance of responding to the feelings of the child, which lie beneath the behaviour, as well as the behaviour itself. The physical action taken will take into consideration the age and competence of the child and will be the least detrimental alternative. In doing so the action must take proper account of any particular special educational need and/or disability that the pupil may have.

Our policy on the use of force is consistent with the school’s behaviour policy. It is not expected that all staff will need detailed training. However, we ensure that staff are aware of the principles and practices associated with best practice initially through their induction training and, on an ongoing planned basis. Teachers and other staff are not contractually obliged to carry out restraint procedures and they are not contractually obliged to undertake training in any restraint procedures. However, they are encouraged to do so because they are expected to work within a duty of care. A breach of duty of care may involve either taking unreasonable action or failing to take reasonable action to prevent harm to another person.

Appendix C: Anti – Bullying Policy

What is bullying?

Bullying can be defined as dominance of one pupil by another or a group of others. It is premeditated and part of a pattern, rather than an isolated incident.

There are many definitions of bullying, but most have three things in common:

- It is deliberately hurtful behaviour
- It is repeated often over a period of time
- It is difficult for those being bullied to defend themselves.

Strategies the school uses to address bullying:

The school's Behaviour Policy stresses the importance of making expectations clear to children about their behaviour and promotes positive behaviours.

- Each class has regular 'circle time' which allows children to talk about feelings and discuss bullying issues.
- There is a professional counsellor on site at school who can provide one-off or more regular sessions to individual children. Her work includes engaging fully with parents during the counselling process.
- Reflection sessions are an opportunity for children to reflect and discuss their actions and the consequences of their actions on other children.
- The school's PSHE curriculum addresses these issues systematically.

Advice to children about Bullying:

Preventing and raising awareness of bullying is an essential to keeping incidents in our school to a minimum. Through assemblies as well as PSHE lessons, pupils are given regular opportunities to discuss what bullying is, as well as incidents we would not describe as bullying, such as two friends falling out, or a one-off argument. Pupils are taught that:

- If you are a victim of bullying, you can tell a member of staff or anyone else you feel safe to talk to. It is not weak to do this.
- If you cannot tell anyone at school, you can tell your parents, who will tell us.
- If you think a friend of yours is being bullied, you should tell a member of staff.

Advice to Parents/Carers about Bullying:

If your child is being bullied, they may:

- Change their behaviour
- Be unwilling to talk about their day at school
- Take things from home without you knowing
- Avoid certain children or activities
- Be reluctant to come to school

If your child is bullying, they may:

- Change their behaviour
- Be unwilling to talk about their day at school
- Come home with things you have not bought for them.

Addressing prejudice and prejudice-based bullying

We recognise that some groups of pupils may be more vulnerable to bullying, including:

- Looked After Children
- Gypsy, Roma and Traveller children
- Children with Special Educational Needs or Disabilities (SEND)
- Children from ethnic minorities
- Children entitled to Free School Meals
- Children for whom English is an Additional Language
- Children who are perceived to be gay, lesbian or bisexual

The school challenges all forms of prejudice and prejudice-based bullying, which stand in our way of fulfilling our commitment to inclusion and equality

There is guidance in the Staff Handbook on how prejudice-related incidents should be recorded and dealt with. We treat all bullying incidents equally seriously. All reports of bullying, racial, sexual or other harassment will be investigated and recorded. We review incidents regularly and take action to reduce reoccurrence. Staff must always act and be seen to act to protect victims.