



# Behaviour and Discipline Policy 2026 - 2028

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|                  |                 |                           |             |
|------------------|-----------------|---------------------------|-------------|
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| Revision No. | Date       | Revised by  | Approved date | Comments   |
|--------------|------------|-------------|---------------|--|
| 1            | 10/10/2025 | Headteacher | 14/10/2025    | Updated to reflect 6 principles of Nurture and our Nurture Approach.   |
| 2            | 08/05/2026 | Headteacher | 19/05/2026    | Updated to include template appendix on suspensions and inclusions issued by Good Shepherd Trust centrally to all schools. |

### Our Vision

We are excited by Jesus' invitation to 'live life in all its fullness' (John 10:10) and wish to create a loving community where, by serving God, excellence is pursued and individual achievement is celebrated, so that all children are inspired and empowered to flourish as successful adults.

**“What the Spirit brings is; Love, Joy, Peace, Patience, Kindness, Goodness, Trustfulness, Gentleness and Self-control.” Galatians 5:23**

### Our Values

***Ambition, Compassion, Courage, Perseverance, Responsibility, Resilience, Respect, Trust and Honesty.***

### INTRODUCTION:

Our behaviour policy is underpinned by the Christian values and ethos of our school and helps us to create a caring, stimulating and secure environment in which staff and pupils can work and play safely and encourages the involvement of parents/carers in the development of their child.

### AIMS:

We aim to enable our pupils to:

- Be healthy
- Stay safe
- Enjoy and achieve in their learning
- Make a positive contribution to our community
- Achieve economic well-being
- Access the full range of learning opportunities in a calm, positive environment
- Achieve through appropriate expectations of work and behaviour with praise, reward and celebration and explicit and consistent consequences
- Behave appropriately in a wide range of social and educational settings
- Value the rights of the individual.

### PRINCIPLES:

- To raise pupils' self esteem
- To promote/develop empathy and respect for self and others
- To develop in pupils a sense of self discipline and an acceptance of responsibility for their own actions

- To ensure regular attendance
- To develop an awareness of and adherence to appropriate behaviour
- To encourage pupils to value the school environment and its routines
- To ensure that pupils are confident of their right to be treated fairly
- To empower staff to determine and request appropriate behaviour from everyone
- To acknowledge that the maintaining of good behaviour within the school is a shared responsibility
- To ensure that positive behaviour is always recognised
- To work within a positive, proactive reflective approach to behaviour management
- To ensure the policy is fully understood and is consistently implemented throughout the school
- To ensure effective mechanisms are in place for the monitoring and evaluation of this policy
- To ensure the rights and responsibilities of all members of the school community.

### **SCHOOL ETHOS:**

The school has a nurturing, Christian ethos in which the above principles are respected. Many of these principles will be addressed daily throughout school life in collective worship and modelling good social behaviour from all adults within the school community.

### **EXPECTATIONS OF THE SCHOOL COMMUNITY:**

**Our Golden rules** (These expectations cover all aspects of school life including lunchtimes):

- ✓ **Try Hard**
- ✓ **Be Nice**

### ***Curriculum:***

We teach pupils the above-mentioned principles through modelling and explicitly teaching our school values in our collective worship, themed curriculum weeks and days and our PSHE curriculum to address our ethos and expectations directly.

We believe that an appropriately structured curriculum, effective learning strategies and tasks contribute to good behaviour. Thorough planning for the needs of individual pupils, the active involvement of pupils in their own learning and structured feedback all help to avoid the alienation and disaffection, which can sometimes contribute to poor behaviour.

### ***What do we mean by poor behaviour?***

We define poor behaviour as:

- Disruption in lessons, in corridors between lessons, and at break and lunchtimes
- Non-completion of classwork
- Poor attitude (including being rude or not using good manners and being polite)
- Deliberately incorrect or untidy uniform (where it is the child's responsibility)

Serious misbehaviour is defined as:

- Repeated breaches of the school values
- Any form of bullying
- Any unwanted behaviour that causes humiliation, pain, fear or intimidation
- Vandalism
- Theft
- Fighting
- Racist, sexist, homophobic, transphobic or discriminatory behaviour
- Possession of any prohibited items such as knives, weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, vapes, fireworks, pornographic images, or any article a staff member 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)

Reasonable and proportionate sanctions will be used where a pupil's behaviour falls below the standard that is expected, alongside support to prevent recurring misbehaviour.

The school acknowledges that behaviour can sometimes be the result of educational needs, mental health issues, or other needs or vulnerabilities, and will address these needs via an individualised graduated response.

### **Using a Nurturing Approach to support strong relationships across our schools and the emotional development of all children:**

***"Pupils thrive in this welcoming and nurturing school. Close relationships and care are at the heart of everything" (Ofsted, 2024)***

We pride ourselves on having strong relationships between all the adults and children in our school. Children feel safe here and are well supported to make positive life choices. This includes behaviour choices.

We actively use a Nurture Approach (based on the 6 principles of Nurture, see Appendix 3) to build consistent relationships and positive behaviours across our schools.

Within our Nurture Approach, we believe that children's behaviour is a means of communication. When children display poor behaviour they are trying to tell us something. There is always a reason for poor behaviour and the best way to support the child is to understand or discover the reason behind it.

All staff are aware of how potentially traumatic adverse childhood experiences, including abuse and neglect, can impact on a pupil's mental health, behaviour, and education.

All children's academic, emotional and social needs are reviewed termly. We use the Boxall Profile Assessment alongside pupil self assessment to identify emotionally vulnerable pupils and provision is planned and delivered to support their needs in school.

To further help reduce the likelihood of behavioural issues related to social, emotional or mental health (SEMH), the schools create a safe and calm environment in which positive mental health and wellbeing are promoted and pupils are taught to be resilient. The school aims to promote resilience as part of a whole-school approach using the following methods:

- **Culture, ethos and environment** – the health and wellbeing of pupils and staff is promoted through the informal curriculum, including leadership practice, policies, values and attitudes, alongside the social and physical environment
- **Teaching** – the curriculum is used to develop pupils' knowledge about health and wellbeing
- **Community engagement** – the school proactively engages with parents, outside agencies and the wider community to promote consistent support for pupils' health and wellbeing

### **Roles and responsibilities**

The Local Committee has overall responsibility for:

- Ensuring that this policy, as written, does not discriminate on any grounds, including, but not limited to, age, disability, gender reassignment, gender identity, marriage and civil partnership, race, religion or belief, sex and sexual orientation.
- Promoting a whole-school culture where calm, dignity and structure encompass every space and activity.
- Handling complaints regarding this policy, as outlined in the Good Shepherd Trust's Complaints Procedures Policy.
- Ensuring this policy is published on the school website.

The headteacher is responsible for:

- The monitoring and implementation of this policy and of the behaviour procedures at the school. This includes monitoring the policy's effectiveness in addressing any SEMH-related drivers of poor behaviour.
- Establishing high expectations of pupils' conduct and behaviour, and implementing measures to achieve this.

- Determining the school rules and any disciplinary sanctions for breaking the rules.
- The day-to-day implementation of this policy.
- Publicising this policy in writing to staff, parents and pupils at least once a year.
- Reporting to the governing board on the implementation of this policy, including its effectiveness in addressing any SEMH-related issues that could be driving disruptive behaviour.

The senior mental health lead is responsible for:

- Overseeing the whole-school approach to mental health, including how this is reflected in this policy, how staff are supported with managing pupils with SEMH-related behavioural difficulties, and how the school engages pupils and parents with regards to the behaviour of pupils with SEMH difficulties.
- Supporting behaviour management in line with the SEMH Policy.

The SEND Leaders are responsible for:

- Collaborating with the governing board, headteacher and the mental health lead, as part of the SLT, to determine the strategic development of behaviour and SEMH policies and provisions in the school.
- Undertaking day-to-day responsibilities for the successful operation of the behaviour and SEMH policies to support pupils with SEND, in line with the school's Special Educational Needs and Disabilities (SEND) Policy.
- Supporting teachers in the further assessment of a pupil's strengths and areas for improvement and advising on the effective implementation of support.

Teaching staff are responsible for:

- Planning and reviewing support for pupils with behavioural difficulties in collaboration with parents, the SEND Leaders and, where appropriate, the pupils themselves.
- Aiming to teach all pupils the full curriculum, whatever their prior attainment.
- Planning lessons to address potential areas of difficulty to ensure that there are no barriers to every pupil achieving their full potential, and that every pupil with behavioural difficulties will be able to study the full national curriculum.
- Teaching and modelling expected behaviour and positive relationships, demonstrating good habits.
- Being responsible and accountable for the progress and development of the pupils in their class.
- Not tolerating disruption and taking proportionate action to restore acceptable standards of behaviour.

All members of staff, including teaching and support staff, and volunteers are responsible for:

- Adhering to this policy and applying it consistently and fairly.
- Supporting pupils in adhering to this policy.
- Promoting a supportive and high-quality learning environment.
- Modelling high levels of behaviour.
- Being aware of the signs of behavioural difficulties.
- Setting high expectations for every pupil.
- Being aware of the needs, outcomes sought, and support provided to any pupils with specific behavioural needs.
- Keeping the relevant figures of authority up-to-date with any changes in behaviour. The relevant figures of authority include:
  - SEND Leaders.
  - Headteacher.
  - Subject leader.
- As authorised by the headteacher, sanctioning pupils who display poor levels of behaviour.

Pupils are responsible for:

- Their own behaviour both inside school and out in the wider community.
- Reporting any unacceptable behaviour to a member of staff.

Parents are responsible for:

- Supporting their child in adhering to the school rules and reinforcing this at home.
- Informing the school of any changes in circumstances which may affect their child's behaviour.

| Staff and Governors  | Pupils  | Parents  |
|--|---|--|
| To lead by example   | To respect, support and care for each other both in school and the wider community                            | To be aware of; and support the schools values and expectations  |
| To be fair and consistent in dealing with pupils   | To listen to others and respect their opinions  | To ensure that pupils come to school regularly, on time with the appropriate equipment                                       |
| To encourage and support the aims and values of the school and local community among the pupils                              | To attend school regularly, on time, prepared, ready and equipped to learn and take part in school activities | To keep pupils at home when they are ill and to provide the school with a written explanation of the reasons for any absence |
| To have consistently high expectations of ALL pupils   | To take responsibility for their own actions and behaviour  | To take an active and supportive interest in your child's work and progress  |
| To meet the educational, social and behavioural needs of the pupils through an appropriate curriculum and individual support | To follow instructions given by staff (teaching and non-teaching) throughout the school day                   | To provide the school with an emergency contact number   |
| To encourage regular communication between home and school   |   |  |
| To be tolerant of others, irrespective of race, gender, religion and age   |   |  |

### **SCHOOL SYSTEMS:**

#### ***Rewards:***

We believe that good behaviour needs to be praised and rewarded in all situations and that by rewarding all positive behaviour we show how much it is valued at our school. We also believe that our over-arching reward systems need to be consistently applied throughout our school so that children see that they are treated fairly and respected. Teachers may include additional reward systems for individuals, groups of children and the whole class should additional positive reinforcement be helpful.

We believe in, and actively promote and reward; good manners, being kind and helpful to others, positive attitudes which show you are "trying your best" in all aspects of school life and significant academic or social achievements which are pertinent to each individual child.

At Ottershaw Schools we reward good behaviour, as we believe that this will develop an ethos of kindness and co-operation. It is important that children are praised and rewarded for their genuine efforts to behave well, so that they feel appreciated for making positive behaviour choices. This way the culture within our organisation remains focused on the fact that our values matter to us all and good behaviour is the normal expectation.

As children progress through our schools, we do expect them to increasingly take responsibility for managing their behaviour and act as positive role models for the other children. As the children are older, we expect them to take even greater responsibility for managing their behaviour appropriately. We use positions of responsibility to reinforce this expectation, with all classes having elected School Councillors. By Year 6 we also elect our Head Boy, Head Girl, Deputy Head Boy, Deputy Head Girl, House Captains and Prefects to take on additional responsibilities.

Our Class Charters are devised each year in consultation with the children. These make the rules agreed by the class members clear.

We reward all children in the following ways:

- Immediate verbal praise
- Bringing to the attention of all present and giving the child a clap or, at the Infant School, allowing the child to place a marble in the class jar and, at Key Stage 2 awarding Team Points.
- Presenting the child with a sticker from the teacher (Class teacher or Teaching Assistant)

- Visiting the Head or Deputy
- Sending a certificate home
- Telling parents about positive behaviour when we hand children over at the end of the day or recording positive behaviour in Reading Diaries or Home/School Communication Books (or sending home a Marvellous Me message)
- Giving the child a special responsibility in class for the day
- Awarding the Star of the Week or Values certificate in the weekly Celebration Assembly

Teachers may include additional reward systems for individuals, groups of children and the whole class should additional positive reinforcement be helpful.

### **House Points and Merit Rewards at the Junior School**

House Points are used to reward academic effort and achievement, with a maximum of 5 house points being awarded for a single piece of work. House Points can be awarded for completing homework (1 for spelling, 1 for reading and 1 for maths each week).

In addition, House Points may also be awarded for smaller gestures which are helpful and display good manners and respect (eg tidying up, picking up others' belongings, holding a door open for someone).

Merits are used to reward children who have gone above and beyond to demonstrate the school values. Merits are rewarded at the discretion of the adult but include:

- Representing the school well on a trip, in an assembly or at a team events
- Receiving a certificate in Celebration Assembly (Big Write, Values, Top Table)

### ***Sanctions:***

There is an insistence that all our children behave in an acceptable manner towards staff, each other and visitors to the school. There is also an insistence that standards of behaviour are high throughout the school at all times as we do not want poor behaviour to detract from our core purpose of learning.

The use of sanctions must be consistent and should be characterised by certain features:

- It must be clear why the sanction is being applied.
- It must be made clear what changes in behaviour are required to avoid future sanctions.
- Group sanctions should be avoided as this breeds resentment.
- There should be a clear distinction between minor and major incidents.
- It should be the behaviour rather than the person that is sanctioned.

When imposing a sanction, we treat children in the following ways:

- make clear the sanction is dealing with the behaviour, rather than stigmatising the child;
- avoid early escalation to our most severe sanctions, reserving them for the most serious or persistent misbehaviour;
- avoid whole group sanctions that punish the innocent as well as the guilty;
- when appropriate, use sanctions to put right the harm caused (for example, writing a letter of apology);
- never issue a sanction that is humiliating or degrading;
- use sanctions in a calm and controlled manner;
- attempt to link the concept of sanctions to the concept of choice, so that pupils see the connection between their own behaviour and its impact on themselves and others, and so increasingly take responsibility for their own behaviour.

### **Classroom Sanctions**

We use weather symbols as a visual reminder for children,

At the start of the day, all children's names are on the sunshine.

If a child is not behaving in line with expectations, they will receive a reminder.

If the child continues to fall short of expectations, they will receive a warning and their name will move to the light cloud on the chart.

Should poor behaviour persist, the child's name moves on the behaviour chart to the dark cloud position. At this point, the teacher may also invite the child to reflect on our Zones of Regulation programme to encourage them to self-regulate and make a positive choice for themselves to improve.

Depending on the severity of the incident, this may be recorded on CPOMS and communicated with parents/carers. Additionally, the child may be asked to take 'time out' in another classroom or visit Head/Deputy.

Depending on the severity/frequency of incidents with the individual, SLT may also arrange a meeting with parents. For some children, it may also be necessary to include meetings with the SEND Leader and seek further support.

In both schools, if classroom behaviour is so poor (or a child has not completed sufficient work for their ability) that the teacher decides the child needs to miss a playtime, then that teacher must supervise the child in their classroom. Children must never be left unsupervised in a classroom.

### **Playground Sanctions (to be used at playtime and lunchtime)**

Children's behaviour is better when they have things to keep them occupied, so we ensure equipment is available for children to use (especially during the longer lunchtime play).

We use the OPAL programme to develop positive play experiences for all our children to support their creativity and behavioural development.

Although persistent or serious misbehaviour must be recorded on CPOMS, every child must feel that every day is a fresh start. Although most incidents will be dealt with by progressing through the stages of the reminders and warnings system, extreme behaviour or serious incidents which cause concern for the safety and welfare of pupils and/or staff will require more than one step in the consequences.

### **Whole School Tools for Supporting Behaviour**

#### ***Time In***

Both schools offer 'Time In' immediately after lunch. This is a time of reflection and Mindfulness in every classroom, but is also the time for pupils to be able to share a worry or concern. If needed, the time can be used to resolve a lunchtime issue. It is essential that lunchtime staff feedback any incident to class teachers so that any issues can be quickly resolved. Other than minor incidents, other poor behaviour must be recorded on CPOMS.

Where there has been a bigger issue, it is important that parents are made aware of what has happened and how it has been dealt with.

Equally, if playtime behaviour has been poor, staff on duty need to inform class teachers as the children go back to class as it is essential that worried/concerns are passed on and dealt with quickly.

#### ***Zones of Regulation***

Zones of Regulation teaches strategies for managing emotions and sensory needs. Rooted in cognitive behavioural therapy, The Zones framework uses four colours (Green, Blue, Red and Yellow) to help individuals identify how they are feeling in the moment given their energy, emotions, and level of alertness, creating a coloured system to guide them to metacognitive strategies and tools to support regulation.

By understanding

how to read their bodies, detect triggers, think about the social context, and consider their reactions, individuals learn how to increase their ability to regulate their emotions, manage their sensory needs, and become more self-aware and skilful problem solvers.

#### ***Emotion Coaching***

Emotion Coaching uses moments of heightened emotion and resulting behaviour to guide children about more effective responses. Through empathetic engagement the child's emotional state is verbally acknowledged and validated, promoting a sense of security and feeling 'felt'. This activates changes in the child's neurological system and allows the child to calm down, physiologically and psychologically. Inappropriate behaviours are not condoned in Emotion Coaching and when the child is calmer, incidents are discussed in a more rational and productive manner. Moves are made to problem solve and engage in solution-focused strategies.

### ***Restorative Approaches which involve the children***

Where children have 'fallen' out or a wrongdoing has occurred children need to be involved in a discussion where they can say how they feel and receive an apology. In these instances, or when a child feels bullied, we use a Restorative Approach to help children on both sides understand the impact the wrong doing has had and enable them to agree a way forward to restore their relationship. (See also Appendix 1 Restorative Approaches and our separate Antbullying Policy)

### ***Support systems for Individual Pupil Need:***

If there is a persistent problem the class teacher and the Inclusion Manager will draw up an Individual Improvement Programme to support the pupil in partnership with parents. All staff working with the pupil will be informed of this, including lunchtime supervisors, to ensure a consistent approach throughout the school day. If the problem continues, we will work with outside agencies to seek solutions to support the pupil. For pupils who are having these difficulties the school will provide targeted pastoral support or mentoring by adults or peers.

### ***Support Systems for staff:***

Staff having difficulties with an individual, class or group should speak to the Senior Management Team. All new staff will be inducted clearly into the school's behaviour culture to ensure they understand its rules and routines and how best to support all pupils to participate in creating the culture of the school. Staff will be provided with bespoke training, where necessary, on the needs of pupils at the school to enable behaviour to be managed consistently.

The SLT will consider any appropriate training which is required for staff to meet their duties and functions in accordance with this policy, including on understanding matters which may affect a pupil's behaviour, e.g. SEND and mental health needs.

Members of staff who have, or are aspiring to have, responsibilities for leading behaviour or supporting pupil wellbeing will be supported to undertake any relevant training or qualifications.

The SLT and the headteacher will review staff training needs **annually**, and in response to any serious or persistent behaviour issues disrupting the running of the school.

### ***Support Systems for parents/carers:***

The Schools have an open door policy where parents and carers are encouraged to visit to discuss any relevant issues. However, where possible, it would be appreciated if appointments could be made via the office to ensure the availability of a member of staff and to give parents/carers the time needed. Likewise, when school needs to discuss anything with parents/carers, they will be contacted to arrange an appointment.

If a child has been involved in an incident which has been recorded on CPOMS, teachers must inform parents about what happened and how it was dealt with (but only the information pertaining to their own child).

### **Child on Child Abuse**

#### **Please see our Policies on Anti-Bullying and Child Protection**

We recognise that children are capable of abusing other children and their peers and this will be dealt with under our child protection policy and in line with KCSiE (2025) and following recommendations from the [Sexual Violence and Sexual Harassment between Children in Schools and Colleges guidance \(DfE 2021\)](#).

We have a zero-tolerance approach to sexual violence and sexual harassment and do not accept that it is an inevitable part of growing up. It will not be passed off as "banter", "just having a laugh", "part of growing up", or "boys being boys". We will act as though this may be happening at our school/college, even when we receive no reports.

How we will deal with child on child abuse: The adult who sees the incident, or the incident is reported to, must talk to the children and record what happened. This must then be reported to the class teacher and recorded on CPOMS. It is important that this is treated as a serious problem and reported to a DSL as soon as possible. The DSL will contact the parents of both the victim and perpetrator, just as

a member of SLT normally would in the case of serious misbehaviour. The DSL will then follow the Child Protection Policy with regards to further action.

### **The Power to Discipline**

The Education and Inspections Act 2006 specifies a power for teachers and certain other school staff to enforce disciplinary penalties.

The penalty could be for failing to follow a school rule, an instruction given by a member of staff of the school, or for any other reason that causes the pupil's behaviour to fall below the standard which could reasonably be expected of him/her.

The Act gives this power to all teachers and other paid members of staff who are in lawful control or charge of pupils. The Act also empowers the head teacher to extend the power as is reasonable to any other adult who has lawful control or charge of pupils – such as a parent volunteering to supervise a football match or help on a school trip.

To safeguard the interests of pupils against unfair or inappropriate punishments, the Act also provides that the disciplinary penalties in question must be reasonable, not breach any statutory requirement or prohibition (which would include legislation on SEN, disability, race and other equalities and human rights); and take account of the pupil's age, special educational needs, disability, or any religious requirements.

At Ottershaw, we extend the power to discipline (and to reward) to all staff working in our school, both in classrooms and beyond (such as on school trips or sporting competitions and festivals).

We also expect all class teachers and teaching assistants to take particular responsibility for those children who can sometimes exhibit challenging behaviour, or who need additional support with their behaviour, when working off site.

Should any parent or Governor witness either exemplary or poor behaviour we ask that they report this to the teacher in charge in order that the child may be rewarded or disciplined appropriately.

### **Discipline of Pupil Misbehaviour Outside School**

The Education and Inspections Act, 2006 gives schools the power to regulate the behaviour of pupils when off school premises and not supervised by school staff.

It also makes clear that the regulation must be reasonable. Schools should be clear about the factors they take into account in deciding whether a rule or sanction is reasonable.

At Ottershaw we have decided to use this power

- To maintain good behaviour on transport and educational visits
- to ensure behaviour does not threaten the health or safety of pupils, staff or members of the public
- to provide reassurance to members of the public about school care and control over pupils and thus protect the reputation of the school
- to provide protection to individual staff from harmful conduct by pupils of the school when not on the school site.

When using this power, the following are taken in to consideration:

- The severity of the misbehaviour
- The extent to which the reputation of the school has been affected
- Whether the pupil(s) in question were wearing school uniform or were otherwise readily identifiable as members of the school
- The extent to which the behaviour in question would have repercussions for the orderly running of the school and/or might pose a threat to another pupil or member of staff (e.g. bullying another pupil or insulting a member of staff)
- Whether the misbehaviour in question was on the way to or from school, outside the school gates or in otherwise close proximity to the school.

Generally, we expect to use this power when our children are on educational visits, attending after school clubs and working off-site. We would apply our sanctions in the same way as we would in school, and would expect all helping adults to feedback any inappropriate behaviour to class teachers.

For those children who need additional support with their behaviour, we would carry out a risk assessment, based on individual needs, to decide how best they could be supported off-site. Often such children require 1:1 attention at such times when their routine is broken, and in these instances we will insist that a parent or close adult relative accompanies the child, taking full responsibility for their behaviour.

If behaviour is consistently poor during after school clubs, we expect the external leaders of the clubs to discuss this directly with parents.

We take full responsibility for our children between 8.35am – 3.05pm at the Junior School, 9.00am – 3.00pm in the Nursery and 8.45am – 3.15pm in the Infant School. Outside of these hours we expect parents to be responsible for their children's behaviour. However, if an incident of poor or dangerous behaviour was reported to the school, regarding children in uniform shortly before or after the school day, this would be fully investigated and, if the children have been identified, discussed with parents and an agreement reached as to whether or not a sanction should be used (if appropriate), both at home and in school.

### **Detentions outside school sessions**

Occasionally, pupils may be expected to stay in at playtime or lunchtime to complete unfinished work, write a letter of apology or discuss an incident with a member of staff.

### **The Power of Members of Staff to use Force: Please see separate Policy**

At Ottershaw we see the use of force as a last resort. We would expect to use our voice to intervene and that this would be powerful enough to halt an incident. We do authorize all staff to use force if they deem it necessary in an emergency. Where at all possible, we use our voices to remove other children and adults from danger without having to use force at all.

### **CONFISCATION, INCLUDING THE RETENTION AND DISPOSAL OF INAPPROPRIATE ITEMS**

Generally the aim pursued in confiscating property is maintaining an environment conducive to learning, one which safeguards the rights of other pupils to be educated.

A separate legal provision in the Violent Crime Reduction Act 2006, inserted in the Education Act 1996, makes it lawful for certain school staff to search suspected pupils for knives or other weapons without consent. It also deals with the seizure of items found during the course of a search.

At Ottershaw, unless the situation was deemed to be an emergency, we will not undertake a weapon search, but would contact parents to attend as an emergency and ask for their support. Should it become clear that staff do need to carry out a search, then this would be done by 2 senior teachers, out of public view. In general, if we felt a pupil posed a threat and was refusing to move, we would move other children and staff away from the area to a point of safety and monitor the movements of the offending child from a distance.

Should this ever happen, we will focus on the wellbeing of the pupil during and after any search and ensure a trusted adult is available for support.

At Ottershaw we understand that a pupil may reasonably be asked to turn out his/her pockets or to hand over an item, such as a mobile phone, that is causing disruption, and the school might use its legal power to discipline if the pupil unreasonably refuses to cooperate. Legal guidance tells us that if it is felt necessary for a pupil to be searched for (say) illegal drugs or stolen property, that should be done by the Police rather than school staff using the appropriate powers available to them. However, before doing this, we would need to have exhausted all other appropriate and less invasive approaches and have done everything reasonably possible to have contacted parents and ask them to attend. In all instances where we feel the Police would be better placed to carry out a search than ourselves, 2 members of staff known to the pupil would be also present.

In accordance with guidance we also note that, while confiscation of a mobile phone is legitimate, searching through a phone or accessing text messages without the pupil's permission is not. In some circumstances it may be reasonable for a member of staff to ask a pupil to reveal a message for the

purpose of establishing whether, for instance, cyberbullying has occurred; but if the pupil refuses then the member of staff should not enforce the instruction. The staff member can, however, legitimately issue a disciplinary penalty for failure to follow a reasonable instruction, and in such a serious instance, parents would be contacted and the phone handed to them for dealing with.

In most cases, confiscation is a sufficient sanction, and return of the item at the end of the school day, to parents rather than the child, is deemed appropriate.

### **Use of Exclusion**

**The school will only suspend or exclude a pupil where it is absolutely necessary, and where all other possible disciplinary sanctions, as detailed in the school's Behaviour Policy, have failed to be successful.** Please see our separate Suspension and Exclusion Procedures (Appendix 2 at the back of this Policy).

### **Monitoring, Data collection and behaviour evaluation**

The SLT will regularly monitor behaviour across both schools by conducting learning walks, observing behaviour at playtimes and lunchtimes and by talking to different groups of pupils about behaviour in school.

The school will collect data from the following sources:

- Behaviour incident data on CPOMS, 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
- Anonymous surveys for staff, pupils, governors, and other stakeholders on their perceptions and experiences of the school behaviour culture

The data will be monitored and objectively analysed termly by the headteacher and the SLT. Attempts will be made to identify possible factors contributing to the behaviour, any system problems or inadequacies with existing support. The data will also be analysed considering the protected characteristics under the Equality Act 2010 to inform school policies and practice.

### **Taking account of Individual Pupil Needs**

#### **RACE, RELIGION AND CULTURE**

- Schools must avoid discriminating against particular racial groups in the application of their behaviour policies.
- Schools must monitor and assess the impact of their behaviour policy on pupils, staff and parents/carers of different racial groups.
- Schools should ensure staff members are well informed about cultural differences in behaviour and their implications.
- Schools should support newly-arrived pupils in understanding and following the behaviour policy.
- Schools should take appropriate account of cultural and/or religious needs when developing or reviewing rules related to school uniform and appearance.

#### **SEN, DISABILITY AND VULNERABLE PUPILS**

##### **KEY POINTS as covered by Statute**

- Schools must make reasonable adjustments in the application of their behaviour policy to disabled pupils.
- Schools must make special educational provision for pupils whose behaviour related learning difficulties call for it to be made.
- Schools should be alert to the potentially disproportionate impact of the school's disciplinary framework on vulnerable pupils.
- Schools should identify at-risk pupils in advance.
- Schools should plan proactively how the school's disciplinary framework should be applied for each of these pupils.
- Schools should ensure that all those in contact with the pupil know what has been agreed.

- Schools should make sure that every vulnerable pupil has a key person in school who knows them well, has good links with the home, and can act as a reference point for staff when they are unsure about how to apply the disciplinary framework.
- Schools should ensure that all staff are aware of appropriate referral procedures.

This policy should be read in conjunction with the following policy documents:

Curriculum, Learning and Teaching Policy

Marking and Assessment Policy

SEND Policy

RSE Policy

Equality Policy

Disability Equality Duty

Child protection and Safeguarding Policy

Anti-Bullying Policy

Suspension and Exclusion Policy

## **Appendix 1: Using Restorative Approaches**

### **How children can sort out their own difficulties**

Children should be encouraged to take responsibility for sorting out their own conflicts. This means that adults must take responsibility for teaching them and modelling strategies for doing this, and for seeing that children carry them out and reach a successful conclusion. Children should be encouraged to be assertive, to express their feelings and to resolve conflict without resorting to violence, swearing or abuse. Children learn about such strategies and how to relate to each other as part of our RSE/PSHE curriculum.

### **Suggested Strategy for resolving conflict**

Children are encouraged to tell others if their behaviour is upsetting them. Children should seek the support of an adult if their own efforts to solve a problem have not worked.

When a more formal conversation between children is required, the following structured conversation might be used:

Each child is allowed his/her say, while the others listen with no interruptions. Each child has a turn to say:

- 1) what the other(s) has/have done to upset them
- 2) how they feel about it
- 3) how they would like them to behave in future

Nobody is allowed to interrupt or argue. They continue taking turns until everyone has finished. The adult is there to act as facilitator, not as part of the discussion. She/he makes sure that:

- the turns are taken,
- children adhere to the three steps
- they listen to each other and maintain eye contact.

If the children cannot resolve the conflict after a reasonable time, then the adult can decide to make a judgement and take appropriate action.

### **Restorative Discussions.**

**Following any kind of disagreement or breach of school rules all parties take part in a restorative discussion.**

- Everyone must be given enough time to calm down before the restorative discussion takes place.
- Pupils can conduct the restorative discussions themselves depending on their age, and the severity of the disagreement. Otherwise it must be an adult that was involved in the incident who supports with the discussion.
- All members of staff and children know that issues will be dealt with fairly with a 'no blame' approach, and the language used in discussions is fair, consistent and respectful.
- Discussions are held in a calm, quiet, private place.

Both the victim (if there is one) and perpetrator attend the restorative discussion and the following questions are asked:

1. What happened?
2. Drawing out each person's story one at a time, starting with the person who has caused the harm. The aim is not to come to a definitive conclusion on what has happened, but for each person to have their point of view listened to.
3. Who did this affect? Staff, pupils and others. Include others who witnessed the incident.
4. How did it make you feel? How did it make them feel? How has the victim been affected by what you did?
5. What each person was thinking and feeling at the time, before and since.
6. What needs to happen now to fix it? What are the consequences? What do you think needs to happen to make things right/to repair the relationship? How do those people agree and negotiate meeting the needs identified above and what support might they need to do this? With support the pupils form their own agreement. When possible, and as appropriate to their age and stage of development the children identify appropriate consequences.
7. How can we stop this happening again in the future? How can we work together to prevent this happening again? What could the pupil do differently next time? At what point in the sequence is different action needed? Does the child need a reminder eg social story, visual/written plan of action etc?

## Appendix 2: Suspension and permanent exclusion procedures

### 1. Aims

We are committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.

Our school aims to:

Ensure that the exclusions process is applied fairly and consistently

Help local committee members, staff, parents/carers and pupils understand the exclusions process

Ensure that pupils in school are safe and happy

Prevent pupils from becoming NEET (not in education, employment or training)

Ensure all suspensions and permanent exclusions are carried out lawfully

#### A note on off-rolling

'Off-rolling' is a form of gaming and occurs where a school makes the decision, in the interests of the school and not the pupil, to:

Remove a pupil from the school roll without a formal, permanent exclusion, or

Encourage a parent/carer to remove their child from the school roll, or

Retain a pupil on the school roll but does not allow them to attend the school normally, without a formal permanent exclusion or suspension

Accordingly, we will not suspend or exclude a pupil unlawfully by telling or forcing them to leave, or not allowing them to attend school without following the statutory procedure contained in the [School Discipline \(Pupil Exclusions and Reviews\) \(England\) Regulations 2012](#), or formally recording the event.

Any suspension or exclusion will be made on disciplinary grounds, and will not be made:

Because a pupil has special educational needs and/or a disability (SEND) that the school feels unable to support, or

Due to a pupil's poor academic performance, or

Because the pupil hasn't met a specific condition, such as attending a reintegration meeting

If any pupil is suspended or excluded on the above grounds, this will also be considered as 'off-rolling'.

### 2. Legislation and statutory guidance

These procedures are based on statutory guidance from the Department for Education (DfE): [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement - from September 2023](#).

It is based on the following legislation, which outlines schools' powers to exclude pupils:  
Section 51a of the Education Act 2002, as amended by the Education Act 2011

The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

In addition, the procedures are based on:

Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which sets out 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](#)

[The Equality Act 2010](#)

[Children and Families Act 2014](#)

[The School Inspection Handbook](#), which defines 'off-rolling'

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

### 3. Definitions

Suspension – when a pupil is removed from the school for a fixed period. This was previously referred to as a 'fixed-term exclusion'.

Permanent exclusion – when a pupil is removed from the school permanently and taken off the school roll. This is sometimes referred to as an 'exclusion'.

Off-site direction – when the local committee requires a pupil to attend another education setting temporarily, to improve their behaviour.

Parent/carer – any person who has parental responsibility and any person who has care of the child.

Managed move – when a pupil is transferred to another school permanently. All parties, including parents/carers and the admission authority for the new school, should consent before a managed move occurs.

### 4. Roles and responsibilities

#### 4.1 The headteacher

##### Deciding whether to suspend or exclude

Only the headteacher, or acting headteacher, can suspend or permanently exclude a pupil from school on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school. The headteacher will only use permanent exclusion as a last resort.

A decision to suspend a pupil will be taken only:

In accordance with the school's behaviour policy

To provide a clear signal of what is unacceptable behaviour

To show a pupil that their current behaviour is putting them at risk of permanent exclusion

Where suspensions have become a regular occurrence, the headteacher will consider whether suspensions alone are an effective sanction and whether additional strategies need to be put in place to address behaviour issues.

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 suspend or exclude a pupil, the headteacher will:

Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked

Allow the pupil to give their version of events

Consider whether the pupil has special educational needs (SEN)

Consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker, or is a looked-after child (LAC))

Consider whether all alternative solutions have been explored, such as:

- For suspensions, detentions or other sanctions provided for in this behaviour policy
- For exclusions, off-site direction or managed moves

The headteacher will consider the views of the pupil, in light of their age and understanding, before deciding to suspend or exclude, unless it would not be appropriate to do so.

Pupils who need support to express their views will be allowed to have their views expressed through an advocate, such as a parent/carer or social worker.

The headteacher will not reach their decision until they have heard from the pupil, and will inform the pupil of how their views were taken into account when making the decision.

### **Informing parents/carers**

If a pupil is at risk of suspension or exclusion, the headteacher will inform the parents/carers as early as possible, in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.

If the headteacher decides to suspend or exclude a pupil, the parents/carers will be informed, in person or by telephone, of the period of the suspension or exclusion and the reason(s) for it, without delay.

The parents/carers will also be provided with the following information in writing, without delay:

The reason(s) for the suspension or permanent exclusion

The length of the suspension or, for a permanent exclusion, the fact that it is permanent

Information about the parents/carers' right to make representations about the suspension or permanent exclusion to the local committee and, where the pupil is attending alongside parents/carers, how they may be involved in this

How any representations should be made

Where there is a legal requirement for the local committee to hold a meeting to consider the reinstatement of a pupil, and that parents/carers have a right to attend the meeting, be represented at the meeting (at their own expense) and bring a friend

That parents/carers have the right to request that the meetings be held remotely, and how and to whom they should make this request

If the pupil is of compulsory school age, the headteacher will also notify parents/carers without delay and by the end of the afternoon session on the first day their child is suspended or permanently excluded, that:

For the first 5 school days of an exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the parents/carers are legally required to ensure that their child is not present in a public place during school hours without a good reason. This will include specifying on which days this duty applies

Parents/carers may be given a fixed penalty notice or prosecuted if they fail to do this

If alternative provision is being arranged, the following information will be included, if possible:

The start date for any provision of full-time education that has been arranged

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

Any information the pupil needs in order to identify the person they should report to on the first day

If the headteacher does not have all the information about the alternative provision arrangements by the end of the afternoon session on the first day of the suspension or permanent exclusion, they can provide the information at a later date, 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 a suspension or permanent exclusion, in which case the school reserves the right to provide the information with less than 48 hours' notice, with parents/carers' consent.

If the headteacher cancels the suspension or permanent exclusion, they will notify the parents/carers without delay, and provide a reason for the cancellation.

### **Informing the local committee**

The headteacher will, without delay, notify the local committee of:

Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil

Any suspension or permanent exclusion that would result in the pupil being suspended or permanently excluded for a total of more than 5 school days (or more than 10 lunchtimes) in a term

Any suspension or permanent exclusion that would result in the pupil missing a National Curriculum test or public exam

Any suspension or permanent exclusion that has been cancelled, including the reason for the cancellation

### **Informing the local authority (LA)**

The headteacher will notify the LA of all suspensions and permanent exclusions without delay, regardless of the length of a suspension.

The notification will include:

The reason(s) for the suspension or permanent exclusion

The length of a suspension or, for a permanent exclusion, the fact that it is permanent

For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the headteacher will also, without delay, inform the pupil's 'home authority' of the exclusion and the reason(s) for it.

The headteacher must notify the LA without delay of any cancelled exclusions, including the reason the exclusion was cancelled.

### **Informing the pupil's social worker and/or virtual school head (VSH)**

If a:

**Pupil with a social worker** is at risk of suspension or permanent exclusion, the headteacher will inform **the social worker** as early as possible

**Pupil who is a looked-after child (LAC)** is at risk of suspension or exclusion, the headteacher will inform **the VSH** as early as possible

This is in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.

If the headteacher decides to suspend or permanently exclude a pupil with a social worker/a pupil who is looked after, they will inform the pupil's social worker/the VSH, as appropriate, without delay, that: They have decided to suspend or permanently exclude the pupil

The reason(s) for the decision

The length of the suspension or, for a permanent exclusion, the fact that it is permanent

The suspension or permanent exclusion affects the pupil's ability to sit a National Curriculum test or public exam (where relevant)

They have decided to cancel a suspension or permanent exclusion, and why (where relevant)

The social worker/VSH will be invited to any meeting of the governing board about the suspension or permanent exclusion. This is so they can provide advice on how the pupil's background and/or circumstances may have influenced the circumstances of their suspension or permanent exclusion. The social worker should also help ensure safeguarding needs and risks, and the pupil's welfare are taken into account.

### **Cancelling suspensions and permanent exclusions**

The headteacher may cancel a suspension or permanent exclusion that has already begun, or one that has not yet begun, but only where it has not yet been reviewed by the local committee. Where there is a cancellation:

The parents/carers, local committee and LA will be notified without delay

Where relevant, any social worker and VSH will be notified without delay

The notification must provide the reason for the cancellation

The local committee's duty to hold a meeting and consider reinstatement ceases

Parents/carers will be offered the opportunity to meet with the headteacher to discuss the cancellation, which will be arranged without delay

The pupil will be allowed back in school without delay

Any days spent out of school as a result of any exclusion, prior to the cancellation, will count towards the maximum of 45 school days permitted in any school year.

A permanent exclusion cannot be cancelled if the pupil has already been excluded for more than 45 school days in a school year or if they will have been so by the time the cancellation takes effect.

### **Providing education during the first 5 days of a suspension or permanent exclusion**

During the first 5 days of a suspension, if the pupil is not attending alternative (AP) provision, the headteacher will take steps to ensure that achievable and accessible work is set and marked for the pupil. Online pathways such as Oak Academy may be used for this alongside additional worksheets and reading resources supplied by the school. If the pupil has a special educational need or disability, the headteacher will make sure that reasonable adjustments are made to the provision where necessary. If the pupil is looked after or if they have a social worker, the school will work with the LA to arrange AP from the first day following the suspension or permanent exclusion. Where this isn't possible, the school will take reasonable steps to set and mark work for the pupil, including the use of online pathways.

## **4.2 The local committee**

### **Considering suspensions and permanent exclusions**

Responsibilities regarding suspensions and permanent exclusions are delegated to the discipline panel of the local committee consisting of at least 3 local committee members.

The discipline panel has a duty to consider parents/carers' representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded pupil (see sections 5 and 6) in certain circumstances.

Within 14 days of receiving a request, the local committee will provide the secretary of state with information about any suspensions or exclusions within the last 12 months.

For any suspension of more than 5 school days, the local committee will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the suspension.

### **Monitoring and analysing suspensions and exclusions data**

The local committee will review, challenge and evaluate the data on the school's use of suspension, exclusion, off-site direction to alternative provision, and managed moves.

The local committee will consider:

How effectively and consistently the school's behaviour policy is being implemented

The school register and absence codes

Instances where pupils receive repeat suspensions

Interventions in place to support pupils at risk of suspension or permanent exclusion

Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary

Timing of moves and permanent exclusions, and whether there are any patterns, including any indications that may highlight where policies or support are not working

The characteristics of suspended and permanently excluded pupils, and why this is taking place

Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure that the education is achieving its objectives and that pupils are benefiting from it

The cost implications of directing pupils off-site

#### **4.3 The local authority (LA)**

For permanent exclusions, the LA will arrange suitable full-time education to begin no later than the sixth school day after the first day of the exclusion.

For pupils who are looked after or have social workers, the LA and the school will work together to arrange suitable full-time education to begin from the first day of the exclusion.

#### **5. Considering the reinstatement of a pupil**

The discipline panel of the local committee will consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving the notice of the suspension or exclusion if:

The exclusion is permanent

It is a suspension that would bring the pupil's total number of days out of school to more than 15 in a term; or

It would result in a pupil missing a public exam or National Curriculum test

Where the pupil has been suspended, and the suspension does not bring the pupil's total number of days of suspension to more than 5 in a term, the discipline panel must consider any representations made by parents/carers. However, it is not required to arrange a meeting with parents/carers and it cannot direct the headteacher to reinstate the pupil.

Where the pupil has been suspended for more than 5, but not more than 15 school days, in a single term, and the parents/carers make representations to the local committee, the discipline panel will consider and decide on the reinstatement of a suspended pupil within 50 school days of receiving notice of the suspension. If the parents/carers do not make representations, the board is not required to meet and it cannot direct the headteacher to reinstate the pupil.

Where a suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test, the discipline panel will, as far as reasonably practicable, consider and decide on the reinstatement of the pupil before the date of the exam or test. If this is not practicable, the discipline panel may consider the suspension or permanent exclusion and decide whether or not to reinstate the pupil.

The following parties will be invited to a meeting of the local committee and allowed to make representations or share information:

Parents/carers (and, where requested, a representative or friend)

The pupil, if they are aged 17 or younger and it would be appropriate to their age and understanding (and, where requested, a representative or friend)

The headteacher

The pupil's social worker, if they have one

The VSH, if the pupil is looked after

Local committee meetings can be held remotely at the request of parents/carers. See section 9 for more details on remote access to meetings.

The local committee will try to arrange the meeting within the statutory time limits set out above and must try to have it at a time that suits all relevant parties. However, its decision will not be invalid simply on the grounds that it was not made within these time limits.

The local committee can either:

Decline to reinstate the pupil, or

Direct the reinstatement of the pupil immediately, or on a particular date (except in cases where the board cannot do this – see earlier in this section)

In reaching a decision, the discipline panel will consider:

Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair

Whether the headteacher followed their legal duties

The welfare and safeguarding of the pupil and their peers

Any evidence that was presented to the governing board

They will decide whether or not a fact is true 'on the balance of probabilities'.

The clerk will be present when the decision is made.

Minutes will be taken of the meeting, and a record kept of the evidence that was considered. The outcome will also be recorded on the pupil's educational record, and copies of relevant papers will be kept with this record.

The discipline panel will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

The parents/carers

The headteacher

The pupil's social worker, if they have one

The VSH, if the pupil is looked after

The local authority

The pupil's home authority, if it differs from the school's

Where an exclusion is permanent and the discipline panel has decided not to reinstate the pupil, the notification of decision will also include the following:

The fact that it is a permanent exclusion

Notice of parents/carers' right to ask for the decision to be reviewed by an independent review panel

The date by which an application for an independent review must be made (15 school days from the date on which notice in writing of the local committee's decision is given to parents/carers)

The name and address to which an application for a review and any written evidence should be submitted

That any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the pupil's special educational needs (SEN) are considered to be relevant to the permanent exclusion

That, regardless of whether the excluded pupil has recognised SEN, parents/carers have a right to require the academy trust to appoint an SEN expert to advise the review panel

Details of the role of the SEN expert and that there would be no cost to parents/carers for this appointment

That parents/carers must make clear if they wish for an SEN expert to be appointed in any application for a review

That parents/carers may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents/carers may also bring a friend to the review

That, if parents/carers believe that the permanent exclusion has occurred as a result of unlawful discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. Also, that any claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

## 6. Independent review

If parents/carers apply for an independent review within the legal timeframe, the Good Shepherd Trust will, at their own expense, arrange for an independent panel to review the decision of the local committee not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents/carers by the local committee of its decision to not reinstate the pupil **or**, if after this time, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 regarding the permanent exclusion. Any applications made outside of this timeframe will be rejected.

Independent reviews can be held remotely at the request of parents/carers. See section 9 for more details on remote access to meetings.

A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school governor category and 2 members will come from the headteacher category. At all times during the review process there must be the required representation on the panel.

A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer

Current or former school governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or headteachers during this time

Headteachers or individuals who have been a headteacher within the last 5 years

A person may not serve as a member of a review panel if they:

Are a member/trustee director of The Good Shepherd Trust

Are the headteacher of the excluding school, or have held this position in the last 5 years

Are an employee of The Good Shepherd Trust or of the excluding school (unless they are employed as a headteacher at another school)

Have, or at any time have had, any connection with The Good Shepherd Trust, school, governing board, parents/carers or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality

Have not had the required training within the last 2 years (see appendix 1 for what training must cover)

The panel must consider the interests and circumstances of the pupil, including the circumstances in which the pupil was permanently excluded, and have regard to the interests of other pupils and people working at the school.

Taking into account the pupil's age and understanding, the pupil or their parents/carers will be made aware of their right to attend and participate in the review meeting and the pupil should be enabled to make representations on their own behalf, should they desire to.

Where a SEN expert is present, the panel must seek and have regard to the SEN expert's view of how SEN may be relevant to the pupil's permanent exclusion.

Where a social worker is present, the panel must have regard to any representation made by the social worker of how the pupil's experiences, needs, safeguarding risks and/or welfare may be relevant to the pupil's permanent exclusion.

Where a VSH is present, the panel must have regard to any representation made by the social worker of how any of the child's background, education and safeguarding needs were considered by the headteacher in the lead up to the permanent exclusion, or are relevant to the pupil's permanent exclusion.

Following its review, the independent panel will decide to do 1 of the following:

Uphold the local committee's decision

Recommend that the local committee reconsiders reinstatement

Quash the local committee's decision and direct that they reconsider reinstatement (only if it judges that the decision was flawed)

New evidence may be presented, though the school cannot introduce new reasons for the permanent exclusion or the decision not to reinstate. The panel must disregard any new reasons that are introduced.

In deciding whether the decision was flawed, and therefore whether to quash the decision not to reinstate, the panel must only take account of the evidence that was available to the local committee at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the governing board and that it ought to have considered if it had been acting reasonably.

If evidence is presented that the panel considers it is unreasonable to expect the local committee to have been aware of at the time of its decision, the panel can take account of the evidence when deciding whether to recommend that the local committee reconsider reinstatement.

The panel's decision can be decided by a majority vote. In the case of a tied decision, the chair has the casting vote.

Once the panel has reached its decision, the panel will notify all parties in writing without delay.

This notification will include:

The panel's decision and the reasons for it

Where relevant, details of any financial readjustment or payment to be made if the local committee does not subsequently decide to offer to reinstate the pupil within 10 school days

Any information that the panel has directed the local committee to place on the pupil's educational record

## **7. School registers**

A pupil's name will be removed from the school admission register if:

15 school days have passed since the parents/carers were notified of the local committee's decision to not reinstate the pupil and no application has been made for an independent review panel, or

The parents/carers have stated in writing that they will not be applying for an independent review panel

Where an application for an independent review has been made within 15 school days, the local committee will wait until that review has concluded before removing a pupil's name from the register. While the pupil's name remains on the school's admission register, the pupil's attendance will still be recorded appropriately. Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

Where excluded pupils are not attending alternative provision, code E (absent) will be used.

### **Making a return to the LA**

Where a pupil's name is to be removed from the school admissions register because of a permanent exclusion, the school will make a return to the LA. The return will include:

The pupil's full name

The full name and address of any parent/carer with whom the pupil normally resides

At least 1 telephone number at which any parent/carer with whom the pupil normally resides can be contacted in an emergency

The grounds upon which their name is to be deleted from the admissions register (i.e. permanent exclusion)

Details of the new school the pupil will attend, including the name of that school and the first date when the pupil attended or is due to attend there, if the parents/carers have told the school the pupil is moving to another school

Details of the pupil's new address, including the new address, the name of the parent/carer(s) the pupil is going to live there with, and the date when the pupil is going to start living there, if the parents/carers have informed the school that the pupil is moving house

This return must be made as soon as the grounds for removal is met and no later than the removal of the pupil's name.

## **8. Returning from a suspension**

### **8.1 Reintegration strategy**

Following suspension, or cancelled suspension or exclusion, the school will put in place a strategy to help the pupil reintegrate successfully into school life and full-time education.

Where necessary, the school will work with third-party organisations to identify whether the pupil has any unmet special educational and/or health needs.

The following measures may be implemented, as part of the strategy, to ensure a successful reintegration into school life for the pupil:

- Meeting with parents to review the current support available to the child and what further support (including from external agencies) may be helpful to reduce the likelihood of a further suspension or reduce the risk of exclusion.
- Explain the support to the child with parents and teacher present.

Part-time timetables will not be used as a tool to exclusively manage behaviour and, if used, will be put in place for the minimum time necessary.

The strategy will be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the pupil, parents/carers, and other relevant parties.

### **8.2 Reintegration meetings**

The school will clearly explain the reintegration strategy to the pupil in a reintegration meeting before or on the pupil's return to school. During the meeting the school will communicate to the pupil that they are getting a fresh start and that they are a valued member of the school community.

The pupil, parents/carers, a member of senior staff, and any other relevant staff will be invited to attend the meeting.

The meeting can proceed without the parents/carers in the event that they cannot or do not attend.

The school expects all returning pupils and their parents/carers to attend their reintegration meeting, but pupils who do not attend will not be prevented from returning to the classroom.

## **9. Remote access to meetings**

Parents/carers can request that a local committee meeting, or independent review panel be held remotely. If the parents/carers don't express a preference, the meeting will be held in person.

In case of extraordinary or unforeseen circumstances, which mean it is not reasonably practicable for the meeting to be held in person, the meeting will be held remotely.

Remotely accessed meetings are subject to the same procedural requirements as in-person meetings.

The local committee and the academy trust should make sure that the following conditions are met before agreeing to let a meeting proceed remotely:

All the participants have access to the technology that will allow them to hear, speak, see and be seen

All the participants will be able participate fully

The remote meeting can be held fairly and transparently

Social workers and the VSH always have the option of joining remotely, whether the meeting is being held in person or not, as long as they can meet the conditions for remote access listed above.

The meeting will be rearranged to an in-person meeting without delay if technical issues arise that can't be reasonably resolved and:

Compromise the ability of participants to contribute effectively, or

Prevent the meeting from running fairly and transparently

### **10. Monitoring arrangements**

The school will collect data on the following:

Attendance, permanent exclusions and suspensions

Use of pupil referral units (PRUs), off-site directions and managed moves

Anonymous surveys of staff, pupils, local committee and other stakeholders on their perceptions and experiences

The data will be analysed termly by the Headteacher. The Headteacher will report back to the local committee.

The data will be analysed from a variety of perspectives including:

At school level

By age group

By time of day/week/term

By protected characteristic

The school will use the results of this analysis to make sure it is meeting its duties under the Equality Act 2010. If any patterns or disparities between groups of pupils are identified by this analysis, the school will review its policies in order to tackle it.

The Good Shepherd Trust will work with its academies to consider this data, and to analyse whether there are patterns across the trust, recognising that numbers in any 1 academy may be too low to allow for meaningful statistical analysis.

### **11 Independent review panel training**

The Good Shepherd Trust must make sure that all members of an independent review panel and clerks have received training within the 2 years prior to the date of the review.

Training must have covered:

The requirements of the primary legislation, regulations and statutory guidance governing suspensions and permanent exclusions on disciplinary grounds, which would include an understanding of how the principles applicable in an application for judicial review relate to the panel's decision making

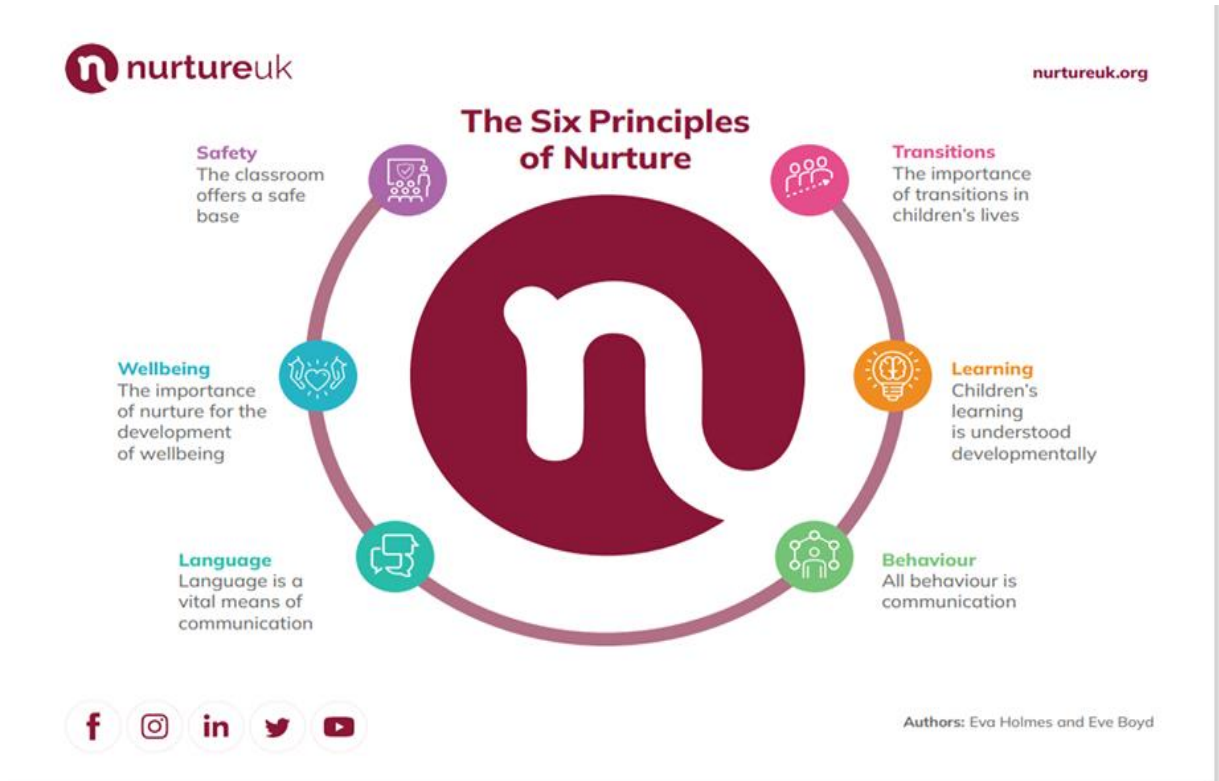
The need for the panel to observe procedural fairness and the rules of natural justice

The role of the chair and the clerk of a review panel

The duties of headteachers, governing boards and the panel under the Equality Act 2010

The effect of section 6 of the Human Rights Act 1998 (acts of public authorities unlawful if not compatible with certain human rights) and the need to act in a manner compatible with human rights protected by that Act

### Appendix 3: The 6 Principles of Nurture



### The 6 Principles of Nurture – how this is explained to all our children and is displayed in all classrooms

