

## Bedford College Academies Trust Pupil Behaviour & Exclusions Policy

<b>Status:</b> Statutory	<b>Member of staff responsible:</b> Principals and Headteachers	<b>Implementation date:</b> September 2022
<b>Issue No:</b> 2	<b>Approved by:</b> BCAT	<b>Next Review Date:</b> September 2025

### Our Vision

“Our vision is to provide all of our pupils with a first-class academic education comparable with the very best schools nationally. We also aim to develop those skills and qualities in our pupils’ character which, hand-in-hand with exam qualifications, will deliver success and resilience in later life”.

### 1. Purpose

- 1.1. The aim is to ensure that every pupil at each Bedford College Academies Trust (BCAT) school receives the best education possible in a calm, controlled environment enabling self and mutual respect to develop.
- 1.2. Each school within BCAT will set out procedures for rewards and sanctions and behaviour management relevant to their School and agreed values and in line with the BCAT policy.

### 2. Discipline

- 2.1. For each BCAT school to run efficiently and for pupils to gain the most out of the education offered a high standard of discipline is expected at all times. Anti-social or disruptive behaviour is dealt with promptly and sanctions are imposed.
- 2.2. All staff are expected to encourage high standards of behaviour, work and dress. Staff are vigorously supported to achieve these expectations by Heads of Year (or equivalent), Heads of Department and the Senior Leadership Team of each school. Parents are also involved as quickly as possible, to ensure that home and school can continue to work in partnership to solve problems that may arise.
- 2.3. We are proud of the high standards of discipline we set and achieve. All pupils are encouraged to develop an enquiring mind, a sense of purpose and a determination to work hard. At the centre of BCAT's code is respect and consideration for other people and their property.
- 2.4. This policy applies to pupil behaviour whether the pupil is on the school sites, outside of the school sites or outside of the school day. The schools will take appropriate action under this policy where a pupil's behaviour falls below the standards set out in this policy and adversely impact on the relevant school or any member of the school community.

2.5. The BCAT code of conduct is brought to the attention of pupils throughout the academic year. Parents are informed of this code at meetings and by circular letters.

### **3. Code of Conduct for all Pupils in each BCAT School**

3.1. Central to maintaining good behaviour in each school is the Code of Conduct which is displayed throughout the school and also printed in pupil planners.

#### **3.2. Pupils are to:**

- Respect all other people, regardless of race, culture, gender and religion
- Behave in a quiet, polite and orderly manner
- Follow the instructions of the teaching and non-teaching staff
- Knock at classroom doors before entering
- Wear the school uniform
- Be punctual for the school and for lessons
- WALK on corridors and stairways on the LEFT
- Line up for lessons where possible
- Remove outer clothing (scarves, coats, gloves) before entering classrooms
- Leave the lessons when directed by a member of staff
- Hand in ALL work on time
- Have a pen, pencil, ruler and eraser and other equipment reasonably requested
- Have a bag in which to carry books and equipment
- Look after school property
- Respect other people's property
- Be clean and tidy at all times
- Work to the best of their ability during lessons
- Bring in notes explaining absence from the school.

#### **3.3. Pupils must not:**

- Use mobile phones unless authorised by a member of staff. \*See section below
- Use bad language or swear anywhere on the school site
- Wear make-up or more than a discreet wrist watch (items of a religious nature are exempt from this expectation)
- Smoke in or near to the school site
- Write on desks, walls or the school fabric
- Engage in intimidating behaviour or bullying, whether physical, verbal, online or otherwise (see the Anti-Bullying Policy for more information)
- Leave classrooms without permission
- Make inappropriate comments or engage in any inappropriate behaviour relating to an individual or group's sex, religion, disability, religion, sexual orientation, pregnancy or gender reassignment
- Leave the school premises without permission
- Eat or drink during lessons (other than water in a water bottle/container)
- Run along the corridors or on the stairways
- Interfere with other pupils' work either physically or verbally.

## **4. Equality**

- 4.1. In accordance with the Equality Act 2010 BCAT makes reasonable adjustments to the application of the policy where the behaviour is due to a reason related to the pupil's disability, thereby ensuring that disabled pupils are not placed at a disadvantage.
- 4.2. Staff seek to identify the underlying cause of any unacceptable behaviour (for example an unmet special educational need) and put in place measures to address the cause and prevent the behaviour re-occurring'.
- 4.3. Identifying 'triggers' prevents challenging behaviour persisting or worsening, and ensures that pupils who are displaying challenging behaviour because of an underlying disability or SEN are not unlawfully discriminated against.
- 4.4. Pupils with autism can present with behaviour in the schools that may be inappropriate or difficult to manage. However, this type of behaviour often results from misunderstanding, anxiety or frustration as a result of their disability. They are often unable to properly understand what "socially appropriate" behaviour is or properly interpret other people's intentions. Each BCAT school works closely with parents of pupils with behaviour difficulties i.e. autism to ensure consistent support and approaches towards behaviour between home and the schools.
- 4.5. Members of staff have the power to use reasonable force to prevent pupils committing an offence, injuring themselves or others, or damaging property, and to maintain good order and discipline in the classroom.  
Head teachers and authorised school staff may also use such force as is reasonable given the circumstances when conducting a search without consent for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm.  
Schools can also identify additional items in their school rules which may be searched for without consent. Force **cannot** be used to search for these items.  
*Behaviour and Discipline in Schools: Advice for headteachers and school staff DfE (Jan 2016)*
- 4.6. Exceptional circumstances where there is a danger of injury to a pupil or member of staff, physical restraint using reasonable force may be appropriate. However, reasonable force is a last resort and the Principal/Head-teacher will always adopt alternative strategies wherever possible which might include contacting the parent or the police for support. Each BCAT school will always communicate with parents where such techniques have been used.

### **Mobile device stages and consequences**

#### Mobile Device Consequences

The Academy is committed to ensuring that the climate for learning is the best that it can be. The rule change governing the use of mobile devices (November 2021) including speakers and headphones is clear. We understand that some students may have mobile phones in their possession for emergency contact

with parents/carers and travel purposes. **However, they are not allowed to be seen or heard anywhere on the school premises. Wixams Academy operates a “See it, Hear it, Take it” policy.** It is important that students who have a device (phone/earphones) follow a series of consequences that are clear and proportionate. The stages below are designed to encourage students to manage their use of phones and other devices.

Students are advised to ensure their phone is switched off and in a bag or on their person. Any emergency contact that is needed between family and students can be done very efficiently via the school office.

If a student is seen using their phone/device on school site, they will be expected to hand the device over to the member of staff who will ensure it is safely stored and logged in the main office. This first offence will not result in any sanctions and the devices will be returned to the student at the end of that school day.

Any further incidents involving that student being on their phone will result in the confiscation of the phone, a sanction of a one hour detention and for the parent/carer to collect the phone from the Academy. Staff will always log this in the front office and on SIMS. Parents/carers will be notified via parentmail at the end of the school day if a student has had a device confiscated.

## **PROHIBITED ITEMS: CONFISCATION AND SEARCHING**

### **Confiscation**

The general power to discipline (as described in the bullets under the heading “Discipline in Schools – Teachers’ Powers” on pages 3 and 4) enables a member of staff to confiscate, retain or dispose of a pupil’s property as a punishment, so long as it is reasonable in the circumstances. The law protects them from liability for damage to, or loss of, any confiscated items provided they have acted lawfully<sup>8</sup>. The legislation does not describe what must be done with the confiscated item and the school behaviour policy may set this out.

*Behaviour and Discipline in Schools: Advice for headteachers and school staff DfE (Jan 2016)*

School staff can seize any prohibited item found as a result of a search. They can also seize any item, however found, which they consider harmful or detrimental to school discipline.

The action taken by the school will depend on the nature of the confiscated item. Possible actions include:

- Disposing of the confiscated item
- Returning the confiscated item back to the child
  1. At the end of the lesson
  2. At the end of the school day
- Returning the confiscated item to the students parent/carer
- Handing the confiscated item into other authorities / agencies

Weapons and knives and extreme or child pornography must always be handed over to the police, otherwise it is for the teacher to decide if and when to return a confiscated item.

*Behaviour and Discipline in Schools: Advice for headteachers and school staff DfE (Jan 2016)*

### **Searching:**

Headteachers and staff authorised by them have a statutory power to search pupils or their possessions, without consent for prohibited items, where they have reasonable grounds for suspecting that the pupil may have a prohibited item.

Prohibited items are:

knives or weapons  
alcohol  
illegal drugs and related paraphernalia  
Legal highs  
stolen items  
tobacco and cigarette papers  
fireworks  
pornographic images

Any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of, any person (including the pupil).

Head Teachers and authorised staff can also search for any item banned by the school rules which has been identified in the rules as an item which may be searched for. The school deems items that are prohibited on the school grounds that can be confiscated and searched for include: (this are examples and this is not an exhaustive list):

Mobile Phones  
Chewing gum  
Fizzy Drinks and Energy Drinks  
Sweets and lollipops  
Aerosols  
Lazer devices such as pens and pointers  
Lighters  
Cigarettes  
e-cigarette's / Vapes  
Vape fluid  
Any smoking paraphernalia  
Large amounts of money  
Bangers  
Any items being suspected of being sold or distributed to Wixams Academy students  
Any item considered to have been stolen  
Any item that is considered to be a danger to the student or others  
Any Item that could put the smooth and safe running of the school at risk

### **STUDENTS BEHAVIOUR OFF-SITE**

In line with the Education and Inspections Act 2006 a teacher may discipline a student for any misbehaviour when the student is:

- taking part in any school-organised or school-related activity
- travelling to or from school
- wearing school uniform
- in some other way identifiable as a student at the school

Or misbehaviour at any time, whether or not the conditions above apply that:

- could have repercussions for the orderly running of the school
- poses a threat to another student or adult
- could adversely affect the reputation of the school

The behaviour of a pupil outside school can be considered grounds for an exclusion. *Exclusion from maintained schools, academies and pupil referral units in England, DfE (Sept 2017).*

## **WORKING WITH OTHER AGENCIES**

The school will always co-operate with outside agencies, such as the police and social services. The school will always share information pertinent to on-going investigations and information requests as long as they do not breach an individual's confidentiality.

Any activity of a criminal nature will involve informing the police and the possibility of other services such as social services.

### **1. Rewards**

#### **1.1. Aims**

- To provide a structured system in which different levels of achievement can be recognised and rewarded and different degrees of inappropriate behaviour can be dealt with at a variety of levels within each BCAT school
- To foster a culture in which praise and rewards become more widely used and higher level rewards become accessible to a larger group of pupils. In this way it is hoped that standards of work and behaviour will be improved and expectations raised
- To provide a system that is clearly understood and valued by pupils and consistently applied by teachers.

#### **1.2. Objectives**

- To encourage a more consistent and wider use of rewards by teachers
- To provide a greater variety of rewards which will recognise different levels of achievement.
- To give a higher profile to rewards including using assemblies, notice boards, contact home and Presentation/Awards Evenings
- To provide pupils with valued documents as evidence of achievement
- To involve form teachers more fully in celebrating the achievements and dealing with the behaviour problems of pupils in their forms
- To give heads of subject/departments a much significant role in dealing with disciplinary problems in the classroom
- To allow Heads of Year (or equivalent) more time to deal with the more serious disciplinary problems, as well as monitoring the application of the policy
- To inform and involve parents more fully in the sanctions procedures.



## 2. Sanctions

2.1. It is in the best interests of everyone within the BCAT community to ensure that poor and/or anti-social behaviour is managed. BCAT has a wide range of potential sanctions which include, but are not limited to, the following as each school will publish sanctions relevant to their cohort:

- Loss of privileges
- Restorative Best Practice: Pastoral staff will often use restorative conversations and meetings to help resolve behavioural incident's between students and between students and staff. Restorative meetings may be used in conjunction with other sanctions or as a stand-alone intervention to ensure relationships are healed and a positive way forward is agreed.
- Detention: A pupil is kept behind for a period, where age appropriate, of time at the end of the day, to be kept constructively busy doing extra work. Detentions may be set at lunchtime or after the school day. Pupils will still have access to a lunch and a break.
- On Report: Pupils who are causing concern in lessons because of a lack of effort or poor behaviour may be put 'on report'. The pupils will be monitored by teaching staff in each lesson and the 'report' may be seen by a senior member of staff/pastoral staff at the start and/or end of each day. They may also be seen during the day. Parents are also expected to read and sign the report each evening at home.
- Payment for Damage: If pupils deliberately damage any part of the school, or the property of members of the school community, they will be expected to pay the full cost of replacement or repair.
- Internal Exclusion: Where appropriate, pupils may be removed from normal lessons ('internal exclusion'). In these circumstances, the pupil will remain on the school site, suitable work will be set and staff will contact parents
- Pastoral Support Plans and LAB Final Warnings: Where persistent breaches of Academy expectations is evident and there is clear evidence of pastoral and parental involvement that has been ineffective, a Pastoral Support Plan (PSP) will begin. This school-based intervention will highlight areas of concern; strategies used and will outline clear and realistic behavioural targets. Three review dates (6-12 weeks) will be set. This could escalate to a PSP2/managed move and then potentially a LABFW (Local Advisory Body Final Warning).

## 3. Suspensions and Permanent Exclusions

3.1. This document was informed by 'School suspensions and permanent exclusions September 2022) and it is the intention of the BCAT that this guide, as amended from time to time ("DfE Guidance") is followed by each BCAT school.

3.2. For serious incidents of poor behaviour (such as verbal or physical abuse to another member of the school community), the Principal/Headteacher may resort to suspending pupils for a fixed term or exclude permanently. Persistent lower level disruption may also result in fixed term suspensions. All suspensions and permanent exclusions are monitored by the Local Advisory Body for each school and the BCAT Board.

- 3.3. Where a suspended pupil is due to sit an external examination, suitable arrangements will be made to ensure the pupil can still sit the examination.
- 3.4. The school is fully aware of its duties not to discriminate against, harass or victimise pupils due to their sex, race, disability, religion or belief, sexual orientation or because of pregnancy or gender reassignment. For disabled pupils, the school will make reasonable adjustments to its policies and practices to ensure disabled pupils are not placed at a substantial disadvantage compared to their non-disabled peers.
- 3.5. Before taking a suspension or permanent exclusion decision, the Principal/Headteacher of the school will also have due regard to the following (in accordance with the DfE Guidance):
- For groups with high suspension and permanent exclusion rates (pupils with SEN, pupils eligible for Free School Meals, looked after children, pupils whose ethnicity is Gypsy, Roma, Travellers of Irish Heritage or Black Caribbean) any extra support required to identify and address the needs of the pupil;
  - What additional support or alternative placement may be required for a pupil with a Statement of SEN, Education, Health & Care (EHC) Plan or a looked after child;
  - That the permanent exclusion of a pupil with a Statement of SEN/EHC Plan or a looked after child should, as far as reasonably possible, be avoided.
  - The decision to suspend or permanently exclude will only be taken for a disciplinary reason and all exclusion decisions will be formally recorded.

#### **4. Actions Taken Following a Serious Incident**

- The pupil is kept under direct Senior Leadership Team (SLT) observation during the investigation;
- Written details of the incident are collected from those involved before any decision is made;
- The parent/carer is telephoned by a senior member of staff to outline the incident;
- In the case of pupils with a statement of SEN their Local Authority SEN team will be informed.

#### **4.2. Fixed-Term Suspensions**

If a decision is taken to exclude a pupil for a fixed term:

- The pupil takes a letter home, with another copy posted, outlining the incident and the length of the fixed-term suspension. The parents' right to make representations about the exclusion to the Local Advisory Body is highlighted.
- A meeting is set up for the parent/carer and pupil to attend on return from suspension, with a senior member of staff.

Following this meeting:

- The pupil is reinstated.
- The pupil may be placed on report.



- Behaviour support and 'reasonable adjustments' will be reviewed.
- Where appropriate, an apology is given to the member or staff or other pupils involved.
- A record of the suspension and meeting is kept in the pupil's file.

In accordance with the requirements set out in the DfE Guidance, the Local Advisory Body will meet to consider reinstatement of the pupil if the fixed-term suspension would bring the pupil's total number of school days of exclusion to more than fifteen (15) in a term. If requested to do so by parents, the Local Advisory Body must consider the reinstatement of an excluded pupil if that pupil would be excluded from school for more than five (5) school days but not more than fifteen (15) in a single term.

#### **4.3. Decision to Permanently Exclude**

Permanent exclusion should be a last resort and will usually be taken:

- In response to a serious breach, or persistent breaches, of this policy; and
- Where allowing the pupil to remain in the school would seriously harm the education or welfare of the pupil or others in the school.

The National Standard list of reasons for permanent exclusions is:

- Physical assault against a pupil;
- Physical assault against an adult;
- Verbal abuse/threatening behaviour against a pupil;
- Verbal abuse/threatening behaviour against an adult;
- Bullying;
- Racist abuse;
- Sexual misconduct;
- Drug and alcohol related incidents;
- Damage;
- Theft;
- Persistent defiance and/or disruptive behaviour;
- Other (only in exceptional circumstances).

The decision to permanently exclude will be communicated to parents and the Local Authority without delay. If a pupil is looked-after the decision to permanently exclude will also notify the social worker and/or Virtual Schools Head.

#### **4.4. Permanent Exclusion Report**

When the Principal/Headteacher decides to permanently exclude a pupil, the Local Advisory Body must set up a Disciplinary Committee to review the case.

In advance of the Disciplinary Committee the Principal/Headteacher will prepare an exclusion report which explains why the pupil was excluded.

The report will include:

- A profile sheet including basic information about the pupil;

- An overview of the case including a detailed account of the reason(s) for the exclusion;
- Confirmation that the current DfE suspensions and permanent exclusions guidance has been adhered to;
- Where relevant, details of any behaviour modification strategies which have been used;
- An indication of how the sanction applied is consistent with the School's Behaviour Policy;
- Alternative sanctions that were considered (if applicable);
- In the case of a pupil with SEN, or a looked-after or disabled pupil, that the relevant DfE guidance was considered before the decision to exclude was taken;
- That in reaching the decision, equal opportunity legislation was complied with.

#### **4.5. Permanent Exclusion Procedure**

##### **4.6.**

DfE Guidance clearly explains the procedures to be followed if exclusion is applied. These procedures must be followed precisely. The services of a properly trained clerk are secured for exclusion hearings.

#### **General Duties**

- The School shall act and shall ensure that the Principal/Headteacher shall act in accordance with the law and the DfE Guidance.
- The School shall ensure that the Local Authority is informed of an exclusion in the circumstances required by the DfE Guidance.
- The School shall ensure that in carrying out their functions the Principal/Headteacher, the Governing Body and any Independent Review Panel have regard to the DfE Guidance.
- The Principal/Headteacher may cancel a permanent exclusion that has not been reviewed by the Governing Body. If this occurs, parents, the Governing Body and Local Authority, and if relevant social worker and/or Virtual Schools Head will be notified without delay.

#### **4.7. Independent Review Panels**

- In accordance with DfE Guidance, the School shall, in relation to the School, carry out its functions to establish and manage the appeal procedure for exclusions.
- Independent Review Panels must be impartial and constituted in accordance with the detailed provisions of the DfE Guidance. The School shall arrange suitable training for appeal panel members and clerks. Where requested by the parent, an SEN expert will be appointed by the School to advise the Independent Review Panel.
- The Independent Review Panel's decision is final and binding on the School.
- A parent may seek a judicial review of an Independent Review Panel's decision. A parent may not, however, appeal to the Commissioner for Local Administration (the Local Government Ombudsman) about

maladministration as the Commissioner's remit is limited to considering the conduct of appeal panels constituted by Local Authorities.

#### **4.8. Parents' Responsibilities**

There is a duty on parents to ensure that an excluded pupil of compulsory school age is not in a public place during school hours without reasonable justification, or a fixed penalty could be imposed. Parents will also be warned in the exclusion letter that failing to comply with their duties in this regard may form part of a case for a parenting order to be issued by the magistrate's court.

#### **4.9. Continuing Education during the Exclusion Period**

For the first five days of a fixed-term suspension, the School will set work appropriate to the pupil's age and ability and make arrangements for this to be collected and returned for marking. Where a pupil is given a fixed-term suspension of six days or longer the School has a duty to arrange suitable off-site full-time educational provision from and including the sixth day of exclusion as day one. With reference to permanent exclusions the School will set work as described above for the five days following a permanent exclusion.

The Principal/Headteacher may impose a fixed-period suspension which may lead to a permanent exclusion, depending on the outcome of an on-going investigation and/or further consideration of the facts of case. If this is a possibility it will be mentioned in the letter to parents notifying them of the fixed-term suspension. If a permanent exclusion is subsequently imposed, this is a separate exclusion event. Thus, if a permanent exclusion follows a five day fixed-term suspension, the responsibility of the School for the first five days of the permanent exclusion would be to set and mark work as described above and not find suitable alternative provision.

#### **4.10. A Managed Move to another School**

Where a pupil is at serious, but not imminent risk of permanent exclusion, a managed move to another school may be considered. If the parents reject a managed move, the Principal/Headteacher will put this in writing to them so that there is evidence that the strategy was suggested if a permanent exclusion is imposed at a future point. If a student gets to a PSP2, a managed move within the borough will be discussed with the FAP panel and the Local Authority Inclusion Team.

#### **4.11. Off-site Direction**

As an academies trust we can require a pupil to attend off-site provision in order for them to improve their behaviour, where interventions or targeted support have not been successful in improving a pupil's behaviour. We will always prioritise in-school interventions first before making this decision. This

off-site provision can comprise a full-time education provision or be a part-time support alongside continued mainstream education in school. The hours allocated will always provide a full-time education provision each week. If this decision is reached a maximum period of weeks will be suggested before a further review is conducted which would include the option of a managed move if the off-site provision has not improved a pupil's behaviour. We will only use Local Authority registered off-site provision and an individual education evaluation of the provision will be conducted prior to the placement starting to make sure it meets the requirements of each pupil. Weekly in-person checks will be conducted at the off-site provision to review impact, and if the pupil does not attend the off-site provision a safe and well check will be conducted through a home visit to the pupil on the first day of each non-attendance period.

#### 4.12. **Non-compliance with the School Uniform Policy**

The law allows the school to send a pupil home to change his/her clothes to comply with uniform rules without exclusion, as long as parents are notified in advance. The time allowed will be no longer than is necessary for clothes to be changed and the absence from the school recorded as authorised. However, if the pupil continues to breach uniform rules to avoid school, the pupil's absence may be recorded as unauthorised. In addition, a persistent breach of uniform rules may give rise to disciplinary sanctions being imposed.

#### 4.13. **Re-instatement**

If the pupil is to be re-instated, the process of reintegration will require careful planning. A reintegration plan may also involve carrying out a risk assessment and implementing measures to reduce identified risks. The school will formalise reintegration plans, where actions, expectations and consequences are made clear in writing and may include a parental contract. Should a further exclusion be necessary, this could be used to demonstrate that a sound integration plan was put in place and rigorously applied.