



# Trust Behaviour and Antibullying Policy

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## 1.0 Ethos of the Policy

The core values of the Education and Leadership Trust schools embrace a culture of respect, fairness, social and moral responsibility, diversity and inclusion. For effective teaching and learning to take place, good behaviour in all aspects of school life is necessary. We seek to create a caring and supportive learning environment in which we recognise and celebrate positive contributions to school life and kindness to others.

There are separate guidance and information documents for staff, students and families at each school, supported by appropriate training and advice.

## 2.0 Trustees' Behaviour Principles

Trustees believe that everyone in the Trust, adult or student, should:

- Enable all students to be able to concentrate on their work and learn in a constructive environment.
- Promote and emphasise the importance of good behaviour and its link to learning and achievement.
- Demonstrate and model cooperative and British values.
- Know that different behaviours have positive and negative consequences.
- Develop personal responsibility for their own behaviour.
- Prevent and tackle any form of bullying or poor behaviour through active development of students' social, moral, emotional and behavioural skills.
- Be treated fairly and consistently regardless of social background or protected characteristic under the Equality Act. Apply sanctions proportionately taking account of students' SEN/D, vulnerability, backgrounds etc.
- Work with parents/carers to achieve high standard of behaviour. Communicate, where appropriate, with parents/carers informing them of students' behaviour.

Within the policy and procedures for managing behaviour we recognise each school's legal duty under the Equality Act 2010, in respect of safeguarding and in respect of students with special educational needs and disabilities (SEND).

### Discipline in schools – teachers' powers

#### Key Points:

- Teachers have statutory authority to discipline students whose behaviour is unacceptable, who break the school rules or who fail to follow a reasonable instruction (Section 90 and 91 of the Education and Inspections Act 2006)
- The power also applies to all paid staff (unless the headteacher says otherwise) with responsibility for students, such as teaching assistants
- Teachers can discipline students at any time the student is in school or elsewhere under the charge of a teacher, including on school visits

- Teachers can also discipline students in certain circumstances when a student's misbehaviour occurs outside of school
- Teachers have a power to impose detention outside school hours
- Teachers can confiscate students' property

### 3.0 Schools' Power to Discipline

- Schools have a statutory power to discipline students for breaches of rules, failure to follow instructions or other unacceptable conduct
- All teachers and other staff in charge of students have the power to discipline
- The Academy Headteacher may limit the power to apply particular sanctions to certain staff and/or extend the power to discipline to adult volunteers
- Schools can hold detentions out of normal hours, weekends (with some exceptions) and non-teaching days without parental/carer consent
- Schools can confiscate items (including retention/disposal) where reasonable and appropriate
- School has a statutory power to discipline students for misbehaviour outside of school premises
- Separate legal provision inserted into the Education Act 1996 makes it lawful for named school staff to search suspected students for knives or other weapons without consent
- School staff have a statutory power to impose sanctions
- Sanctions must be reasonable and proportionate to the circumstances
- Sanctions will take account of the student's age, and special educational needs, disability and religious requirements affecting the student.

### 4.0 Expectations

#### Teachers

The Teachers' Standards 2012 expect that teachers:

- Manage behaviour effectively to ensure a good and safe learning environment
- Have clear rules and routines for behaviour in classrooms, and take responsibility for promoting good and courteous behaviour both in classrooms and around the school, in accordance with the school's behaviour policy
- Have high expectations of behaviour, and establish a framework for discipline with a range of strategies, using praise, sanctions and rewards consistently and fairly
- Manage classes effectively, using approaches which are appropriate to students' needs in order to involve and motivate them
- Maintain good relationships with students, exercise appropriate authority, and act decisively when necessary

- Treating students with dignity, building relationships rooted in mutual respect
- Have regard for the need to safeguard students' well-being, in accordance with statutory provisions
- Show tolerance of and respect for the rights of others not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality

### Headteachers

- Inform all staff, parents/carers and students about the policy, procedures and the school's expectations
- Set behaviour expectations and strategies to reward good behaviour and tackle unwanted behaviour
- Make sure that students respect the rights of other students and adults in the school
- Protect students and adults from individuals who threaten to disrupt the safety and calm of the school
- Not tolerate violence, threatening behaviour or abuse by students and parents/carers
- To take firm action against students who harass or denigrate teachers or other school staff, on or off the premises by engaging external support services
- Exclude students, complete required documentation and ensure the excluded student is safe and still being educated
- Provide a safe, calm and well-ordered environment for all students and staff, focused on safeguarding students and developing their exemplary behaviour in school and in the wider society.
- Make alternative provision from day six of a fixed period exclusion (at home or off-site provision) and where appropriate arrange a reintegration interview for parents/carers at the end of a fixed period exclusion
- Establish and clearly communicate measures to ensure good behaviour, respect and discipline
- Make sure that the implementation of the policy does not directly or indirectly discriminate against any student with any of the protected characteristics
- Ensure that staff are clear about the extent of their disciplinary authority and receive necessary professional development on behaviour strategies
- Take measures to protect the safety and wellbeing of staff and students, including preventing all forms of bullying and dealing effectively with reports and complaints about bullying
- Promote and celebrate positive behaviour through active development of students' social, emotional and behavioural skills
- Keep parents/carers informed of their child's behaviour, using appropriate methods of engaging them and where necessary, support them in meeting their parental responsibilities

### Students

- To arrive to school promptly every day
- To have high levels of attendance
- To be fully equipped for all lessons
- To refrain from bringing into the academies any illegal substance, offensive weapon or bladed article (including scissors)
- To wear full, correct school uniform
- To show respect and consideration for other students, staff, visitors, neighbours and the wider community, and any other adults associated with the school
- To refrain from any behaviour that could be considered bullying or discriminatory
- To respond positively and politely to instructions from any member of staff
- To work to the best of ability at all times and allow others to do the same
- To respect school, staff and other students' property

## 5.0 Measures to Promote Good Behaviour, including Rewards

All staff recognise the importance of using the reward system properly in order to encourage excellent attendance, consistent hard work in subjects, good citizenship, participation in extra-curricular activities and good behaviour.

Staff should issue rewards for a range of achievements and contributions including positive behaviour and engagement in lessons and at social times, in extra-curricular activities and for displaying our Trust's co-operative values.

The content and coverage of our personal development and values based curriculum promotes good behaviour.

## 6.0 Measures to Prevent Bullying

We are committed to providing a caring, friendly and safe environment for all of our students so they can learn in a relaxed and secure atmosphere. Bullying of any kind is unacceptable at our schools. If bullying does occur, all students should be able to report it easily and know that incidents will be dealt with promptly and effectively.

The Trust defines bullying as:

'a range of deliberately hurtful behaviours, or tacit approval of such behaviours, which is repeated over time. Bullying can make the victim feel, for example, uncomfortable, worthless, powerless and excluded'.

**Cyberbullying**” can be defined as “the use of modern communication technologies to embarrass, humiliate, threaten or intimidate an individual in the attempt to gain power and control over them.’

**Trolling**” can be defined as “circumstances where a person shows discord on-line starting arguments or upsetting people by posting inflammatory, insulting or threatening messages with the deliberate intent of provoking an emotional response”

There will always be a strong focus on supporting the victim of any bullying and we will ensure that their voice is heard and considered when working with them.

Bullying behaviours include:

- Emotional - being unfriendly, excluding, tormenting (e.g. hiding books, threatening gestures), intimidation, spreading rumours, nasty looks, pointing and laughing, comments about someone’s appearance
- Physical - pushing, kicking, hitting, punching or any use of violence.
- Racist – generalisation of someone’s race, faith, belief, colour; racist comments, taunts, graffiti and/or gestures
- Sexual - unwanted physical contact or sexually abusive comments, upskirting, leering, intimidation, forcing someone to act in a sexual way, sexting, gaslighting, controlling someone of the opposite gender
- Homophobic, transphobic or biphobic - because of, or focusing on, the issue of another student’s sexuality and/or gender identity whether it is real or perceived
- Name-calling and abuse because of someone in their family being LGBTQ+
- Verbal - name-calling, sarcasm, spreading rumours, teasing, racist and comments about someone because they are in a protected characteristic
- Sexism and misogyny
- Cyber - all areas of the internet, such as email and internet chat room misuse, mobile threats by text messaging and calls, misuse of associated technology, i.e. camera and video facilities, inappropriate use of Whats App, social media etc.
- Creating or exploiting an imbalance of power through for example extortion; coercion, taking money, equipment; harassment and intimidation; hazing etc.
- Occasions where banter moves from friendly interaction with no intention to cause harm to that which is malicious, humiliating and/or intended to cause hurt or harm
- Hurtful bystander behaviour such as instigating bullying, encouraging bullying or passively accepting bullying by watching or doing nothing.

Peer on peer abuse:

- All staff in school should be aware that children can abuse other children (peer on peer abuse). This is most likely to include, but may not be limited to:
  - bullying (including cyberbullying);
  - physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
  - sexual violence,
  - sexual harassment
  - upskirting,
  - sexting
  - initiation/hazing type violence and rituals

Peer-on-peer abuse that involves sexual assault and violence must always result in a multi-agency response.

In cases of bullying, we will take measures to:

- Make sure that students can learn in a supportive, caring and safe environment, without fear of being bullied
- Highlight the fact that bullying is anti-social behaviour and affects everyone, is unacceptable and will not be tolerated
- Train staff and students to know the different types of bullying and what these look like such as – Racism, homophobia, transphobia and biphobia, extortion, emotional bullying, physical bullying, silent bullying such as exclusion, bullying because of someone's appearance
- Ensure that students have explicit opportunities to focus on positive relationships within their Personal, Social and Health Education (PSHE) and Relationships and Sex Education (RSE) programmes, as well as anti-bullying activities delivered through group tutorials, assemblies and other activities
- Encourage students to report bullying and assure them that action will be taken against students who stand by (ie tacitly approving of bullying by not intervening or reporting)
- Tackle bullying effectively when it occurs
- Train staff to ensure that they are alert to the signs of bullying and can act firmly and promptly against it
- Provide a range of routes to enable students to report bullying easily and with confidence – such as verbally to a member of staff, through a desktop icon or the school VLE, via anti-Bullying Ambassadors or an Anti-Bullying room or drop boxes outside pastoral/year offices

A young person may show any of a range of signs that they are being bullied such as:

- Being frightened of walking to or from school, not want to go on the school / public bus, begging to be driven to school
- An unexpected and unusual change to their usual routine
- Beginning to truant, feeling ill in the morning, break times, lunch time or for certain lessons
- Becoming withdrawn, anxious, or lacking in confidence
- Stammering, blushing
- Displaying behaviours such as self-harm, researching the dark web, attempts or threatens suicide, running away, crying themselves to sleep at night or has nightmares
- Presenting issues such as damaged or missing books, clothes, equipment, missing lunch, missing or lost dinner money
- Presenting with unexplained cuts or bruises, trying to 'whiten' skin, flinching, not joining in humour and banter
- Starting to bully other children or siblings
- Being frightened to say what is wrong, giving improbable excuses for any of the above.



## 7.0 Use of Sanctions

Disciplinary sanctions have three main purposes, namely to:

- Impress on the student that what they have done is unacceptable
- Deter the student from repeating that behavior
- Signal to other students that the behaviour is unacceptable and deter them from doing this

Sanctions will be imposed for a range of reasons, such as:

- Failure to follow a school rule
- Failure to follow an instruction given by a member of staff (or other adult given authority to direct or discipline students by the Academy Headteacher when in charge of a group of students)
- Anything where the student's behaviour has fallen below the standard which could reasonably be expected of them
- Causing harm or damage to a person or property
- If an allegation against a member of staff is shown to be deliberately invented or malicious, the Headteacher, will impose sanctions against the student who made it; or whether the police should be asked to consider if action might be appropriate against the person responsible, even if he or she was not a student. Support will be given to the member of staff who is the victim of the deliberately invented or malicious allegation.

We have a range of disciplinary measures clearly communicated to school staff, students and parents. These may include:

- A verbal reprimand
- Extra work or repeating unsatisfactory work until it meets the required standard
- The setting of written tasks as punishments, such as reflective writing
- Loss of privileges
- Missing break/social time
- Detention including during lunch-time, after school hours and at weekends
- School based community service or imposition of a task
- Regular reporting to a member of staff, including early morning
- Working in a separate space from their peers or at another part of the Trust's provision or school for a period of time
- The use of fixed term or, in the most extreme cases, permanent exclusion

Staff can discipline and impose sanctions on students whose conduct falls below the standard which could reasonably be expected of them. To be lawful, the sanction imposed (including detentions) must satisfy the following three conditions

- The decision to impose a sanction on a student must be made by a paid member of school staff or a member of staff authorised by the headteacher
- The decision to impose a sanction on a student and the sanction itself must be made on the school premises or while the student is under the charge of the member of staff

- The decision to impose a sanction must not breach any other legislation (for example in respect of disability, special educational needs, race and other equalities and human rights) and it must be reasonable in all the circumstances

A sanction must be proportionate. In determining whether a sanction is reasonable, the penalty must be reasonable in all the circumstances and account must be taken of the student's age, any special educational needs or disability the student may have, and any religious requirements affecting them.

We consider whether the behaviour under review gives cause to suspect that a child is suffering, or is likely to suffer, significant harm. Where this may be the case, school staff should follow the school's safeguarding policy. Staff should also consider whether continuing disruptive behaviour might be the result of unmet educational or other needs. If this is the case, we will consider whether a multiagency assessment is necessary.

### Detention

By law, schools have a power to issue detentions to students (aged under 18). We use detention (including detention outside of school hours) as a sanction. The times outside normal school hours when detention can be given as per Section 90 of the Education and Inspections Act 2006 are:-

- any school day where the student does not have permission to be absent
- weekends - except the weekend preceding or following the half term break
- non-teaching days – usually referred to as 'training days', 'INSET days' or 'noncontact days'

The headteacher can decide which members of staff can put students in detention.

Matters considered when imposing detentions;

- Parental consent is not required for detentions.
- As with any disciplinary penalty a member of staff must act reasonably given all the circumstances when imposing a detention
- With lunchtime detentions, staff should allow reasonable time for the student to eat, drink and use the toilet
- For detentions outside school hours school staff should not issue a detention where they know that doing so would compromise a child's safety

When ensuring that a detention outside school hours is reasonable, staff issuing the detention should consider the following points:

- Whether the detention is likely to put the student at risk
- Whether the student has known caring responsibilities which mean that the detention is unreasonable
- Whether the parents ought to be informed of the detention. In many cases it will be necessary to do so, but this will depend on the circumstances. For instance, notice may not be necessary for a short after school detention where the student can get home safely
- Whether suitable travel arrangements can be made by the parent for the student. It does not matter if making these arrangements is inconvenient for the parent.

### Use of Isolation

As part of the Behaviour Policy, schools in our Trust allow disruptive students to be placed in an area away from other students for a limited period, in a separate space or isolation/C4 room.

As with all other disciplinary penalties, we recognise that we must act reasonably in all the circumstances when using any form of Isolation.

Whilst in Isolation, we ensure the health and safety of students and any requirements in relation to safeguarding and student welfare are met.

Whilst in Isolation, students will use their time constructively, undertaking reflection, restorative work as well as work in line with the curriculum that they are following in lesson time.

Students in Isolation are allowed time to eat and use the toilet.

### The Trust's offsite provision

On occasion it may be that students access their education at our off-site provision. This may be full time for a period or more flexible, mixed with sessions at school. In all cases parents/carers will be notified and transport arrangements discussed. Students will be met by staff from the provision and contact numbers will be shared with parents. On return to school, parents/carers will have a meeting to reflect and set targets for reintegration back to main school.

### Exclusion – fixed term and/or permanent

Headteachers have the right to exclude students when there are legitimate reasons for them to do so. Used correctly, exclusion is a vital measure for headteachers to use. Exclusions must be legal and justified. For a fixed term exclusion of more than five school days, full-time education must be arranged. This provision must begin no later than the sixth school day of exclusion.

Permanent exclusions should only be used as a last resort, in response to a serious breach or persistent breaches of the school's behaviour policy, and when allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school.

## **8.0 Partnership working**

### Managed Moves

If a student is experiencing difficulties which appear to be leading towards permanent exclusion, disaffection or self-exclusion from school and if all the school's behaviour strategies have been tried and not succeeded, then school and parents/carers may consider that a new start at another school might be helpful. In these circumstances, it may be appropriate to negotiate a Managed Move to transfer a student to another school to ensure the most appropriate educational provision for the individual student. Managed moves are a consensual process where all parties must be in agreement. Managed moves are only undertaken when it is in the best interests of the student. A new start through the agreed Managed Moves process has to be seen as a positive strategy.

### Placement at Alternative Provision

There may be occasions when school seeks an educational placement at an alternative provision. Reasons for this type of placement include a serious behavioural event that would normally result in an extended exclusion or permanent exclusion or continued poor behaviour that fails to meet our standards and that has not improved with the supportive pastoral process put in place.

#### Working with other schools and agencies

We will work within data sharing and safeguarding protocols with other schools and agencies to support the wellbeing of students.

## **9.0 Misbehaviour Outside School Premises**

The school has a statutory power to regulate the behaviour of students when off the school premises and not supervised by staff to such extent as is reasonable. This includes

- behaviour on activities arranged by the school, including work experience placements, educational visits and sporting events
- behaviour on the way to and from school
- behaviour when wearing school uniform in a public place.
- misbehaviour at any time, whether or not the conditions above apply, that could have repercussions for the orderly running of the school or pose a threat to another student or member of the public

Objectives:

- To maintain good order on transport
- To secure behaviour which does not threaten the health or safety of students, staff or member of the public
- To provide reassurance to members of the public about school care and control over students and thus protect the reputation of the school
- To provide protection to individual staff from harmful conduct by students of the school when not on the school site

Sanctions for misbehaviour offsite will follow the same procedures as for misbehaviour in school.

## **10.0 Confiscation**

### **(including retention and disposal of inappropriate items)**

There are two sets of legal provisions which enable school staff to confiscate items from students:

- The general power to discipline enables a member of staff to confiscate, retain or dispose of a student's property as a punishment, so long as it is reasonable in the circumstances. The law protects staff from liability for damage to, or loss of, any confiscated items provided they have acted lawfully. The legislation does not describe what must be done with the confiscated item.
- The power to search without consent for "prohibited items"

Prohibited items include:

- Knives and weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property
- any item banned by the school rules which has been identified in the rules as an item which may be searched for

Legislation sets out what must be done with prohibited items found as a result of a search. Weapons and knives and extreme or child pornography must always be handed over to the police, otherwise it is for the school to decide if and when to return a confiscated item.

School staff can confiscate a student's property in order to maintain an environment conducive to learning, safeguarding the rights of others to be educated safely. Confiscation, retention and disposal of property will be reasonable and appropriate to the particular incident. Criteria for confiscation include:

- An item which poses a threat to others
- An item which poses a threat to good order for learning
- An item which poses a health or safety threat
- An item which is illegal for a student to have or is a prohibited item
- An item which is against school uniform regulations/rules
- An item which is counter to the ethos of the school

## **11.0 Reasonable force and other physical contact**

The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with students. Force is usually used either to control or restrain. This can range from guiding a student to safety by the arm

through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury to self or others.

'Reasonable in the circumstances' means using no more force than is needed.

'Control' means either passive physical contact, such as standing between students or blocking a student's path, or active physical contact such as leading a student by the arm out of a classroom.

'Restraint' means to hold back physically or to bring a student under control. It is typically used in more extreme circumstances, for example when two students are fighting and refuse to separate without physical intervention.

Reasonable force can be used to prevent students from hurting themselves or others, from damaging property, or from causing disorder. The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.

All members of school staff have a legal power to use reasonable force. This power applies to any member of staff. It can also apply to people whom the Academy Headteacher has temporarily put in charge of students, such as unpaid volunteers or parents/carers accompanying students on an school organised visit.

Staff should always try to avoid acting in a way that might cause injury.

In deciding what a serious incident is, staff should use their professional judgement and also consider the following:

- The student's behaviour and level of risk presented at the time of the incident
- The degree of force used
- The effect on the student or member of staff

Where appropriate the parents/carers will be informed and information relating to the incident will be recorded.

#### Situations where 'Reasonable Force' may be used

Staff can use reasonable force for a range of purposes including:

- To remove disruptive students from the classroom where students have refused to follow an instruction to do so
- To prevent a student behaving in a way that disrupts a school event or a school trip or visit
- To prevent a student leaving the classroom where allowing the student to leave would risk their safety or lead to behaviour that disrupts the behaviour of others
- To prevent a student from attacking a member of staff or another student, or to stop a fight
- To restrain a student at risk of harming themselves

Staff cannot use corporal punishment. They cannot use force as a punishment – it is always unlawful to use force as a punishment.

All complaints about the use of force will be thoroughly, speedily and appropriately investigated.

### Other Physical Contact with Students

It is not illegal to touch a student. There are occasions when physical contact, other than reasonable force, with a student is proper and necessary. Examples of where such physical contact might be proper or necessary include:

- When a student is being congratulated or praised
- To demonstrate how to use a musical instrument
- To demonstrate exercises or techniques during PE lessons or sports coaching
- To give first aid.
- Reasonable handling may be needed for students with disabilities and SEND such as helping in and out of wheelchairs, guiding a blind student, or calming an autistic child. Staff will make reasonable adjustments for disabled students and students with SEN.

### Screening and searching students and confiscation of items

In addition to the general power to use reasonable force described above, headteachers and authorised staff can use such force as is reasonable given the circumstances to conduct a search for the following 'prohibited items':

- Knives and weapons
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco and cigarette papers
- Fireworks
- Pornographic images
- Any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property

Force cannot be used to search for other items banned under the school rules. Separate guidance is available on the power to search without consent

## **12.0 Related policies and guidance**

This policy should be read in conjunction with the following:

- Safeguarding Policy
- Managing Allegations of Peer on Peer Abuse policy
- Behaviour management guidance for staff
- E-safety and Social Media Policy