

<b>Title</b>	Behaviour and Discipline
<b>Associated Policies</b>	<ul style="list-style-type: none"> <li>• Acceptable Use Policy</li> <li>• Attendance and Lateness (TPO/STU/02)</li> <li>• Anti-Bullying (TPO/STU/01)</li> <li>• Drugs and Alcohol (TPO/HS/02)</li> <li>• Online Safety Policy</li> <li>• Safeguarding (TPO/HS/05)</li> <li>• Dealing with Allegations of Abuse Against Staff (TPO/STA/21)</li> <li>• Exclusion Policy ( TPO/STU/04)</li> </ul>

**REVIEWED: SEPTMEBER 2023**

**NEXT REVIEW: SEPTEMBER 2026**

## 1. Policy Statement

- 1.1 Brooke Weston Trust is committed to ensuring all students have access to a safe, calm, orderly and positive environment in which to learn. This means that high expectations are placed on students to adhere to behavioural standards and the ethos within each Academy. These expectations are enforced by all members of staff within the Academy community.
- 1.2 Brooke Weston Trust requires everyone to show respect, tolerance and understanding towards others and aspires for its students the ability to build relationships with others from similar and different backgrounds. In this atmosphere, punishment and imposed discipline are irrelevant, and the staff and students - through self-discipline and consideration - will behave in a sensitive and civilised fashion.
- 1.3 Disciplinary procedures identify the appropriate action to be taken when a student’s behaviour fails to meet the requirements of this policy and academy-level expectations. The decision to exclude a student on a fixed term or permanent basis lies with the Principal/Associate Principal.
- 1.4 Each Academy will advise the police of any criminal activity; this includes racist incidents that are categorised as crimes.

## 2. Who does this policy apply to?

- 2.1 This policy applies to all staff and students of all Brooke Weston Trust academies.
- 2.2 The law permits academies to sanction students for misbehaviour outside of the Academy to such an extent as is reasonable. This includes when students are taking part in any Academy-organised or Academy-related activity or any misbehaviour that could adversely affect the reputation of the academy. This may also include when responding to misbehaviour of students when traveling to or from the Academy, when wearing the Academy uniform or when otherwise identified as a student of the Academy, or when posing a threat to another pupil.

## 3. Who is responsible for carrying out this policy?

- 3.1 The implementation of this policy will be monitored by the governors of each Academy and remain under review by The Brooke Weston Trust (Strategic Delivery Group).
- 3.2 It is imperative that all members of Academy staff, whatever their role, accept that they have an obligation to promote the values of each Academy’s ethos through their interactions with students wherever they take place and for whatever purpose. These are to be clearly communicated throughout each Academy and with key stakeholders.
- 3.3 All decisions taken in respect to poor behaviour must take place within the framework set out by this policy and the disciplinary procedures set at Academy-level. See Appendix 1 for definitions of poor behaviour.

**4. What are the principles behind this policy?**

- 4.1 Each Academy is committed to treating its students fairly and with the same respect and consideration as adult members of the Academy.
- 4.2 Each Academy will provide an environment in which students are encouraged to respond positively and independently aiming to achieve the high expectations established by the Academy.
- 4.3 Each Academy will adopt a zero-tolerance approach to child on child abuse, including any discriminatory behaviour, sexual violence, and sexual harassment, and will seek to prevent and respond to incidents in line with this policy and associated policies (see above).
- 4.4 Each Academy will adopt a series of high expectations of behaviour based on individual responsibility and mutual respect in order to generate an environment where positive relationships between students and staff and students are encouraged to flourish.
- 4.5 Each Academy will ensure that individual students who do not meet the high expectations of behaviour are not allowed to adversely affect the learning of others. Each Academy will have a Code of Conduct and disciplinary procedures, formed from this policy and associated DfE guidelines (Behaviour in Schools, Searching Screening and Confiscation in Schools and the Use of Reasonable Force in Schools). These will set out the Academy systems and social norms relating to rules, routines, and consequence systems. Sanctions may be imposed under this policy, or the individual academy disciplinary procedures to regulate and/or improve their behaviour.
- 4.6 The Academy acknowledges its duties under the Equality Act 2010, its safeguarding duties and those duties owed towards students with special educational needs and those subject to the Education Health and Care Plan (EHCP) process.
- 4.7 Each academy is committed to supporting students and recognises that taking disciplinary action and providing appropriate support are not mutually exclusive actions. Behaviour leads will work closely with the Designated Safeguarding Lead and/or Mental Health Lead and/or SENCO to identify and seek to address underlying causes of poor behaviour.
- 4.8 Each Academy recognises that a student's experiences of adversity or trauma can affect their mental health and create barriers to positive behaviour. Adjustments may be made for students with additional needs, where appropriate and reasonable, to ensure that all students can meet behavioural expectations.

**5. Code of Conduct**

- 5.1 Each academy will have a Code of Conduct which sets out the standards of behaviour expected of students and the sanctions which may be imposed by the Academy where behaviour falls short of these expectations. Expectations are also set out in the Home School Agreement.
- 5.2 The Code of Conduct will include references to other policies which provide expected standards of behaviour (Anti-bullying, Drugs and Alcohol).
- 5.3 Students will be taught to understand what behaviour is expected, encouraged, and prohibited and will receive an induction into behaviour systems, rules and routines when transitioning into the Academy. This includes information on pastoral support available and will also be made available for mid-phase arrivals.

**6. Procedures**

- 6.1 Academy leadership teams will set and maintain the behaviour culture and create an environment where everyone feels safe and supported. They will:
  - Oversee the implementation and evaluation of this policy
  - Be highly visible around the Academy
  - Engage with students, parents, and staff regarding behaviour
  - Consider appropriate training for staff to meet their duties within this policy (see Section 7)

- Implement strong and effective systems for data capture, including all components of behaviour culture. This will be monitored and objectively analysed to understand behaviour at the level of the Academy, student groups or cohorts, individual staff, and individual pupils.
- 6.2 Teaching and support staff are responsible for setting the tone and context for positive behaviour within the classroom. They will:
- Uphold the whole-school approach to behaviour by teaching and modelling expected behaviour and positive relationships, as outlined below
  - Communicate the Academy expectations through teaching behaviour and in every interaction with students
  - Create and maintain a stimulating environment that encourages students to be engaged
  - Display the student code of conduct or their own classroom rules
  - Develop a positive relationship with students, which may include:
    - Greeting students in the morning/at the start of lessons
    - Establishing clear routines
    - Communicating expectations of behaviour in ways other than verbally
    - Highlighting and promoting good behaviour
    - Concluding the day positively and starting the next day afresh
    - Having a plan for dealing with low level behavioural issues
  - Challenge students to meet the Academy expectations and maintain the boundaries of acceptable conduct
  - Respond predictably, promptly, and assertively to misbehaviour, in a consistent, fair and proportionate manner
  - Acknowledge good behaviour, using positive recognition and rewards in line with each Academy's processes
- 6.3 Parents will be informed of persistent poor/disruptive behaviour and will be invited to the Academy to discuss the matter. Depending on the severity of a one-off or series of incidents, parents may be invited to the Academy. Sanctions may be imposed, including detention, without parental consent. Such sanctions are outlined in each academy's disciplinary procedures. The role of parents is crucial in helping each Academy to develop and maintain good behaviour and therefore all Academies will seek to build and maintain positive relationships with parents.
- 6.4 Where the behaviour amounts to a serious breach of the behaviour policy or amounts to persistent breaches of that policy, the Principal/Associate Principal may decide to exclude the student from the Academy. This will be handled in line with the DfE guidance, [Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England](#), including pupil movement (September 2023).
- 6.5 Academies will have systems and processes in place to ensure that relevant members of the leadership team and pastoral staff are aware of any student persistently misbehaving, whose behaviour is not improving following low-level sanctions, or whose behaviour reflects a sudden change from previous patterns of behaviour. Where such students are identified, Academies will adopt a range of intervention strategies to help manage behaviour and reduce the likelihood of suspension or permanent exclusion.
- 6.6 Staff authorised by the Principal have the authority to search students and their possessions (including electronic devices) where they reasonably believe that they are in possession of any prohibited item detailed below:
- Knives and other weapons
  - Alcohol
  - Illegal drugs, solvents, psychoactive substances and drugs with no accepted medical purpose
  - Stolen or missing items
  - Tobacco and cigarette papers

- Fireworks or any other type of incendiary or explosive device/substance
- Pornographic images
- Any article which in the reasonable opinion of the staff member may have been or is likely to be used to commit an offence or cause personal injury to, or damage to property of any person

Staff may also search for any other additional items banned under the Code of Conduct which may disrupt learning in the Academy.

- 6.7 Prior to a search, staff will assess the urgency of the need to search and consider the risk to other students and staff. Staff will always explain the purpose of a search to a student, including how and where the search is going to take place. Staff will always consider a child's right to respect for their private life and therefore a right to reasonable level of privacy, under Article 8 of the European Convention on Human Rights. Any interference with this right must be justified and proportionate.
- 6.8 Any item found following a search under 6.4 may be confiscated or, if relevant, passed to the police.. Consideration will also be given to whether the outcome of a search indicates that a child may be involved, or at risk of being involved, in anti-social behaviour, including gang involvement and/or child criminal exploitation. The Principal/Associate Principal will ensure that appropriate action is taken under the Behaviour and Discipline Policy and Safeguarding and Child Protection Policy.
- 6.9 Where a search takes place, two members of staff should normally be present and at least one be of the same sex as the student. The nature and outcome of the search must be documented via CPOMS, to notify the DSL, and parents should be notified of any search for a prohibited item (see above). A search is limited to removal of outer clothing such as coats and jackets only. Where other intimate searches are required, the police must be informed. Further guidance on police-led strip searches can be found in the Safeguarding and Child Protection Policy. Searches will be undertaken in line with the [DfE Searching, Screening and Confiscation guidance](#).
- 6.10 If a member of staff suspects that a search may identify an indecent image of a child, they should not view, copy, print, share, store or save the image and should notify the DSL (or a deputy) immediately. The DSL will respond in line with the Safeguarding and Child Protection Policy and Online Safety Policy.
- 6.11 The Principal will oversee the Academy's practice of searching to ensure that a culture of safe, proportionate, and appropriate searching is maintained, which safeguards the welfare of all pupils and staff and with support from the designated safeguarding lead (or deputy). This will include considering whether searches fall disproportionately on any particular groups and whether any action can be taken to prevent this.
- 6.12 All school staff have authority to use reasonable force to prevent students committing an offence, injuring themselves or others and damaging property and to maintain good order and discipline in the classroom (or other learning environment). The DfE guidance, Use of Reasonable Force (July 2013), will be followed at all times.
- 6.13 Incidents of physical intervention must:
- **Always be used as a last resort**
  - Be applied using the minimum amount of force and for the minimum amount of time possible
  - Be used in a way that maintains the safety and dignity of all concerned
  - Never be used as a form of punishment
  - Be recorded and reported to parents
- 6.14 Allegations against staff will be dealt with under the Safeguarding (TPO/HS/05) and Dealing with Allegations of Abuse Against Staff (TPO/STA/21) policies. Where false allegations are made by a student against a member of staff, this will be treated as a breach of the Behaviour policy and Code of Conduct.
- 6.15 Each Academy recognises its legal duty under the Equality Act 2010 to prevent students with a protected characteristic from being at a disadvantage. Consequently, our approach to challenging behaviour may be differentiated to cater to the needs of the student. The school's special educational

needs co-ordinator will evaluate a student who exhibits challenging behaviour to determine whether they have any underlying needs that are not currently being met. Where necessary, Academies will make use of a range of general and targeted interventions to improve behaviour. This may include seeking support and advice from specialist teachers, an educational psychologist, medical practitioners and/or others, to identify or support specific needs. When acute needs are identified in a student, we will liaise with external agencies and plan support programmes for that child. This may include completing early help assessments or referring to mental health services or children social care. We will work with parents to create the plan and review it on a regular basis.

## 7. Staff Induction, Development and Support

- 7.1 The trust believes that physical intervention should be used as the last resort in managing children and young people's behaviour, however challenging that behaviour may be. The trust also recognises that there is a need, reflected in common law, to physically intervene when there is an obvious risk to the safety of children, staff and property. This applies both on and off setting sites. If used at all, the use of force to control pupils will be used in the context of a respectful, supportive relationship with the child in order to ensure minimal risk of injury to children and staff. All staff are provided with training on managing behaviour, including de-escalation techniques, as part of their induction process. Behaviour management will also form part of continuing professional development.
- 7.2 Academies will also ensure staff receive adequate training on matters such as how certain special educational needs, disabilities or mental health needs may at times affect a pupil's behaviour.

## 8. Specific Behaviour Issues

- 8.1 Child on Child Sexual Violence and Sexual Harassment:
- Staff will seek to prevent and respond to all cases of sexual violence and sexual harassment in line with Keeping Children Safe in Education (2022) and the Safeguarding and Child Protection Policy.
  - In instances where reports of sexual abuse or harassment are proven to be deliberately invented or malicious, the Academy will consider disciplinary action in line with this policy.
  - In instances where reports are substantiated, children displaying harmful sexual behaviour will be sanctioned in line with this policy.
- 8.2 Behaviour Incidents Online
- Although online incidents do not necessarily originate within the Academy, students will be taught to understand that the same standards of behaviour are expected online as offline.
  - The response to reports of nude or semi-nude images can be found in the Online Safety Policy.
  - Incidents of online misbehaviour will be handled in line with this policy, in conjunction with the Anti-Bullying Policy, Acceptable Use Policy, Online Safety Policy and Safeguarding and Child Protection Policy.
- 8.3 Mobile Phones
- Each Academy is responsible for setting their own local policies with regards to the use of mobile phones. Each Academy will have a clear plan to mitigate the risks of allowing access to phones during the school day, which will be reiterated to students, staff, and parents throughout the school year.
- 8.4 Suspected Criminal Behaviour
- In cases where a student has engaged in suspected criminal behaviour, an initial assessment will be completed to decide whether the incident should be reported to the police. This may involve gathering information to establish the facts of the case.
  - The decision to notify the police will be informed by the NPCC Guidance '*When to call the Police: Guidance for Schools and Colleges*'.

- Where incidents are reported to the police, Academies retain the discretion to continue internal investigations and enforce their own sanctions, so long as it does not conflict with police action.
- The DSL will be informed of any student being reported to the police and will follow the Safeguarding and Child Protection Policy to ensure the safety and welfare of all students involved.

### 8.5 Discriminatory Abuse

- Discrimination is abuse that focuses on a difference or perceived difference. This may involve any of the protected characteristics of the Equality Act. These are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. Examples of discriminatory abuse might involve harassment, slurs, or similar treatment based on the difference or perceived difference.
- Discrimination and hate crime are against the law. In cases where a student or staff member has engaged in this behaviour, an initial assessment will be completed to decide whether the incident should be reported to the police. This may involve gathering information to establish the facts of the case.
- Where incidents are reported to the police, Academies retain the discretion to continue internal investigations and enforce their own sanctions, so long as it does not conflict with police action.
- The DSL will be informed of any student being reported to the police and will follow the Safeguarding and Child Protection Policy to ensure the safety and welfare of all students involved.

## 9. Suspension and Exclusion

- 9.1 Where the trust's approaches towards behaviour management have been exhausted, then suspensions and permanent exclusions will sometimes be necessary as a last resort. This is to ensure that other pupils and teaching staff are protected from disruption and can learn in safe, calm, and supportive environments.
- 9.2 The trust will always have regard to the Statutory Guidance on [Suspensions and Permanent Exclusions \(September 2023\)](#) when making decisions on suspensions and exclusions and will follow the law, as set out in the relevant School Discipline (Pupil Exclusions and Reviews) (England) Regulation 2012 (as amended).
- 9.3 Suspensions and permanent exclusions are different:
- Suspensions (previously called fixed-term exclusions) are where a pupil is prevented from attending the school for a fixed period. At the end of the period, they are expected to return to school following a reintegration meeting. A pupil may receive a maximum 45 days of suspension in an academic year before being permanently excluded.
  - Permanent exclusions are where, subject to a decision of the governing board to reinstate the pupil to the school, the pupil is prevented from attending the school again. A decision to permanently exclude will only be taken in response to a serious breach or persistent breaches of the trust's behaviour policy; and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as staff or pupils in the school.

### 9.4

The government trusts headteachers to use their professional judgement based on the individual circumstances of the case when considering whether to exclude a pupil. The reasons below are examples of the types of circumstances that may warrant a suspension or permanent exclusion.

- Physical assault against a pupil
- Physical assault against an adult
- Verbal abuse or threatening behaviour against a pupil
- Verbal abuse or threatening behaviour against an adult
- Use, or threat of use, of an offensive weapon or prohibited item that has been prohibited in section 6.6
- Bullying
- Racist abuse
- Abuse against sexual orientation or gender reassignment
- Abuse relating to disability

9.5 This list is not exhaustive and is intended to offer examples rather than be complete or definitive.

**10. Policy Review**

10.1 This policy will be monitored as part of the Academy’s annual internal review and reviewed on a three year cycle or as required by legislature changes.

**Document Control**

<b>Date of last review:</b>	September 2023	<b>Author:</b>	Head of Governance
<b>Date of next review:</b>	September 2024	<b>Version:</b>	7
<b>Approved by:</b>	Strategic Delivery Group	<b>Status:</b>	Ratified

**V7. Summary of Changes April 2023**

- Inserted reference about zero-tolerance around any kind of discriminatory behaviour (**section 4.3**)
- Added specific reference to discriminatory behaviour and hate crime (**section 8.5**)

**V7. Summary of Changes September 2023**

- Removed mentions of *restrain* across the document.
- Updated links to new Suspension and Permanent Exclusion guidance 2023 (**section 6.4**)
- Further clarification around searching (**section 6.9**) including links to guidance
- Clarification around the use of reasonable force and other strategies used to manage behaviour (**section 7.1**)
- Inserted new section around Suspension and Permanent Exclusions (**section 9**), including examples of the types of circumstances that may warrant a suspension or permanent exclusion (**section 9.4**)

## Appendix 1: Definitions

### 1.1 Misbehaviour is defined as:

- Disruption in lessons, in corridors between lessons, and at break and lunchtimes
- Non-completion of classwork or homework
- Poor attitude
- Incorrect uniform

### 1.2 Serious misbehaviour is defined as:

- Repeated breaches of the school rules
- Any form of bullying (for example, relating to race, religion, culture or beliefs; appearance; sexual orientation; gender identity; Special Educational Needs or Disability; home and family circumstance etc.)
- Sexual assault or harassment, which is any unwanted sexual behaviour that causes humiliation, pain, fear or intimidation
- Any form of child on child abuse, including sexual violence and sexual harassment (see Safeguarding and Child Protection Policy)
- Vandalism
- Theft
- Fighting
- Smoking
- Racist, sexist, homophobic or discriminatory behaviour
- Possession of any prohibited items. These are:
  - Knives or weapons
  - Alcohol
  - Illegal drugs
  - Stolen items
  - Tobacco and cigarette papers
  - Fireworks
  - Pornographic images
  - 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 student)

### 1.3 Bullying is defined as the repetitive, intentional harming of one person or group by another person or group, where the relationship involves an imbalance of power.

Bullying is, therefore:

- Deliberately hurtful
- Repeated, often over a period of time
- Difficult to defend against

Bullying can include:

Type of bullying	Definition
Emotional	Being unfriendly, excluding, tormenting
Physical	Hitting, kicking, pushing, taking another’s belongings, any use of violence



Racial	Racial taunts, graffiti, gestures
Sexual	Explicit sexual remarks, display of sexual material, sexual gestures, unwanted physical attention, comments about sexual reputation or performance, or inappropriate touching
Direct or indirect verbal	Name-calling, sarcasm, spreading rumours, teasing
Cyber-bullying	Bullying that takes place online, such as through social networking sites, messaging apps or gaming sites