



This policy was amended in consideration of the following UN Convention on the rights of the child articles; Articles 2/3/19/28/37/39/40/41

# BEHAVIOUR AND ATTITUDE TO LEARNING

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## 1. Aims

This policy aims to:

- Provide a consistent approach to behaviour management
- Define what we consider to be unacceptable behaviour, including bullying
- Outline how pupils are expected to behave
- Summarise the roles and responsibilities of different people in the school community with regards to behaviour management
- Outline our system of rewards and sanctions

## 2. Legislation and statutory requirements

This policy is based on advice from the Department for Education (DfE) on:

- [Behaviour and discipline in schools](#)
- [Searching, screening and confiscation at school](#)
- [The Equality Act 2010](#)
- [Use of reasonable force in schools](#)
- [Supporting pupils with medical conditions at school](#)

It is also based on the [special educational needs and disability \(SEND\) code of practice](#).

In addition, this policy is based on:

- Section 175 of the [Education Act 2002](#), which outlines a school's duty to safeguard and promote the welfare of its pupils
- Sections 88-94 of the [Education and Inspections Act 2006](#), which require schools to regulate pupils' behaviour and publish a behaviour policy and written statement of behaviour principles, and give schools the authority to confiscate pupils' property
- Schedule 1 of the [Education \(Independent School Standards\) Regulations 2014](#); paragraph 7 outlines a school's duty to safeguard and promote the welfare of children, paragraph 9 requires the school to have a written behaviour policy and paragraph 10 requires the school to have an anti-bullying strategy
- [DfE guidance](#) explaining that academies should publish their behaviour policy and anti-bullying strategy online

## 3. Schools Behaviour Statement

- No student's behaviour or attitude should ever be allowed to impact negatively upon the learning and/or welfare of another student.
- No student's behaviour or attitude should ever be allowed to impact negatively upon the health and safety of another student.
- All staff (teaching and non-teaching) must accept their responsibility for developing good standards of student behaviour and attitude, so that all students are able to learn and progress into Further Education, Higher Education or Employment.
- It is the responsibility of the Headteacher and Senior Staff to set out and regularly update the practical principles and procedures for managing behaviour, so that parents and students can know in advance what is appropriate and can make positive choices about their behaviour.
- The management of behaviour must be clear and consistent so that students, parents and staff have certainty about how the policy will be applied, thus enabling students to take decisions to change their behaviour in order to avoid consequences.
- Behaviour will be managed using a combination of positive rewards and negative sanctions. Sanctions should ultimately be designed to change behaviour.
- There will be a graduated set of measures, indicating the increasing seriousness of matters.

**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

**Serious misbehaviour** is defined as:

- Repeated breaches of the school rules
- Any form of bullying
- Sexual assault, which is any unwanted sexual behaviour that causes humiliation, pain, fear or intimidation
- 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 pupil)

#### **4. Bullying**

**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:

<b>Type of bullying</b>	<b>Definition</b>
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

For further guidance on bullying please refer to our Anti-Bullying policy

#### **5. Roles and responsibilities**

##### **5.1 The Governing Board**

The Governing Board is responsible for monitoring this policy's effectiveness and holding the Headteacher to account for its implementation.

## 5.2 The Headteacher

The Headteacher is responsible for reviewing and approving this behaviour policy.

The Headteacher will ensure that the school environment encourages positive behaviour and that staff deal effectively with poor behaviour, and will monitor how staff implement this policy to ensure rewards and sanctions are applied consistently.

## 5.3 Staff

Staff are responsible for:

- Implementing the behaviour policy consistently
- Modelling positive behaviour
- Providing a personalised approach to the specific behavioural needs of particular pupils
- Recording behaviour incidents (see appendix 3 for a behaviour log)

The senior leadership team will support staff in responding to behaviour incidents.

## 5.4 Parents

Parents are expected to:

- Support their child in adhering to the pupil code of conduct
- Inform the school of any changes in circumstances that may affect their child's behaviour
- Discuss any behavioural concerns with the class teacher promptly

## 6. Pupil code of conduct

The Basildon Academies aspires to ensure that all members of the community feel safe, secure and valued at school. To make certain this happens, we feel that it is important to teach all members of the community to work, play and cooperate with each other. This will lead to a community based on mutual respect and trust where we can work together in a supportive way. All members of the community need to be aware of issues of right, wrong, fairness, justice and tolerance. This is to be achieved through praise, restorative practices and open conversations.

The Aims for our school:

- **Safe:** To have a safe and supportive environment which encourages the building of positive relationships, self-esteem, understanding and concern for all.
- **Healthy:** To be as healthy (physically, mentally and socially) as possible and support others to make healthy choices too.
- **Achieving:** To be creative, risk-taking, determined and reflective in all that we do and develop a growth mind set in order to achieve our potential through a wide range of experiences both in and out of school.
- **Nurtured:** For everyone to feel listened to, cared for, supported, protected and valued without judgement
- **Active:** To be actively engaged and motivated in all that we do.
- **Respected:** To have positive relationships and everyone's opinions and unique qualities to be respected and valued.
- **Responsible:** For everyone to be proud of and to take appropriate responsibility within our community and be accountable both independently and as a team.
- **Included:** To overcome inequalities and for everyone to have a voice in finding solutions to foster the development of positive relationships.

We have three very simple and very clear expectations:

1. We always follow instructions from an adult in school.
2. We always keep ourselves safe and we don't hurt others.
3. We always speak kindly and respectfully to each other.

Pupils should:

- Behave in an orderly and self-controlled way
- Show respect to members of staff and each other
- In class, make it possible for all pupils to learn
- Move respectfully around the school

- Treat the school buildings and school property with respect
- Wear the correct uniform at all times
- Accept sanctions when given
- Refrain from behaving in a way that brings the school into disrepute, including when outside school

## **7. Rewards and sanctions**

### **7.1 List of rewards and sanctions**

Positive behaviour will be acknowledged in a range of ways:

- Praise
- Credits
- Attendance
- Achievements
- Letters or phone calls home to parents
- Special responsibilities/privileges
- VIPA
- Celebration events
- Trips and or visits/activities

### **7.2 Financial rewards**

Financial rewards will not normally be given to students unless explicitly authorised by the Headteacher, or relevant delegated manager.

The school may use a range of sanctions which can include:

- Charging for damage or loss
- Detention before or after the Academy day
- Weekend detention (such as Saturday)
- Sending home to change those students who arrive with an appearance contrary to Academy rules
- Community service (such as litter collection, cleaning or repairing things)
- Removal from Academy life to a designated area.
- Internal Exclusion
- Education Offsite
- Loss of break and/or lunchtime privileges
- Loss of free periods
- Loss of involvement in activities, trips or events
- Fixed Term Exclusion
- Permanent Exclusion

We may use the return to learn rooms in response to serious or persistent breaches of this policy. Pupils may be sent to the return to learn room during lessons if they are disruptive, and they will be expected to complete the same work as they would in class.

### **7.3 Student charges for loss or damage**

- Students who lose or damage Academy property can be billed for reasonable replacement costs. Failure to pay might lead to additional sanctions until such time as the payment is made.
- The Academy will not take responsibility for the loss of, or damage to, student property, particularly those which are banned or prohibited by the Academy.
- Items brought onto the Academy site are done so at the owner's risk.

### **7.4 Off-site behaviour**

Sanctions may be applied where a pupil has misbehaved off-site when representing the school, such as on a school trip or on the bus on the way to or from school.

## **7.5 Malicious allegations**

Where a pupil makes an accusation against a member of staff and that accusation is shown to have been malicious, the headteacher will discipline the pupil in accordance with this policy. Please refer to our safeguarding policy for more information on responding to allegations of abuse. The headteacher will also consider the pastoral needs of staff accused of misconduct.

## **8. Behaviour management**

Staff should praise in public, reprimand in private and be clear, calm and firm.

- Praise should always be as specific, targeted, public and as sincere as you can make it. This is what gives it power.
- Reprimand should be calm, private conversations or re-directions that only the child who it is intended for can hear.
- Speak to students calmly, with respect and be positive.
- We never shout, express negativity, or use sarcasm and derogatory tones.

## **9. Classroom management**

Teaching and support staff are responsible for setting the tone and context for positive behaviour within the classroom.

They will:

- Create and maintain a stimulating environment that encourages pupils to be engaged
- Refer to the pupil code of conduct or their own classroom rules
- Develop a positive relationship with pupils, which may include:
  - Greeting pupils 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 disruption
  - Using positive reinforcement
  - Praise in public and reprimand in private

### **9.1 Detention before or after the academy day**

- Detention can be used as a sanction with 11-16 students and the different forms of detention will be spelled out clearly so that students are all treated consistently. There should be no choosing or negotiating different forms of detention for individuals.
- Detentions should be set and take place as quickly as possible to ensure that the link between cause and sanction is clear in the student's mind.
- A range of detentions may be used, increasing in length of time to reflect increasing seriousness.
- Detention at the end of the day should be the normal form of detention but it is recognised that organisational and punctuality problems may best be dealt with through a detention at the beginning of the day.
- Changes to legislation in 2011 mean that it is no longer necessary to give parents 24 hours notice of a detention. The academy should nevertheless take reasonable steps to give appropriate notification.

## **10. Uniform, equipment and sending home students**

- Students arriving without appropriate uniform or equipment, or with an appearance contrary to rules may be sent home to change. If this is not feasible then they may be educated apart from other students until the problem is rectified.
- Students should not share equipment, they should keep their personal belongings to themselves in their own bags.

## **11. Community Service**

Students may be set community service where it is an appropriate sanction or remedy for a specific issue or problem. Examples might include eating or drinking around the buildings, damage to academy buildings or property. This is not intended to be an exhaustive list.

This may take place during the academy day and/or as part of a detention or other sanction.

## **12. Removal from academy life**

Students should be removed from wider academy life for a period of time under the following circumstances:

- a) Failure to adhere to the behaviour expectations in relation to Covid- 19 health and safety measures
- b) Entering another bubble or class group
- c) Engaging in actions that deliberately place another student or member of staff a risk
- d) Breaking of the health and safety rules in relation to Covid-19 measures put in place.
- e) Leaving your class group bubble without permission
- f) where an action has escalated to this point, either as part of the consequences system or in virtue of continued refusal to respond to lower level sanctions
- g) where an action cannot be managed using a series of consequences (eg outside of a classroom where there is nowhere to record and so manage 'steps')
- h) where there is a risk of disruption to the learning and/or welfare of others
- i) where a matter needs investigation or further attention
- j) where safety and/or good order require a student to remain under supervision in a specific place during unstructured time (break, lunch, etc)
- k) Breach of CoVid- 19 regulations and government guidance
- l) Failing to show the capacity to follow instructions during CoVid- 19 Measures

When removed from wider academy life, students' education and welfare should be appropriately monitored and promoted.

### **12.1 Internal Exclusion**

- Internal Exclusion is a very serious sanction. It is equivalent to a period of fixed term exclusion, albeit with the student kept on site, in a specified place, removed from the wider academy life.
- Students who are internally excluded may work to a different academy day, which may be longer and which may involve no contact with other students from their year group. They may also work on a different academy site.

### **12.2 Education offsite**

- Where there is a serious concern about how a student is responding to other measures, the student may be educated offsite for a period of time. This could involve students being educated at another academy or school, or at another location which has been confirmed as appropriate.
- Education offsite may be combined with referrals to other agencies or organisations, providing a way of breaking negative patterns of behaviour which a student had got into or providing additional expertise or input to help change behaviour.

### **12.3 Loss of break or lunchtime privileges**

- Students may be asked to report to a specific place at break or lunchtime so that their break is taken in a designated place under supervision.
- Students detained at break or lunchtime should have access to appropriate nourishment.

### **12.4 Loss of free periods**

- Students who have "free periods" in their timetable (eg Sixth Form) may have their free periods taken away and be required to report instead to a specific place for study.
- The number of free periods and the duration of the loss can be varied as seems appropriate to deal with severity of a specific problem.

### **12.5 Loss of involvement in activities, trips or events**

- Where a student's behaviour means that there is an increased risk in involving the student in a particular activity, trip or event, the student may be withdrawn until such time as the risk is judged to be reduced.
- The Academy may specify merit/credit criteria to take part in certain events or activities and students who do not achieve the specified number of credits/merits will not be eligible to take part in such activities
- When setting a point/credit level which a student has to achieve in order to take part in an event, the Academy may also determine that negative behaviour can remove credits/points.

### **13. Fixed Term Exclusion**

A fixed term exclusion is a serious consequence and should only take place when:

- a) there has been an appropriately serious breach of rules
- b) where there is a serious risk to the education or wellbeing of other students in keeping the student on site
- c) where a student's defiance has reached such a point that the student has become uncontrollable and so it has become 'unsafe' to keep the student on site
- d) where there is a high risk that a student will become permanently excluded and so there is a need to consult with other agencies and plan to put in place alternative strategies or education for the student before readmitting them to the academy
- e) Failure to adhere the conditions of a risk assessment that has been put in place.

A decision to exclude a student is based on a balance of probabilities concerning both what has happened and/or the risk of what may happen next. The decision to exclude a student must be reasonable and fair.

Individual fixed period exclusions will be for the shortest time necessary, bearing in mind the issues of consistency and aggravating/mitigating features and escalation where there may be a pattern of factors or behaviours to consider.

Only the Headteacher can exclude a student and this must be on disciplinary grounds.

The Academy's legal duty of care should be upheld when sending a student home following an exclusion.

### **14. Permanent Exclusion**

A decision to exclude a student permanently is a serious one and will only be taken where the facts have been clearly established on the balance of probabilities.

Permanent Exclusion based on a series or pattern of behaviour is a judgement that the student is demonstrating 'persistent defiance'. That is a refusal to comply or respond to the academy which has persisted over time, despite a range of interventions by the academy and for which there is no reasonable prospect that the student will change their behaviour.

Permanent Exclusion based on a 'one-off' offence will occur where there is

- serious violence, actual or threatened, against another student or a member of staff;
- sexual abuse or assault;
- arson or serious damage;
- supplying an illegal drug; or
- carrying an offensive weapon

### **15. Use of sanctions for actions covered by criminal or civil law**

- Appropriate matters or incidents covered by criminal or civil law can be referred to the police, or other relevant agencies, as dictated by the nature of the incident or matter.
- Where an incident or matter is subject to investigation by the police or other agencies, the Academy will take appropriate advice before proceeding with its own investigations or actions, so as not to prejudice any case which should subsequently be taken forward in court.

- It is not appropriate for the Academy to report incidents to the police where it itself is not the victim. Deputy Safeguarding Leads can make a judgement to liaise with the external agencies if a wider safeguarding risk is perceived.

## **16. Physical restraint**

All staff have the authority to use reasonable force to safeguard the wellbeing of students, to prevent damage to property and/or to prevent good order and discipline being lost. The use of reasonable force does not include chastisement or punishment.

Only staff who have received appropriate training should use restraint to hold back physically, or to bring a student under control.

The Academy will make reasonable adjustments in the use of force for disabled students and children with SEND but the overriding priority in situations where force is necessary is trying to ensure the safety and wellbeing of all those present.

## **17. Screening, Searching and Confiscation**

- The Headteacher has authority to carry out any necessary searches, with or without parental consent. Additional staff may be called upon to have the delegated authority to do so also.
- Appropriate staff can search students for any item which represents a danger or risk to good order within the academies, or which is banned by Academy rules. Items such as weapons, alcohol, illegal drugs, pornographic materials may be seized and disposed of. The Headteacher can use their discretion to confiscate, retain and destroy any items which have been found.
- Searches of students' property should always normally be done with the student present, except where this would lead to an unreasonable delay or impediment to resolving the matter. CCTV can be used to establish the grounds for a search, although there is no requirement to share this footage with parents or students.
- Searches should always be carried out by two members of staff, unless there is a serious situation where delay would lead to an unacceptable increase in risk to safety or wellbeing. At least one of the two members of staff should normally be the same gender as the student, unless there is a sufficiently serious or urgent need which prevents this.

## **18. Pupil support**

- The school recognises its legal duty under the Equality Act 2010 to prevent pupils 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 pupil.
- The school's special educational needs co-ordinator will evaluate a pupil who exhibits challenging behaviour to determine whether they have any underlying needs that are not currently being met.
- Where necessary, support and advice will also be sought from specialist teachers, an educational psychologist, medical practitioners and/or others, to identify or support specific needs.
- When acute needs are identified in a pupil, we will liaise with external agencies and plan support programmes for that child. We will work with parents to create the plan and review it on a regular basis.

### **18.1 Students with Special Educational Needs**

The Academy will pay due regards to appropriate guidance on the education of children with Special Educational Needs, making the reasonable adjustments where ever possible, which are conducive to maintaining consistency with good order and discipline.

## **19. Parents role in ensuring good behaviour**

- Parents and Carers sign a Home-Academy agreement which outlines the responsibilities of parents and academy staff, role modelling this to students at all times. This includes expectations concerning behaviour, attendance and use of electronic devices.