

# Benjamin Britten School



## Behaviour and Discipline Policy

## **Introduction**

Benjamin Britten School bases its approach to matters of behaviour and discipline on the principles that have been written by the Governors and that have been consulted on and shared with staff, students, partner primaries, neighbours to the school and local employers, as well as the local authority. These are stated below:

### The Governors' Statement of Principles

This statement has been drawn up under the following legislation, statutory requirements and statutory guidance:

- Behaviour and discipline in schools: advice for headteachers and school staff
- Searching, screening and confiscation: advice for schools
- The Equality Act 2010
- The latest iteration of Keeping Children Safe in Education
- Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement 2022
- Use of reasonable force in schools
- Supporting pupils with medical conditions at school
- Special Educational Needs and Disability (SEND) Code of Practice.
- 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.

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

## **1. Background**

The objective of these principles is to help provide a safe and structured environment in which teachers can teach and students can learn, in order to fulfill the Governors' general responsibilities or duties to:

- promote good behaviour and discipline;
- promote high standards of educational achievement at the school;
- promote the well-being of students, their protection and community cohesion;
- ensure that vulnerable students receive behavioural support;
- eliminate discrimination and promote equal opportunities for all groups of students;
- ensure the health and welfare of staff;
- support the teachers in the management and improvement of students' behaviour; and
- promote safe conduct in the use of the internet

## **2. The School's ethos and moral code**

These principles reflect the school's ethos and moral code, which are:

'Benjamin Britten retains a traditional but friendly ethos combining high academic standards and rich extra-curricular opportunities with a caring approach to young people.

The school's motto *Discamus ut Serviamus* suggests our core values and ethos. The children both 'learn and serve'. The school will aim to provide a superb academic education which is rounded out by opportunities to give to and become ever more a part of our Community.'

## **3. The School's Policy on Behaviour and Discipline**

This statement is one, not of practice, but of principles, which the Headmaster must observe when developing the school's behaviour policy. The policy must include the School Rules and any particular measures agreed by Governors and within their remit.

Good behaviour is the responsibility of all staff, with the Headmaster having prime responsibility for promoting good learning behaviours throughout the school. This policy applies to all staff, volunteers, students, parents and carers.

## **4. The Principles**

The school's Behaviour Policy must make clear, the respective rights and responsibilities of all members of the school community, including parents/carers.

In addition to this statement, the Governors advise members of staff, participating in the development of school policies or otherwise, about the existence and extent of their legal powers, to ensure that they are confident that the Governors will support them in the exercise of those powers.

## **5. Aspects of the Behaviour Policy**

In accordance with the advice of the DfE, the Behaviour Policy, whether set out in the Behaviour Policy statement itself or in other school policy statements, must also include:

- a) the authority to screen and search students;
- b) power to use reasonable force for restraint or control or make other physical contact;
- c) power to discipline beyond the school gate;
- d) pastoral care for school staff accused of misconduct; and
- e) when a multi-agency assessment should be considered for students who display continuous disruptive behaviour.

All of the above must have due regard to and reflect the Governors' duty under the Education Act 2002 (s.175) to ensure the safeguarding and promotion of the welfare of children and their general duty to eliminate discrimination under the Equality Act 2010.

The Headmaster must also have regard for the law and statutory guidance issued by the DfE from time to time.

## **6. Enforcement of the Behaviour Policy**

In particular, it is important that the Behaviour Policy, including any relevant policy statements, should be:

- a) publicised to staff, parents/carers and students at least once a year or continuously and accessibly on the school's website and at its reception;
- b) fairly, justly and consistently enforced across the school by a system of penalties and rewards;
- c) clear as to the standard of behaviour expected of students; and
- d) clear as to teachers' powers to discipline, both on and off the school site;

The school, by means of the Home-School Agreement or otherwise, should inform parents/carers and obtain their acceptance of its expectation, where possible, that they should encourage their children to show respect to all school staff and to each other and support the authority of the school to discipline their children.

### The Policy

#### Expectations

This policy is designed to give students choices. Its principle aim is to support learning, while also tackling and dealing with low-level disruptive behaviour (i.e behaviour that undermines pupil's own learning or that of others). If unchecked, this sort of behaviour interrupts lessons and undermines the authority of the teacher.

This policy ensures that expectations for all students are clear and reasonable, providing a fair and positive approach to behaviour management. Whilst it is our experience that most students behave in a consistently appropriate manner, all communities need procedures to deal with situations when this is not the case.

We expect all of our **students** to:

- Put others first
- Respect their teachers and other school staff
- Respect other students
- Take a pride in their work
- Wear correct school uniform with pride
- Listen carefully to their teachers, other school staff and fellow students
- Avoid using words or actions to hurt or threaten others emotionally or physically in or on the way to and from school or via the internet
- Get to lessons punctually

- Arrive at lessons with the correct books and equipment
- Listen carefully when their teachers speak
- Listen carefully when others comment in class
- Remain on the set task at all times
- Participate positively and willingly in lessons
- Complete work set and hand it in on time
- Represent the school well when outside school
- Follow instructions given by a member of staff
- Comply with these rules during the journey to and from school, school visits, fixtures or any other off-site activity undertaken under the direction of the school
- Desist from wearing smart watches or using mobile phones during the school day but to focus on learning instead.

We expect the **parents** of our students to:

- Be examples of speech, attitudes and behaviour that are respectful of others including members of staff and students
- Support the highest standards of behaviour in their own children and support the approach to discipline taken by the school
- Deal maturely with situations in which the family may have been affected by separation or divorce in recognition of the needs of their children, not using the education of their child as a means of dispute with the other parent
- Communicate calmly with staff over sensitive issues without over-reacting to situations and especially to those in regard to which they have only partial knowledge
- Ensure their children refrain from engaging in internet behaviour that exposes themselves or others to any form of bullying and therefore, from websites in which these behaviours are most common. The school recognises that this often requires moral strength on the part of parents but that no website is essential to the social well-being of children
- Ensure that they make every effort to ensure that their children attend school as often as possible when they are well enough and permitted to do so
- Support rewards and sanctions fully for example in attending awards and celebrations where practicable and supporting detentions and other sanctions set by the school so as not to undermine the school's authority
- Support their children by providing a steady home environment with good routines of sleep, homework and recreation as families
- Take a keen interest in their children's learning and future aspirations
- Keep the school well informed about issues that may affect their child e.g. illnesses, bereavement and other significant upsets

We expect our **staff** to:

- Be examples of speech, attitudes and behaviour that are respectful of others including members of staff, parents and students
- Support the approach to discipline taken by the whole school as detailed by the Headmaster to ensure a consistent approach
- Remain calm, avoid shouting in recognition of its limited value
- Listen carefully to students
- Record all behaviour issues as required by the Headmaster on school systems like the 'BromCom System'
- Use specific praise liberally to acknowledge and encourage good behaviour both verbally and through school systems
- Take a keen interest in their students as individual people
- Follow the school's procedures for safeguarding

There are times when some students, despite encouragement, struggle to make positive choices that threaten their own learning or that of others. If this is the case then students will be directed to the silent working area to continue their learning outside of the classroom.

### **Detentions**

Where 'after-school' detention is to be used, parents will usually be given 24 hours' notice (either verbally or in writing), though the academy has no obligation to provide this. Some parents may agree to immediate after-school detentions that same evening, as this is likely to have more impact in modifying behaviours.

Parents may wish to discuss the implementation but cannot overrule the decision made by the school.

### **Managing behaviour during break and lunch times**

We expect all students to feel safe and happy during periods of social time. Children should feel safe to express themselves and socialise with their peers without experiencing negative consequences.

Students failing to behave appropriately outside of taught sessions, for example at break and lunchtime, may receive a sanction where appropriate. Senior staff have full discretion over the sanction which is dependent on the nature of the misbehaviour.

### **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:

- Emotional: being unfriendly, excluding others, tormenting
- Physical: hitting, kicking, pushing, taking another's belongings, any use of violence
- Direct or indirect verbal: name-calling, sarcasm, spreading rumours, teasing
- Sexual: explicit sexual remarks, display of sexual material, sexual gestures, unwanted physical attention, comments about sexual reputation or performance, or inappropriate touching
- Cyber-bullying: bullying that takes place online, such as through social networking sites, messaging apps or gaming sites
- Prejudice-based and discriminatory, including:
  - Racial
  - Faith-based
  - Gendered (sexist)
  - Homophobic/biphobic
  - Transphobic
  - Disability- based

This may present as taunts, gestures, graffiti or physical abuse focused on a particular characteristic (e.g. gender, race, sexuality)

*Please note: The school's strategy on preventing and dealing with incidents of bullying, can be located in the Anti-bullying Policy, available on the school website.*

### **Rewards**

In order to reward students for the high standards of behaviour that the school expects, students may receive:

- Verbal and written praise, for the students and their parents.
- Positive comments recorded on the school's information management system.
- Achievement points
- Recognition within the school and wider community through, for example, assemblies, certificates, celebration boards, commendation tea parties, celebration assemblies, newsletters and press releases, trips and visits.
- Their behaviour record will be taken into account when conferring upon them positions of responsibility (Head Girl/ Boy, prefects, sports captain etc.).

### **Sanctions**

The school will use sanctions to respond to unacceptable behaviour.

We will apply sanctions with fairness, consistency, flexibility and proportionality.

Where sanctions are used we will explain the reason for the sanction, what changes in behaviour are needed to avoid future sanctions, and that the sanctions are a response to the behaviour and not to the individual.

When deciding on appropriate sanctions the school will take into account: the age and the health of the student, any specific needs the student may have, their previous record of behaviour, the severity of the unacceptable behaviour and the likelihood of repetition, the extent to which the unacceptable behaviour may have affected others, where the unacceptable behaviour took place, and whether the student was a part of a group.

The following sanctions are available to the school but do not represent a staged approach of necessity and will be used in the order that an assessment of each individual suggests is best. For example, in some cases of particular need it may be necessary to move quickly to an external referral, in others to a permanent exclusion.

- Verbal or written reprimand
- Parental contact
- A negative comment recorded on the school's information management system.
- Removal from the classroom to another location within the school, usually the Silent Working area
- Teacher, Department, Head of Year or Senior Staff Detention
- Community service
- Loss of privileges including break, lunchtime, and school activities, events, visits and fixtures
- Confiscation of items, the possession or use of which, may contravene the school's rules
- Time spent in the Exclusion Unit
- Fixed term exclusion/ suspension
- Permanent exclusion

The Silent Working area and Exclusion Unit are places where children are situated for full days as a sanction. They are alternatives to a fixed term exclusion/ suspension and allow the children to be in a safe and supportive area with a member of staff.

There are facilities in these areas that allow for the continuation of learning. This learning may include live streamed lessons following the child's timetable, bespoke work delivered as part of a restorative programme, or online work set through the @home page on the school website, which matches the programmes of study the child would be following in class. Through pupils continuing to access learning during this time, the school aims to reduce gaps in learning that these children may otherwise incur and allow for smoother re-integration into the classroom where the pupil should be at a similar point in their work to the rest of the class.

### **Behaviour incidents occurring outside of the school premises**

Teachers have the power to discipline pupils for misbehaving *outside of* the school premises. This can relate to incidents occurring anywhere off the school premises, such as online, offline, on school or public transport, outside the local shops, or in a town or village centre.



Whilst we will endeavour to address behavioural concerns brought to our attention that happen outside of the school setting, we are restricted in our ability to investigate with all incidents posted on social media that are inaccessible to us.

Where behaviour incidents occurring outside of school are reported to school staff, they are investigated and acted upon. In all cases of misbehaviour or bullying, the teacher can only discipline the pupil on school premises, or elsewhere when the pupil is under the lawful control of the member of staff.

The Headmaster has a specific statutory power to discipline pupils for poor behaviour outside of the school premises. Section 89(5) of the Education and Inspections Act 2006 gives the Headteacher the power to regulate pupils' conduct when they are not on school premises, and therefore not under the lawful charge of a school staff member.

The Assistant Headteachers are responsible for determining whether it is appropriate to notify the police or the anti-social behaviour coordinator of the action taken against a pupil.

If the misbehaviour could be of a criminal nature or poses a serious threat to a member of the public, the police are always informed.

Students must not be involved in behaviours which could adversely affect the reputation of the school.

In general terms, if a student is in uniform or can be identified as a member of Benjamin Britten School, and they are on their way to or from the school, then they may remain the school's responsibility. Poor behaviour should be challenged and sanctions can be issued. Where bad behaviour occurs when a child is travelling to and from the school, the school reserves the right to issue a consequence, suspension or expulsion, particularly in relation to violent conduct e.g. a physical assault or bullying incidents.

Parents/carers are encouraged to report criminal behaviour, anti-social behaviour and serious bullying incidents that occur anywhere off the academy premises, which pose a threat to a member of the public or a child, to the police as soon as possible. If a member of the public, school staff, parent/carer or child reports criminal behaviour, anti-social behaviour or a serious bullying incident to the school, the year teams must be informed. If the year team considers that the misbehaviour is linked to a child suffering or being likely to suffer significant harm, the school's safeguarding policy will be followed. For safeguarding and health and safety reasons, very high standards of behaviour are expected on school residential and day trips. The school will use the same behaviour sanctions that are applied to incidents of misbehaviour that occur on the school site.

### **Police involvement in behavioural incidents**

Benjamin Britten School will involve the police in all matters where criminal activity has taken place or is suspected of having taken place. In addition, the school will inform the police of any intelligence which may support the police in preventing or tackling criminal activity.

A child and their family have the right to contact the police if they feel that a criminal offence has been committed.

### **Social care involvement in behavioural incidents**

Benjamin Britten School will involve the local authority social care in all matters where a breach of safeguarding is suspected to have taken place.

### **Suspensions and expulsions**

All decisions to suspend are serious and only taken where the breach of the school rules is serious. The following are examples of behaviours which may lead to suspension or expulsion:

- Failure to comply with a reasonable request from a senior member of staff
- Refusing to hand over items which are not allowed in the school
- Swearing
- Failure to wear school uniform which has been provided (where possible) for a child who is in incorrect uniform, is regarded as failure to comply with a reasonable request
- Repeated breaches of uniform policy
- Breaches of health and safety rules
- Verbal abuse of staff, other adults or children
- Possession of drugs and/or alcohol related offences
- Wilful damage to property
- Persistent defiance or disruption
- Homophobic/racist/sexist bullying
- Bullying
- Sexual misconduct
- Theft
- Making a false allegation against a member of staff
- Behaviour which calls into question the good name of the school/ Trust
- Failure to comply with the requirements of the school's behaviour policy
- Other serious breaches of expected behaviour standards

The decision to exclude a pupil permanently should only be taken:

- in response to a serious breach or persistent breaches of the school'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.

*(Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement September 2022)*

The Headmaster will make the judgement, in exceptional circumstances, where it is appropriate to expel/ permanently exclude a child for a first or 'one-off' offence.

These offences might include:

- serious, actual or threatened physical assault against other children or a member of staff
- sexual abuse or assault
- supplying an illegal drug
- possession of an illegal drug with intent to supply
- carrying an offensive weapon
- making a malicious and serious false allegation against a member of staff
- potentially placing children, staff and members of the public in significant danger or at risk of significant harm
- use or threat of use of an offensive weapon or prohibited item
- abuse against sexual orientation and gender identity
- abuse relating to disability
- inappropriate use of social media or online technology
- deliberate activation of the fire alarm without good intent
- repeated or serious misuse of the academy computers by hacking or other activities that compromise the integrity of the computer network or data security
- repeated verbal abuse of staff

This list is not exhaustive but indicates the severity of such offences and the fact that such behaviour can affect the safety and well-being of the school community. The Headmaster has the right to decide where poor behaviour warrants suspension, or in the most serious/persistent cases, an expulsion/ permanent exclusion.

### **Searching and confiscation**

The school's general power to discipline, as set out in Section 91 of the Education and Inspections Act 2006, enables a member of staff to confiscate, retain or dispose of a student's property as a disciplinary penalty, where reasonable to do so. School leaders will use their discretion to confiscate, retain and/or destroy any item found as a result of disciplinary action. Please refer to the DfE guidance, 'Searching, screening and confiscation: Advice for headteachers, school staff and governing bodies' for further information.

In addition to the practice identified in the DfE guidance, staff can seize any prohibited item found as a result of a search. They can also confiscate any item, however found, which they consider may be used to cause disruption or be harmful or detrimental to other members of the school community. These items include, but are not limited to, the following:

- tobacco/ vaping paraphernalia
- cigarette papers
- electronic equipment (including mobile phones and smart watches), jewellery and other expensive items
- alcohol, drugs/ drug related items
- fireworks

In the event the school believes it necessary to search a pupil or confiscate an item in their possession, this decision will be based on:

- The need to safeguard all pupils by confiscating harmful, illegal, or disruptive items
- The safeguarding needs and wellbeing of pupils suspected of possessing these items

Items confiscated by the school can be collected by parents/carers the same day, unless the school has chosen to dispose of them, e.g. cigarettes, alcohol, lighters.

Any item which staff consider to be dangerous or criminal, will be brought to the attention of a senior member of staff immediately.

Where the school finds controlled drugs, these will be delivered to the police as soon as possible. In certain circumstances (e.g. in the case of prescribed controlled drugs), the principal may dispose of these via a pharmacy in accordance with Trust policy (see Supporting Children with Medical Conditions Policy).

Where the academy finds other substances that are not believed to be controlled drugs, these can be confiscated where a teacher believes them to be harmful or detrimental to good order and discipline. This would include, for example, so-called legal highs. Where staff suspect a substance may be controlled, they should treat them as controlled drugs as outlined above.

Suspected stolen items, or items that have been used to commit, or can be reasonably assumed that they will be used to commit, an offence, will be delivered to the police as soon as reasonably practicable.

If a member of staff finds a pornographic image, they may dispose of the image unless its possession constitutes a specified offence (i.e. it is extreme or child pornography), in which case it must be delivered to the police as soon as reasonably practicable. Images found on a mobile phone or other electronic devices can be deleted unless it is necessary to pass them to the police or to retain the image whilst the academy carries out its own investigation.

## **CCTV**

Benjamin Britten School may use CCTV for the purpose of maintaining discipline and managing behaviour and safety.

## **Incidents where a pupil has made malicious allegations against school staff or other pupils**

Following investigation in accordance with the school's 'Statement of Procedures for Dealing with Allegations of Abuse Against Staff', any pupil who is found to have made a malicious allegation against a member of staff, or other pupils, will be issued with a sanction.

This sanction will take into context the pupil's individual circumstances and the nature of the allegation. The sanction may involve the pupil being placed in the silent working area or the exclusion unit.

Whilst under sanction, appropriate restorative work will be offered and a pastoral mentoring programme followed, completed under the guidance of the child's year team.

Affected staff will be offered a counselling service to support their wellbeing.

### **Support Strategies**

The school recognises its responsibilities to help our students to modify unacceptable behaviours and where appropriate and feasible provide an environment in which acceptable behaviours can develop. It also recognises the responsibility of students to help themselves and the crucial responsibility of parents to provide support too. Any support strategy will be most effective when it is based upon the agreement and cooperation of all those involved, not least the student, their parents or carers and the school staff.

Support strategies available to the school include:

- Progress report
- Behaviour contract
- Support programme from Student Inclusion staff
- Referral to the PRU is available although it is recognised that costs, including transport costs levied by local authorities may make this impracticable in some cases
- Alternative provision
- Referral to external support services
- Managed move
- Mentoring programme
- Common Assessment Framework

### **Physical Intervention (Use of reasonable force)**

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

Physical intervention by a member of staff should only be used as a last resort in order to prevent personal injury to the student or injury to others, to prevent serious damage to property, or in what may be reasonably regarded as exceptional circumstances.

Where physical intervention has been used to manage a student's behaviour, this must be reported to the Headmaster along with a written statement of the circumstances of the physical intervention, the names of those directly involved and of any witnesses.

Please refer to the DfE guidance 'Use of Reasonable Force' for more information.

## **Roles and Responsibilities**

It is the school's responsibility to ensure that teaching, learning and socialising take place in an environment that is safe and secure for all of its members.

The Headmaster, or his appointed representative, is responsible for the implementation and management of this policy.

Staff, in turn, will be responsible for ensuring that the policy is adhered to on a day-to-day basis. Staff, have a duty to model the high standards of behaviour expected of our students and to maintain the quality of learning and social environment in which good behaviour thrives.

The Headmaster will establish the Behaviour Policy, and will review it on a regular basis. He will ensure that all parents, carers, staff and students have reasonable access to this policy. The Headmaster will monitor the effectiveness of this policy by an annual review of behaviour in school which includes student interviews, visits to classes, visits to social time areas and an examination of statistics related to behaviour. This will be followed by a written and verbal report to the Governors. The Governors will support the Headmaster and staff in maintaining the school's high standards of behaviour.

Parents and carers are expected to take responsibility for their child both on and off of the school premises. They will be expected to work positively with the school in developing and maintaining high standards of behaviour from their child. Our students are the ones who ultimately have the most to gain from high standards of behaviour in, and outside of, the school community, and it is themselves who bear the greatest responsibility in maintaining these standards through self-discipline, mutual support and a willingness to report any incidents which they feel compromise the safety, security, learning and enjoyment of their fellow students and themselves.

## **Pupil Discipline Committee (PDC)**

In accordance with the DfE's 'Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement', a meeting of the PDC must be convened by the school when:

- a parent of a suspended child asks that a meeting is convened
- a child has received more than 15 days suspension in one term
- a recommendation of expulsion/ permanent exclusion is made by the Headmaster

The PDC comprises of three members of the Local Governing Body, who will hear the case and consider it impartially. Where sufficient representatives cannot be drawn from the Local Governing Body, Governors from other schools in the Trust can be used.

Depending on the length of the suspension/expulsion the PDC has varying degrees of authority.

Other than for suspensions of fewer than or equal to 5 days, parents have a right to attend, and make representations, at an initial meeting of the PDC. The Headmaster and other members of school staff may also be invited to present evidence to the committee.

Following the meeting, a letter will be sent to the parties, outlining the decision of the PDC and the rationale for that decision.

In the case of a suspension, where the committee decides to uphold the Headmaster's decision, there is no further right to internal appeal/review.

Where a student has been expelled/ permanently excluded and the PDC have upheld the decision of the Headmaster to expel, parents may request, in writing, that an independent review panel (IRP) be convened to review the decision of the PDC. An application for review must be in writing and set out the grounds of review; and made within the specified deadline (15 school days after the day on which notice in writing was given of the PDC's decision). This is particularly important in the case of an expulsion, where parents have a strict 15 school days to request an IRP.

Applications made after this deadline must be rejected.

The role of the IRP is to review the PDC's decision not to reinstate an expelled student. In reviewing the decision, the panel must consider the interests and circumstances of the expelled pupil, including the circumstances in which the pupil was expelled, and have regard to the interests of other pupils and people working in the school.

The IRP cannot insist on the reinstatement of a student.

It can however:

- uphold the PDC's decision not to reinstate;
- recommend that the PDC reconsiders reinstatement; or
- quash the PDC's decision and direct that the PDC reconsiders reinstatement.

This decision is binding on the parent, the PDC, the Headmaster, the Local Authority and the Trust.

If the IRP recommends or instructs the PDC to reconsider their original decision, then this meeting must be convened within 10 school days of being given written notice of the panel's decision.

**Links with other policies:**

This Behaviour Policy will be implemented in conjunction with the following school policies:

- Anti-bullying Policy
- Equality Information and Objectives
- Child Protection and Safeguarding Policy
- Special Educational Needs and Disabilities Policy
- Statement of Procedures for Dealing with Allegations of Abuse Against Staff (Policy)