Thomas Hinderwell
Behaviour and Ethos Policy

Document Management Information

Applicable to:	All staff in all Academies and Central Support Services including individuals employed by the Trust, contractors and agency staff. All Members and Trustees.
Development and Consultation:	The policy has been developed in accordance with the DfE guidance on Tacking and Preventing Bullying and as part of the Trust strategy to prevent sexual harassment and abuse in schools.
Dissemination:	The policy will be available to staff, ie via the Trust's Policy Centre
Implementation:	The policy will be implemented in all academies
Training:	Staff will receive training in understanding the different types of bullying, especially sexual abuse and harassment, and in how to respond consistently to reports. Staff will be aware of the relevant statutory guidance, including Keeping Children Safe in Education.
Review Frequency:	Three Years; the policy will also be reviewed earlier if needed in the light of new evidence/legislation/guidance.
Policy Author:	Regional Director
Executive Policy Owner:	Deputy Chief Executive
Approval by:	Level 2: Education Committee
Approval Date:	
Next Review Due:	August 2025

Revision History

Document version	Description of Revision	Date Approved
V0.1	Reviewed to reflect the DFE's Behaviour in Schools and Suspension and Permanent Exclusion updated guidance. Directly linked to the DRET Safeguarding Policy which has been reviewed to reflect the recommendations following the Ofsted review into Sexual Abuse in Schools and the requirement for all schools to have a well-coordinated strategy to prevent sexual harassment.	19/07/22

Contents:

1. Introduction
2. Policy Scope
3. Legal and Regulatory Framework
4. Definitions
5. Reporting and Consequences of Non-compliance
6. Roles and Responsibilities
7. Record Keeping
8. The Use of Reasonable Force
9. Banned Items
10. Searching, Screening and Confiscation
11. Conduct Beyond the Academy
12. Rewards for pupils
13. Sanctions for pupils
14. Suspensions
15. Permanent Exclusions
16. Lawful Sanctions
17. Responding to the behaviour of pupils with Special Educational Needs and/or Disability
18. Specific behaviours-
    - 18.1 Child on child sexual violence and sexual harassment
    - 18.2 Online Bullying
19. Appendix 1- Primary Specific
20. Appendix 2 – Secondary Specific
21. Appendix 3- Secondary code of conduct
22. Appendix 4-Searching, screening and confiscation template

Introduction

1.1. The David Ross Education Trust will ensure that schools within the Trust are safe, calm and have productive environments, where staff and students feel supported and that their work is valued.

1.1. The David Ross Education Trust (the Trust) is committed to promoting the welfare of all children. This policy reflects its responsibilities in ensuring all members of the Trust create a safe environment in which children can learn. Academies should create an environment in which children and staff show respect for one another and where they know what language and behaviour are acceptable.

1.2. The David Ross Education Trust will ensure that high standards and expectations of good behaviour pervade all aspects of school life including the culture, ethos and values of the school. All stakeholders should treat one another with dignity and respect.

1.3. Equally, we appreciate how important it is for students to learn and take seriously their academic studies. This must be at the heart of what we do, and to create a climate where every child, especially our most vulnerable, achieve their full potential in their academic studies, schools must have effective discipline, consistent practices and high expectations for all.

1.4. The Trust complies with the Public Sector Equality Duty (PSED) within the Equality Act which requires all academies to eliminate unlawful discrimination, harassment, victimisation and to foster good relations between those who share a protected characteristic and those who do not.

1. Policy Scope

1.1. This policy applies to all academies within the Trust.

1.2. It is the responsibility of all individuals in the Trust to familiarise themselves with this policy and comply with its provisions.

2. Legal and Regulatory Framework

2.1. This Policy takes its legal framework from the following legislation and statutory guidance:

- Keeping Children Safe in Education 2022.
- Equality Act 2010.
- Exclusion from Academies: Statutory Guidance (2017).
- Behaviour and Discipline in Schools (2016).
- Use of Reasonable Force – advice for all school leaders, staff and governing bodies (2013).
- The Independent School Standard Regulations (2014).
- National Minimum Standards for Boarding Schools (2015).

2.2. This policy is related to the following Trust policies:

- The Safeguarding and Child Protection.
- CPI – Safer intervention training.
- Equality, Diversity and Inclusion.
- Attendance.
- Anti-bullying.
- Special Educational Needs
- Supporting Pupils with Medical Needs
- Suspension Policy.

3. Definitions

3.1. **Trust** means all secondary academies within the David Ross Education Trust, as well as Head Office and central services operations.

3.2. **Executive Leadership Team** means the Chief Executive Officer ("CEO") and the direct line management reports of the CEO (the "Directors").

3.3. **Internal isolation** is a term used to describe a child having a part or full day removed from lessons and isolated from their peers as a consequence.

3.4. **Suspension** is the term used for a fixed term exclusion.

3.5. **Bullying** is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally.

3.6. **Permanent Exclusion** is the term used when a pupil is permanently removed from roll through a permanent exclusion process.

3.7. **Online bullying** occurs via text messages, social media or gaming, and can include the use of images and video.

3.8. **Child on child abuse:** This can take many forms including but not limited to abuse within intimate partner relationships, bullying, sexual violence and sexual harassment, physical abuse, sexting and initiation type violence and rituals.

3.9. **Sexual harassment** means unwanted conduct of a sexual nature that can occur online and offline and both inside and outside the academy. Child on child sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.

3.10. **SEND:** A pupil has special educational needs if he or she has a learning difficulty, or disability that require additional support, that is, different from or additional to pupils of the same age. A pupil has learning difficulties if he or she:

- Has a significantly greater difficulty in learning than the majority of pupils of the same age.
- Has a disability which prevents or hinders the pupil from making use of educational facilities of a kind generally provided for pupils of the same age.
- Is under compulsory school age and falls within the definition in the first two bullet points, or would do so if special educational provision was not made for the pupil.

3.11. **Reasonable adjustments:** The duty to make reasonable adjustments for pupils with SEND is anticipatory. It requires thought in advance to what disabled children and young people might require and what adjustments might need to be made to prevent disadvantage and include the provision of auxiliary aids and services.

3.12. **Education and Health Care plan (EHCP)** outlines any special education needs a pupil has, and the provision a local authority must put in place to help them. These were introduced in 2014 and gradually replaced **Statements** of SEN. Most children and young people should have transitioned from a statement to an EHCP

4. Reporting and Consequences of Non-Compliance

4.1. Academy Principals should inform the appropriate Director of Education of all matters relating to serious breaches of this policy, including any major incident to be addressed under this code of conduct promptly including any potential permanent exclusion. This should be addressed prior to action being taken insofar as is reasonably practicable.

5. Roles and responsibilities

5.1. The Principal

5.1.1. The Principal is responsible for ensuring all adults at the academy comply with the provision in this policy.

5.1.2. The Principal will routinely engage with pupils, parents and staff on setting and maintaining the behaviour culture and an environment where everyone feels safe and supported.

5.1.3. The Principal will ensure that all staff understand the behavioural expectations and the importance of maintaining them. This includes the induction of new staff to ensure they understand the rules and routines and how best to support pupils to participate in creating the culture within the school.

5.2. The staff

5.2.1. All staff have a responsibility to ensure the policy informs their day-to-day actions and that they apply the policy fairly and consistently. All colleagues will provide mutual support to colleagues, and modelling the social, emotional and behaviour skills and high standards of behaviour and punctuality expected from pupils.

5.2.2. All staff will uphold the whole-school approach to behaviour by teaching and modelling expected behaviour and positive relationships.

5.2.3. All staff will communicate the school's expectations, routines, values and standards both explicitly through teaching behaviour and in every interaction with pupils.

5.3. The parents/carers

5.3.1. Parents and carers have a responsibility for their child's behaviour inside and outside school, which they discharge by the standards they set and the way they encourage pupils' progress at home.

5.4. The pupils

5.4.1. Pupils have a role in shaping and promoting the Behaviour and Ethos Policy. The academy should ensure pupils feel safe in reporting incidents of bullying or intimidation.

6. Record keeping

6.1. The Trust will retain records evidencing compliance with this policy, as set out in the Trust's Data Retention Policy.

6.2. Academies will use child centric reporting and analysis regarding all forms of child on child abuse, including harassment and bullying. Incidents will be recorded. Records will delineate between different types of bullying (for example, homophobic, transphobic, racist etc.) Records of sexual harassment, including online, will be routinely analysed to identify patterns and intervene early to prevent abuse.

7. The use of reasonable force

7.1. Please refer to the Trust's policy on positive handling of pupils.

7.2. Members of staff have the power to use reasonable force to prevent pupils committing an offence, injuring themselves or others, or damaging property and to maintain good order and discipline at the school or among pupils

7.3. Headteachers and authorised school staff may also use such force as is reasonable given the circumstances when conducting a search for knives or weapons, alcohol, illegal drugs, stolen items, tobacco, fireworks, pornographic images or articles that they reasonably suspect have been or are likely to be used to commit an offence or cause harm. Force may not be used to search for other items banned under the school rules.

7.4. When considering using reasonable force staff should, in considering the risks, carefully recognise any specific vulnerabilities of the pupil, including SEND, mental health needs or medical conditions. There are circumstances when it is appropriate for academy staff to use reasonable force to safeguard children and young people. Staff will use their professional judgement when making decisions on whether or not to use reasonable force to control or restrain a child depending on individual circumstances. Staff will consider the additional risks presented by incidents involving children with SEN or disabilities or with medical conditions, and consider their duties under the Equality Act 2010 in relation to making reasonable adjustments, non-discrimination and their Public Sector Equality Duty.

7.5. The DSL (or deputy) will work with pastoral leaders to reduce the occurrence of challenging behaviour and the need to use reasonable force by implementing positive and proactive behaviour support mechanisms, for instance through drawing up individual behaviour plans for more vulnerable children and agreeing them with parents and carers.

8. Banned Items

8.1. The following items are banned from all Academy sites:

- Chewing gum
- Fizzy drinks
- Knives and blades
- Weapons
- Alcohol
- Illegal drugs and their associated paraphernalia
- Legal highs
- Equipment relating to the taking of illegal drugs
- E-cigarettes

- Tobacco
- Cigarette lighters
- Cigarette papers
- Fireworks
- Stolen items
- Pornographic images
- Items that the staff member might suspect has been or is likely to be used to commit an offence or cause personal injury/damage to property
- Aerosols
- Any other item that the academy deems will pose a threat to the safety of any member of the school community or is considered highly appropriate.

9. Searching, screening and confiscation

9.1. Academy staff can search pupils without their consent for any items, which are banned by academy rules. Please see the search/screening policy for further information.

9.2. School staff can confiscate, retain or dispose of a pupil's property as a disciplinary penalty in the same circumstances as other disciplinary penalties. The law protects staff from liability in any proceedings brought against them for any loss or damage to items they have confiscated, provided they acted lawfully. Staff should consider whether the confiscation is proportionate and consider any special circumstances relevant to the case.

9.3. 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 with support from the DSL (or deputy). 13. The headteacher should ensure that a sufficient number of staff are appropriately trained in how to lawfully and safely search a pupil who is not co-operating, so that these trained staff can support and advise other members of staff if this situation arises. However, it is vital that all staff understand their rights and the rights of the pupil who is being searched. The DSL (or deputy) should be informed of any searching incidents where the member of staff had reasonable grounds to suspect a pupil was in possession of a prohibited item. The staff member should also involve the DSL (or deputy) without delay if they believe that a search has revealed a safeguarding risk.

10. Conduct Beyond the Academy

We have an expectation that all children in our academies will uphold the values of Trust when they are engaged in the life of the community and will be positive role models

11.1 Any misbehaviour when the pupil is:

- Taking part in any Academy-organised or Academy-related activity
- Travelling to or from Academy
- Wearing the Academy uniform
- In some other way identifiable as a pupil at the school
- Or misbehaviour at any time, whether or not the conditions above apply, that:
    - Could have repercussions for the orderly running of the Academy
    - Poses a threat to another pupil or member of the public
    - Could adversely affect the reputation of the Academy
    -

12 Rewards for Pupils

12.1 Rewards provide public recognition of pupil's achievement and progress and help to raise pupils' motivation and expectations.

12.2 Acknowledging good behaviour encourages repetition and communicates the school community's expectations and values to all pupils. Using positive recognition and rewards provides an opportunity for all staff to reinforce the school's culture and ethos. Positive reinforcements and rewards should be applied clearly and fairly to reinforce the routines, expectations, and norms of the school's behaviour culture.

12.3 Academies will outline the specific approaches within the appendix.

13 Sanctions for Pupils

13.1 Sanctions should be used to help pupils make appropriate choices about their behaviour. Where they choose to breach the behaviour policy, pupils have a right to expect fair sanctions, applied consistently.

13.2 Sanctions used will either be used a deterrence, protection or encourage improvement:

- **deterrence:** sanctions can often be effective deterrents for a specific pupil or a general deterrent for all pupils at the school.
- **protection:** keeping pupils safe is a legal duty of all staff. A protective measure in response to inappropriate behaviour, for example, removing a pupil from a lesson, may be immediate or after assessment of risk.
- **improvement:** to support pupils to understand and meet the behaviour expectations of the school and reengage in meaningful education. Pupils will test boundaries, may find their emotions difficult to manage, or may have misinterpreted the rules. Pupils should be supported to understand and follow the rules. This may be via sanctions, reflective conversations or targeted pastoral support

13.3 The most appropriate sanction is one designed to put matters right and to encourage better behaviour in future. It is not appropriate, therefore, to punish whole groups for the misdemeanours of a few, or to impose a sanction that may humiliate pupils.

13.4 Where pupils make inappropriate choices about their behaviour and formal sanctions are necessary, the responsible adult who observes the behaviour should initially deal with the matter. In the case of serious misbehaviour, the pupil may be referred to more senior colleagues.

13.5 Academies will outline the specific approaches within the appendix.

14 Suspensions

14.1 Academies will commit to considering the following before suspending:

- Parents have been included in the decision-making process – (parents may not always agree but sharing your reasons for making the decision you have made is a courtesy which parents should be able to expect).
- Any safeguarding concerns which mean that academies may need to consider alternatives to exclusion, e.g. the academy cannot be confident that someone will be at home to support/supervise the pupil during the day.
- Does the pupil have any SEN needs which need to be met to ensure that they are able to engage fully with academy life? This may not eradicate the consequence but may involve work from SENDCo alongside to ensure that support is in place.
- Occasionally schools may need to negotiate the day of the exclusion with parents to ensure that supervision is appropriate and that parents are able to actively support the academy in the consequence. This is particularly the case for younger pupils. Schools can isolate the child

in the meantime if required. This does not undermine the consequence but ensures that relationships with families are maintained.

14.2 If a pupil is suspended, it means that they must be supervised at home for the period of time determined by the Head teacher/Principal. Only the Head teacher/Principal has the power to exclude a child (or deputy in absence) and this decision must be made following a full investigation.

15 Permanent exclusion

15.1 This is a last resort for any academy but there are occasions where this may be in the best interests of the pupil and/or for the wider academy body. The Trust supports its Head teachers and Principals in making such decisions, and to protect all staff we share the burden of such decision-making at Trust level. Any academy considering permanent exclusion should immediately contact another Head teacher or a member of central team for advice on next steps.

15.2 In cases of very serious incidents where a permanent exclusion is a possible outcome, this should be declared immediately - advice should be sought for how to educate the child whilst any investigation is underway

15.3 The Head teacher should, as far as possible, avoid permanently excluding any pupil with an EHC Plan or a looked after child.

16 Lawful sanctions

16.1 Teachers can sanction pupils whose conduct falls below the standard which could reasonably be expected of them. This means that if a pupil misbehaves, breaks a rule or fails to follow a reasonable instruction, the teacher can apply a sanction on that pupil.

16.2 Staff can issue sanctions any time pupils are in school or elsewhere under the charge of a member of staff, including on school visits. This also applies in certain circumstances when a pupil's misbehaviour occurs outside of school

16.3 In considering whether a sanction is reasonable in all circumstances, one must consider whether it is proportionate in the circumstances of the case and consider any special circumstances relevant to its imposition including the pupil's age, any special educational needs or disability they may have, and any religious requirements affecting them.

17 Responding to the behaviour of pupils with Special Educational Needs and/or Disability

17.1 Schools should consistently and fairly promote high standards of behaviour for all pupils and provide additional support where needed to ensure pupils can achieve and learn as well as possible.

17.2 School should not assume that because a pupil has SEND, it must have affected their behaviour on a particular occasion – this is a question of judgement for the school on the facts of the situation

17.3 Schools should be mindful that not all pupils requiring support with behaviour will have identified special educational needs or disabilities.

17.4 Schools should consider whether a pupil's SEND has contributed to the misbehaviour and if so, whether it is appropriate and lawful to sanction the pupil. In considering this, schools should refer to the Equality Act 2010 and schools guidance to ascertain whether the pupil understood the rule or instruction and whether the pupil was unable to act differently at this time as a result of their SEND.

17.5 The school should also consider whether any reasonable adjustments need to be made to the sanction in response to any disability the pupil may have. It is also important for the schools to seek to try and understand the underlying causes of behaviour and whether additional support is needed.

18 Specific behaviours

19.1 **Child on child sexual violence and sexual harassment**

19.2 All stakeholders should refer to the Trust's Safeguarding and Child Protection Policy

19.3 Child on child sexual violence and sexual harassment will not be tolerated at the Trust. All reports will be taken seriously including those allegedly occurring at the academy, off site, online and irrespective of when the incident occurred. All members of the Trust understand that it can take time for a child to come forward to talk about these harms and that they must be sensitive to the trust placed in them when a child chooses to disclose. Children who are victims of sexual violence and sexual harassment may find the experience stressful and distressing. It is very likely to adversely affect their educational attainment and will be exacerbated if the alleged perpetrator(s) attends the same academy. Staff will be trained to understand that some children are more susceptible to sexual violence and sexual harassment than others including girls and pupils with SEND. However, all reports of sexual violence or sexual harassment should be taken seriously and the victims will be reassured that they are being taken seriously, that they will be supported and kept safe.

19.4 Staff will be trained to understand that this can lead to a culture of unacceptable behaviours, an unsafe environment for children and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it.

19.5 Where a report of rape, assault by penetration or sexual assault is made, the DSL (or deputy) will refer this to the police. Where a report has been made to the Police, the DSL (or deputy) will agree what information can be disclosed to the alleged perpetrator and their parents.

19.6 All reports concerning sexual violence and sexual harassment will be recorded confidentially in the academy's secure safeguarding software. The DSL (or deputy) will be responsible for leading the investigation. Records will include the arrangements to support the victim, the review and amendment of risk assessments throughout the investigation and outcome arrangements, the support required for the alleged perpetrator as well as the records of any interaction with the safeguarding partnership and the children's parents or carers.

20 Online bullying

20.1 All stakeholders should refer to The DRET Anti-bullying Policy

20.2 Many online behaviour incidents amongst young people occur outside the school day and off the school premises. Parents are responsible for this behaviour. However, often incidents that occur online will affect the school culture. Schools should have the confidence to sanction pupils when their behaviour online poses a threat or causes harm to another pupil, and/or could have repercussions for the school.

20.3 If the bullying could be criminal or poses a serious threat to a member of the public, the police will always be informed. Academy staff will discipline pupils for bullying that occurs outside school, by imposing disciplinary sanction and implementing that sanction on academy premises or when the pupil is under the lawful control of school staff, for instance on an educational visit.

20.4 Where online bullying has been reported to academy staff, the electronic device, such as a mobile phone, will be seized by a member of staff who has been formally authorised to do so by the Principal. If an electronic device has been seized and a member of staff has reasonable ground to suspect that it contains evidence in relation to an offence, such as intimate images or nudes, the device will be given up to the police as soon as it is reasonably practicable without staff accessing any of the illegal material. Material on the device that is suspected to be evidence relevant to an offence, or that is a pornographic image of a child or an extreme pornographic image, will not be deleted prior to giving the device to the police. If a staff member finds material that they do not suspect contains evidence in relation to an offence, they must report this to the Principal or member of the leadership team to agree whether it is appropriate to delete or retain the material as evidence of a breach of academy discipline. This power applies to all schools and there is no need to have parental consent to search through a young person's mobile phone.

Appendix 1

Thomas Hinderwell Primary Rewards

- Pupils respond well to immediate praise from teachers and this can be reinforced when parents are notified.
- Praise is focused on effort rather than outcomes as research suggests this approach provides more incentive.
- 'Positive postcards' sent home for those children who have gone above and beyond within the school community to demonstrate one of our school values.
- Sending examples of work via MCAS so that pupils can share them with parents.
- House points are provided as rewards and pupils work towards achieving enough house points to join in 'house point Friday', a 20 minute session in which pupils choose an activity.
- Each week teachers identify stars of the week to receive a certificate in parent assembly.

Thomas Hinderwell Primary Sanctions for Pupils

7.1.1. At Thomas Hinderwell Primary Academy, certain behaviours are classified into certain stages with an appropriate step of response.

Stage	Pupil Behaviour	Sanction
1	Low level disruptive behaviour which may include not listening to instructions, calling out, not following group work rules, interrupting and making rude noises.	Teacher issues a reminder.
2	Continued Low level disruptive behaviour	Teacher issues an amber.
3	Disrespectful behaviour which may include speaking in a disrespectful way to another child or adult, answering back, walking away from an adult when they are speaking to you or continuing Stage 2 behaviour	Teacher issues a red. Child completes a 30 minute sanction with SLT, then a further 15 minute sanction at break or lunchtime.
4	Hurtful or dangerous behaviour which many include hitting or kicking another child, racist or homophobic name calling, swearing, fighting, stealing, threatening, child on child abuse, sexualised behaviours or continuing Stage 2/3 behaviour.	An internal suspension is issued.
5	Homophobic, dangerous and/or violent behaviour, racism, child on child abuse, sexualised behaviours	Suspension/permanent exclusion Follow DRET suspension guidance. Recorded on BROMCOM and CPOMs LA informed MAST informed if vulnerable child

How Thomas Hinderwell prevents repeat behaviours

Thomas Hinderwell adopts a range of initial intervention strategies to help pupils manage their behaviour and to reduce the likelihood of suspension and permanent exclusion. This is achieved by helping pupils understand behavioural expectations and by providing support for pupils who struggle to meet those expectations. Some pupils will need more support than others and this is provided as proactively as possible. It will often be necessary to deliver this support outside of the classroom, in small groups, or in one-to-one activities.

Thomas Hinderwell have weekly pastoral meetings to ensure relevant members of leadership and pastoral staff are aware of any pupil persistently misbehaving, whose behaviour is not improving following low-level sanctions, or whose behaviour reflects a sudden change from previous patterns of behaviour.

Behaviour patterns are analysed weekly in pastoral meetings and if necessary, children are given a report card to allow the child, staff and parents to work together to monitor behaviour. Extra staff are outside at lunchtime to support those children who struggle with unstructured times.

Thomas Hinderwell Primary Academy intervention

- frequent and open engagement with parents, including home visits if deemed necessary
- providing mentoring and coaching
- short-term behaviour report cards or longer-term safety plans
- engaging with local partners and agencies to address specific challenges such as poor anger management, a lack of resilience and difficulties with peer relationships and social skills, nurture sessions and zones of regulation.

What Thomas Hinderwell Primary does when there are specific/serious concerns regarding behaviour

Where we have serious concerns about a pupil's behaviour, we consider whether a multi-agency assessment such as an early help assessment or statutory assessment that goes beyond the pupil's educational needs is required (see guidance Working together to safeguard children).

Initial intervention to address underlying factors leading to misbehaviour includes an assessment of whether appropriate provision is in place to support any SEND that a pupil may have. The 'graduated response' should be used to assess, plan, deliver and then review the needs of the pupil and the impact of the support being provided. If the pupil has an Education, Health and Care plan (EHCP), early contact with the local authority about the behavioural issues would be appropriate and an emergency review of the plan might be needed.