



The Circle Trust Document: Behaviour Policy

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Approver:	Trustees
Owner:	School Improvement
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Changes History:

Version	Date	Amended by:	Substantive changes:	Purpose
1.0	25.5.18	Exec Head	New Document	First release
1.1	25.2.21	Executive Head	Substantial re-write	First review
1.1	11.3.21	DHT	Adapt and Adopt for The Emmbrook School	First release
1.1	27.4.21	Local Advisory Board	No further changes	Approved by Emmbrook School LAB

1. Purpose of the Policy

- 1.1. The primary purpose of this policy is to set out the principles for securing high standards of behaviour.

2. Introduction

- 2.1. This school promotes high standards of behaviour to ensure that every pupil is able to benefit from a safe and positive learning environment.
- 2.2. The law states: Every school must have a behaviour policy and that this policy is available for the Parent(s)/Carer(s). As such this policy is published on the school website or a hard copy can be requested by contacting the school reception.
- 2.3. Sanctions: the law permits various sanctions (sometimes called punishment).
- 2.4. The Headteacher has the legal right (which he/she delegates to designated staff) to impose all sanctions outlined in this policy without the agreement of the Parent(s)/Carer(s).
- 2.5. Teachers have statutory authority to discipline pupils for misbehaviour and for failure to follow reasonable instructions (Education and Inspections Act 2006 Section 90 and 91). This power extends to the disciplining of pupils in school and during educational visits or special events.
- 2.6. The power to discipline also applies to all teaching and support staff with responsibility for pupils.
- 2.7. Teachers can confiscate pupils' property.
- 2.8. Detention: The Parent(s)/Carer(s) consent is not required for detentions neither does the school have to give the Parent(s)/Carer(s) notice of after school detentions nor does the school have to explain the reason for the detention.
- 2.9. To be lawful any sanction must satisfy the following three conditions:
- 2.10. The decision to sanction a pupil must be made by a paid member of school staff
- 2.11. The decision to sanction a pupil and the punishment itself must be made on the school premises or whilst the pupil is under the charge of a member of staff: and
- 2.12. Must not breach any other legislation (for example disability, special educational need, race and other equalities and human rights) and must be reasonable in all the circumstances.

- 2.13. Physical contact: whilst corporal punishment is illegal, school staff can use reasonable force to control and restrain pupils where appropriate and in line with “Use of reasonable force Advice for Headteachers, staff and governing bodies” July 2013 [here](#).

3. The Aims and Objectives of the Behaviour Policy

- 3.1. The Circle Trust has developed this policy to set out the principles a school expects in relation to standards of behaviour. This policy:
- 3.2. Promotes learning by encouraging high standards of behaviour
- 3.3. Ensures that consequences of poor behaviour are dealt with fully and fairly and consistently.

4. The Benefits of an effective Behaviour Policy

- 4.1. An effective Behaviour Policy shows all stakeholders that the school manages behaviour in a fair, transparent, consistent, considered and responsible way.

5. The Structure and Administration of the Behaviour Policy

- 5.1. The Trustees:
- 5.2. Agree the Behaviour Policy, ensuring the policy is in line with The Circle Trust’s core values
- 5.3. In accordance with “Exclusion from maintained schools, academies and pupil referral units in England Statutory guidance for those with legal responsibilities in relation to exclusion” September 2017 [here](#)
- 5.4. Delegate authority to Local Advisors to convene Disciplinary Committee to consider parental representation regarding fixed or permanent exclusions
- 5.5. Arrange if required an Independent Review Panel to review a Local Advisors Discipline Committee decision not to reinstate a permanently excluded pupil
- 5.6. Regularly review the Behaviour Policy
- 5.7. The Executive Headteacher will:
- 5.8. Operationally adhere to the Behaviour Policy
- 5.9. Monitor and review the management of the Behaviour Policy
- 5.10. Local Advisors will:
- 5.11. Adapt and Adopt the Behaviour Policy for their school

- 5.12. Approve standards and Expectations of Behaviour set out in **Appendix A**
- 5.13. Approve rewards system set out in **Appendix B**
- 5.14. Approve sanction system set out in **Appendix C**
- 5.15. Receive regular reporting on standards of behaviours from the Headteacher
- 5.16. In accordance with “Exclusion from maintained schools, academies and pupil referral units in England Statutory guidance for those with legal responsibilities in relation to exclusion” September 2017 [here](#) convene and serve on a Local Advisor Discipline Committee.
- 5.17. A Headteacher will:
- 5.18. Operationally adhere to the Behaviour Policy
- 5.19. Lead and develop for their school:
- 5.20. Standards and Expectations of Behaviour set out in **Appendix A**
- 5.21. Rewards system set out in **Appendix B**
- 5.22. Sanction system set out in **Appendix C**
- 5.23. Ensure all members of staff are aware of, understand and consistently adhere to the Behaviour Policy
- 5.24. Record and regularly report standards of Behaviour to Local Advisors
- 5.25. Act in accordance with “Exclusion from maintained schools, academies and pupil referral units in England Statutory guidance for those with legal responsibilities in relation to exclusion” September 2017 [here](#).

6. Standards and Expectations of Behaviour

- 6.1. This school encourages high standards of behaviour through a mixture of high expectations, clear procedures and an ethos that fosters self-control and mutual respect.
- 6.2. This school has simple rules and guidelines for pupil conduct. Guidelines for this school are designed to encourage high standards of behaviour are set out in Appendix A
- 6.3. Expectations of behaviour are developed to support orderly learning and safety of the school community. Basic expectations of all pupils include:
- 6.4. Display courtesy, consideration and tolerance for others

- 6.5. Follow instructions given by all members of staff
- 6.6. Attend school in full uniform, worn correctly, on time with the correct equipment and being punctual to all lessons
- 6.7. Complete work to the best of ability
- 6.8. Respect the school environment, equipment and facilities

7. Rewards

- 7.1. High standards of behaviour are encouraged and where appropriate rewarded.
- 7.2. This school uses a range of options and rewards to reinforce and praise good behaviour. Rewards recognise exceptional conduct and achievement across an academic year and are awarded as set out in Appendix B

8. Sanctions

- 8.1. The aim of a sanction is to help a pupil to understand the consequences of their actions.
- 8.2. Sanctions are applied in a fair and consistent way as a consequence of poor or inappropriate behaviour.
- 8.3. Sanctions can be applied for incidents outside of the school grounds e.g. on the way to and from school; on school trips etc. They may also be applied if a pupil brings the school into disrepute.
- 8.4. As a response to a pupil falling below the standards and expectations of behaviour the school may set a range of sanctions set out in Appendix C.

9. Expressing concern about a sanction

- 9.1. Parent(s)/Carer(s) have the right to raise concerns regarding imposition of a sanction however there is a clear expectation that the Parent(s)/Carer(s) will support the school and take its judgement as one that is professional and undertaken in the best interest of their child and the whole school community.
- 9.2. Disagreement with the imposition of a sanction is not itself grounds for complaint. If a Parent(s)/Carer(s) disagrees with a sanction their child has received, they can seek to resolve the matter and should contact the members of staff below in the order given:
- 9.3. The member of staff who imposed the sanction
- 9.4. The Headteacher

- 9.5. If after the steps above have been followed and when a Parent(s)/Carer(s) is still not satisfied then they can make a complaint as set out in The Circle Trust's Complaints Policy [here](#).
- 9.6. If the sanction involves a fixed term or permanent exclusion, then separate processes for making representations apply. Representations about the imposition of a fixed term or permanent exclusion are not dealt with under the Complaints Policy. Statutory guidance sets out the process that will apply, depending on the level of sanction applied. The Parent(s)/Carer(s) are advised of these rights in writing when a fixed term or permanent exclusion is set.

10. Exclusion

- 10.1. All exclusions must be in accordance with "Exclusion from maintained schools, academies and pupil referral units in England Statutory guidance for those with legal responsibilities in relation to exclusion" September 2017 [here](#).
- 10.2. Only the Headteacher can exclude a pupil.
- 10.3. A pupil can be excluded for one or more fixed periods (up to a maximum of 45 days in an academic year) or permanently.
- 10.4. A fixed period exclusion can be part of the school day. For example a pupil may be excluded from the school premises during lunchtime.
- 10.5. It is a legal requirement and duty of the Headteacher to notify the Parent(s)/Carer(s) of an exclusion.
- 10.6. When establishing the facts in relation to an exclusion decision the Headteacher must apply the civil standard of proof i.e. "on the balance of probabilities" it is more likely than not that a fact is true, rather than the criminal standard of "beyond all reasonable doubt". This means the Headteacher should accept that something happened if it is more likely that it happened than it did not happen.
- 10.7. The decision to permanently exclude will only be taken:
- 10.8. In response to a serious breach or persistent breaches of the school behaviour policy (this document); and
- 10.9. Where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.
- 10.10. In the case of a permanent exclusion or an exclusion exceeding 5 days the Headteacher will without delay notify the Local Advisory Board and the Home Local Authority of the pupil.

- 10.11. The Local Advisory Board has a duty to consider parental or carer representation about an exclusion and they will discharge this duty by calling a Local Advisor Discipline Committee made up of at least 3 Local Advisors.

11. Pupils' conduct outside of the school gates

- 11.1. The behaviour of pupils outside school can be considered as grounds for exclusion, this is a matter of judgement for the Headteacher.
- 11.2. This school may discipline pupils for misbehaviour when a pupil is:
 - 11.3. Taking part in any school-related activity
 - 11.4. Travelling to or from school
 - 11.5. Whilst wearing school uniform
- 11.6. Or if the misbehaviour could have repercussions for the orderly running of the school or poses a threat to another pupil or could adversely affect the reputation of the school.

12. Setting of detentions

- 12.1. If a detention is set during break or lunchtime reasonable time will be given to the pupil to eat and refresh.
- 12.2. If a detention is set after school the member of staff setting the detention will take into consideration the following points:
 - 12.3. Whether the detention will put the pupil at risk
 - 12.4. Whether the pupil has caring responsibilities
 - 12.5. Whether the pupil has suitable travel arrangements (the onus is on the Parent(s)/Carer(s) to make suitable arrangements).
 - 12.6. This school will make reasonable efforts to advise Parent(s)/Carer(s) regarding the reason for a detention and when these are set

13. Confiscation

- 13.1. This school allows a member of staff to confiscate, retain or dispose of a pupil's property as punishment so long as it is reasonable in the circumstances.
- 13.2. The law protects member of staff from the liability for damage to, or loss of, any confiscated items so long as they have acted lawfully.
- 13.3. This school may:

- 13.4. Return the confiscated item at the end of the school day to the pupil
- 13.5. Return the confiscated item after a longer period e.g. released on the last day of a term
- 13.6. Return the confiscated item to the Parent(s)/Carer(s)
- 13.7. Any weapon, knives, illegal drugs or extreme pornography will be handed to the Police.

14. Searching and screening

- 14.1. As outlined in the DfE guidance for Searching, Screening and Confiscation: Advice for Headteachers and School Staff, January 2018 [here](#), members of staff can search pupils with their consent for any item. This does not require formal consent.
- 14.2. Searching or screening in this school can only be authorised by the Headteacher
- 14.3. Banned items can be searched for without consent when searching for an item that can be used to commit an offence or cause harm. Banned items on school premises or in an area where a member of staff has lawful control or charge of pupils include:
 - 14.4. Aerosols
 - 14.5. Alcohol
 - 14.6. Stolen items
 - 14.7. Energy drinks
 - 14.8. Smoking paraphernalia (including e-cigarettes)
 - 14.9. Fireworks
 - 14.10. Pornographic images
 - 14.11. Illegal substances
 - 14.12. Matches/Lighters
 - 14.13. Knives/Weapons
 - 14.14. Laser Pens
 - 14.15. Any article that has been or is likely to be used to commit an offence, cause injury or damage to property
- 14.16. Under common law, a member of staff may search lockers provided the pupil is in agreement
- 14.17. If a pupil does not consent to a search or withdraws consent then it is still permissible for a member of staff to search a locker without consent only with the permission of the Headteacher and with the intent to seek of prohibited items

15. Dealing with Mobile Phones and other Electronic Devices

- 15.1. The decision to permit pupils to have in their possession or use mobile phones on the school site is at the discretion of the Headteacher.
- 15.2. Pupils, with their Parent(s)/Carer(s), permission bring a mobile phone into school at their own risk. This school is not liable for loss or damage to a phone and as such recommends that very expensive phones are not brought into school.
- 15.3. Mobile phones may also be confiscated.
- 15.4. This school permits a member of staff (nominated by the Headteacher) to examine the content of electronic devices if there is good reason to do so.
- 15.5. If offensive or inappropriate material that could cause intended or unintended harm is found, they may retain the device or they may erase the material if there is good reason to do so. If the material is of a very serious nature and certainly in respect of safeguarding a young person, it will require the involvement of the police.
- 15.6. The member of staff must have regard to following guidance issued by the Secretary of State when determining what might constitute “good reason”. This would include the member of staff reasonably suspecting that the data or file on the device in question has been, or could be, used to cause harm, to disrupt teaching or to go against the behaviour expectations of the school or a device used to deliberate cheat in an examination (internal or public).

16. Anti-bullying statement

- 16.1. In accordance with “Preventing and tackling bullying advice for Headteachers, staff and governing bodies” July 2017 [here](#) of any kind is unacceptable and will not be tolerated.

- 16.2. Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via text messages, social media or gaming, which can include the use of images and video) and is often motivated by prejudice against particular groups, for example on grounds of race, religion, gender, sexual orientation, special educational needs or disabilities, or because a child is adopted, in care or has caring responsibilities. It might be motivated by actual differences between children, or perceived differences. Bullying involves an imbalance of power between the perpetrator and the victim. This could involve perpetrators of bullying having control over the relationship which makes it difficult for those they bully to defend themselves. The imbalance of power can manifest itself in several ways, it may be physical, psychological (knowing what upsets someone), derive from an intellectual imbalance, or by having access to the support of a group, or the capacity to socially isolate. It can result in the intimidation of a person or persons through the threat of violence or by isolating them either physically or online.
- 16.3. Bullying, especially if left unaddressed, can have a devastating effect on individuals. It can be a barrier to their learning and have serious consequences for their mental health. Bullying which takes place at school does not only affect an individual during childhood but can have a lasting effect on their lives well into adulthood. By effectively preventing and tackling bullying, this school creates a safe, disciplined environment where pupils are able to learn and fulfil their potential.
- 16.4. This school's response to bullying does not start at the point at which a child has been bullied. This school is proactive in preventing bullying occurring in the first place. This involves talking to pupils about issues of difference, in lessons, through dedicated events or projects, or through assemblies.
- 16.5. This school creates an ethos of good behaviour where pupils treat one another and the school staff with respect because they know that this is the right way to behave. Values of respect for staff and other pupils, an understanding of the value of education, and a clear understanding of how our actions affect others permeate the whole school environment and are reinforced by staff and older pupils who set a good example to the rest.
- 16.6. In accordance with The Equality Act 2010 [here](#) this school has due regard to: eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act advance equality of opportunity between people who share a protected characteristic and people who do not share it. Fostering good relations between people who share a protected characteristic and people who do not share it.
- 16.7. This school does not tolerate provocative behaviour which includes:
- 16.8. Incitement of others to behave in a particular way that discriminates against a person(s) identity

- 16.9. The wearing of badges or insignia that cause offence
- 16.10. Identity based comments in the course of discussion in lessons.

- 16.11. This school does not tolerate violence or physical assault against a person or group because of their identity.
- 16.12. This school does not tolerate verbal abuse or threat
- 16.13. Derogatory name-calling, insults, identity jokes and language.
- 16.14. Ridicule of an individual for identity differences, e.g. food, music, dress, worship patterns.

- 16.15. This school does not tolerate possession/distribution of racist material
- 16.16. Bringing discriminatory materials such as leaflets, comics, magazines or computer software into school
- 16.17. Using the school's computer systems to access and distribute any discriminatory material
- 16.18. Attempts to recruit other students to discriminatory organizations and groups
- 16.19. Refusal to co-operate with other students because of their identity.

- 16.20. This school does not tolerate Social Media abuse.

- 17. All pupils and staff have the right to feel safe. No pupil or members of staff should ever feel threatened by another person's behaviour. Any reported bullying incident will be taken seriously and dealt with.
 - 17.1. Victims of bullying:
 - 17.1.1. Can expect to have the matter followed up and dealt with
 - 17.1.2. Can expect staff to listen sympathetically and privately.
 - 17.1.3. Can expect support and protection until the problem is solved. The nature and level of support will depend on the individual circumstances and the level of need. These can range from a quiet and supportive word from a teacher that knows the pupil well, providing formal counselling, engaging with parents, referring to local authority children's services, completing a Common Assessment Framework or referring to Child and Adolescent Mental Health Services (CAMHS).
 - 17.2. Those exhibiting bullying behaviour:
 - 17.2.1. Can expect to have their behaviour followed up and dealt with.
 - 17.2.2. Will be helped to understand why their behaviour is unacceptable and change their attitude.

17.3. Sanctions will apply to pupils who bully in order to show clearly that their behaviour is wrong. Disciplinary measures will be applied fairly, consistently, and reasonably taking account of any special educational needs or disabilities that the pupils may have and taking into account the needs of vulnerable pupils. It is also important to consider the motivations behind bullying behaviour and whether it reveals any concerns for the safety of the perpetrator. Where this is the case the child engaging in bullying may need support themselves.

17.4. Although bullying in itself is not a specific criminal offence, it is important to bear in mind that some types of harassing or threatening behaviour – or communications – could be a criminal offence, for example under the Protection from Harassment Act 1997, the Malicious Communications Act 1988, the Communications Act 2003, and the Public Order Act 1986. If school staff feel that an offence may have been committed they should seek assistance from the police. For example, under the Malicious Communications Act 1988, any person who sends an electronic communication which conveys a message which is indecent or grossly offensive, a threat, or information which is false and known or believed to be false by the sender, is guilty of an offence if their purpose in sending it was to cause distress or anxiety to the recipient.

17.5. Can expect their parent(s)/carer(s) to be informed.

17.6. The setting of standards with pupils regarding anti-bullying are promoted:

17.6.1. At whole-school level, through assemblies

17.6.2. At class level through the Personal, Social, Health and Careers Education (PSHCE) programme.

18. How pupils who are experiencing behavioural difficulties will be supported

18.1. Where it has been noted that behavioural concerns are becoming persistent or frequent this school will ensure that pre-emptive measures are taken to prevent the escalation of the difficulties and will offer the following support as a guideline:

18.1.1. Use of data to analyse patterns of behaviour

18.1.2. Contact with the Parent(s)/Carer(s) at an early stage. Regular contact if there is escalation

18.1.3. Placement on an internal Report and or Pastoral Support Plan using a staged and individualised approach

18.1.4. Rewards and celebration of successes – individualised if appropriate

18.1.5. Use of internal support systems as required e.g. mentoring

18.1.6. Referral to external support agencies where needed e.g. including GP, NHS services, trained professionals working in specialist CYPMHS (Children and Young People's Mental Health Services), voluntary organisations and other sources.

18.2. Behaviour difficulties can, in some cases, be an indicator mental health problems which manifest themselves in behaviour in accordance this school supports pupils in accordance with “Mental health and behaviour in schools” November 2018 [here](#).

18.2.1. Behavioural difficulties can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation. Please refer to The Circle Trust’s Safeguarding Policy [here](#).

18.3. Behavioural difficulties can be a result of unmet need, therefore this school will take a holistic view of patterns of behaviour, type of behaviour and impact of support strategies when determining the most appropriate sanction or indeed reward. Reasonable and appropriate adaption will be made to support pupils with special educational needs. Please refer to The Circle Trust’s Special Educational Needs and Disability Policy [here](#) where there is the risk of exclusion of a pupil with an Education Health and Care Plan (EHCP) or is a Looked After Child (LAC) the Headteacher will work in partnership with other external agencies to consider additional support. This will involve the consideration of calling an early annual review or interim/emergency review.

19. How Parent(s)/Carer(s) whose children are experiencing behavioural difficulties supported

19.1. The relationship between the school and the home is crucial in both ensuring academic success and in supporting those pupils who are experiencing behavioural difficulties. This school will always seek to build positive relationships with family members to enable a constructive partnership. Good communication is key and this will include:

19.1.1. Parents evenings, meetings and calls.

19.1.2. Letters home regarding child’s behaviour, including praise and positive feedback

19.1.3. Meetings at request with appropriate member of staff for early intervention

19.1.4. Referrals made to relevant agencies

19.1.5. Reintegration meetings to reflect on poor behaviour, working together to ensure future success.

19.1.6. Where necessary amended curricula or timetable to support a clear need.

Appendix A - Standards and Expectations of Behaviour at The Emmbrook School

I will

- Work to the best of my ability at all times and ask for help when needed
- Come to school with all the equipment I need to learn
- Demonstrate thoughtful and considerate behaviour
- Show respect and kindness to others in and out of school
- Follow the school rules and take responsibility for my actions and behaviour
- Attend regularly on time, in full uniform or dress code, well-presented and ready to learn
- Co-operate with all staff and follow reasonable instructions first time, every time
- Record, complete and submit homework or coursework on time
- Respect the school environment and the local community, and take a stance to ensure others do so as well
- Be responsible for taking communications to and from school
- Take pride in my school and work to make it 'excellent in all areas'
- Tell my form tutor or an adult they trust if they are worried or unhappy
- Use all electronic devices, social media and the internet safely, sensibly, legally and appropriately whether in the school or elsewhere.
- Follow reasonable instructions the first time they are delivered
- Abide by all COVID rules and regulation to keep myself and others safe at all times and in all places.

Appendix B - Rewards system at The Emmbrook School

At The Emmbrook School we believe in rewarding pupils' efforts and achievements. Positive behaviour and achievement are recognised in many ways:

- Congratulations
- Positive comments when marking
- Praise
- Rewards trips
- Certificates
- Nominations celebrated in an assembly
- Inclusion in events
- Responsibilities
- Acknowledgement of positive changes in behaviour
- Annual Prize Giving
- Trophies, prizes and badges
- Appropriate communication with home (good or bad) including letters, emails, calls, texts, postcards.
- Notes in the student planner
- Note on school record

The Emmbrook School

Appendix C – Sanction system at The Emmbrook School

Please refer to the 'Behaviour Protocols' booklet for details on school sanctions