



## Behaviour Policy

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## Contents

1	Aims .....	3
2	Scope and Application .....	5
3	Regulatory Framework .....	5
4	Publication and Availability.....	7
5	Definitions.....	7
6	Responsibility Statement and Allocation of Tasks .....	7
7	Promoting High Expectations of Good Behaviour .....	9
8	Responding to Unacceptable Behaviour.....	10
9	Lower to Mid Impact, Minor Breaches of Discipline/this Behaviour Policy .....	11
10	Higher Impact, Serious and/or Persistent Breaches of Discipline/this Behaviour Policy .....	11
11	Suspected Criminal Behaviour .....	13
12	Removal from the Classroom .....	14
13	Supporting those, who have been harmed .....	14
14	Intervention, Support and Reintegration .....	14
15	The Role of Parents.....	15
16	The Role of Pupils.....	16
17	Additional Needs.....	16
18	Safeguarding and Child-on-Child Abuse .....	17
19	Malicious Allegations .....	18
20	Use of Reasonable Force.....	18
21	Searching Pupils .....	18
22	Staff Training.....	19
23	Risk Assessment.....	19
24	Record Keeping .....	19

## Appendices

Appendix 1	Removal from the Classroom .....	21
Appendix 2	Rewards and Sanctions .....	22
Appendix 3	Investigations of Incidents and Alternative Action.....	27
Appendix 4	Prohibited and Banned Items .....	31

## 1 Aims

### 1.1 This is the Behaviour Policy of Kelvedon hatch Community Primary School (KHCPs).

It is a core aim of KHCPs that every member of the School community feels valued and respected, and that each person is treated fairly and well. The School is a caring community, whose values are built on mutual trust and respect for all. This Behaviour Policy is, therefore, designed to support the way in which all members of the School can live and work together in a supportive way. It aims to promote an environment where everyone feels happy, safe and secure and able to learn.

The School values each individual child and works with families, the community, and beyond, to offer diverse experiences and support for pupils and families in a caring and safe environment. The School develops children to be confident, life-long learners and compassionate, respectful members of their community and the world.

KHCPs always prioritises the safety of its children and staff. Everything done in School is underpinned by the KHCPs safeguarding procedures.

Strong relationships between staff and pupils are vital. KHCPs members of staff are fair and consistent with children (considering individual needs), enabling pupils to feel safe. Equally, all members of staff are approachable and there to help (not only to discipline), and all staff help the children to understand this.

### 1.2 The aims of this Policy are:

- 1.2.1 to create a calm, safe and supportive environment free from disruption in which pupils can thrive and flourish, both in and out of the classroom, and reach their full potential;
- 1.2.2 to create, promote and maintain high expectations of good behaviour amongst pupils through a whole-school approach to behaviour;
- 1.2.3 to actively promote and safeguard the welfare of KHCPs pupils and to protect all who come into contact with KHCPs from harm;
- 1.2.4 to ensure, so far as is possible, that every pupil of KHCPs is able to benefit from and make their full contribution to the life of KHCPs, consistent always with the needs of the KHCPs community;
- 1.2.5 to set out a clear and fair process for the proper investigations of allegations of poor behaviour and/or breaches of discipline;
- 1.2.6 to encourage pupils to accept responsibility for their behaviour;
- 1.2.7 to consider how negative behaviours can be prevented or prevented from recurring;
- 1.2.8 to enable staff to respond to incidents of misbehaviour promptly, predictably and with confidence;
- 1.2.9 to set out the sanctions available to KHCPs in the event of pupil misbehaviour;
- 1.2.10 to help promote a whole-school culture of safety, equality, inclusion and protection;
- 1.2.11 to promote the KHCPs core values of Fairness, Friendship, Responsibility, Respect, Honesty and Perseverance.

1.2.12 to reflect the KHCPS aim for all children to achieve their potential, enjoy their primary years and be given opportunities and experiences that they will remember for life. KHCPS pupils learn in a safe, secure and caring environment where their education, inclusion, wellbeing and social skills are promoted daily.

1.2.13 to reinforce KHCPS’ belief in the importance of relationships, ensuring that children feel valued, safe and secure, providing a sense of connection with a member of staff, and belonging to a whole-School community.

1.2.14 to reflect the values of the Essex Approach to understanding behaviour and supporting emotional wellbeing known as Trauma Perceptive Practice (TPP):

- Compassion and kindness;
- Hope;
- Connection and belonging.

KHCPS endeavours to ensure that these values run through all of its policies and practice, and uses the relational behaviour model, which is the TPP approach. The following table explains how this is applied:

Behaviour is something to	Interpret
Children and young people	are prone to make mistakes and are highly responsive to the environment and the context.
Behaviour management is predominantly through	relationships.
Children, who do not manage, should be	understood and included.
Boundaries and limits are to	keep everyone safe and to meet everyone’s needs.
Rules should be	developed together and adapted, where needed.
Consequences are	only used within a process of restore and repair.
‘Inappropriate’ behaviour is	a sign of unmet need, stress (difficulty in coping), lack of understanding and skills.
The causes of the difficulties are	mostly in the environment and within the context of relationships.
The solutions lie in	understanding what the behaviour tells us about the child and their need.
Practice and policy effectiveness are measured by	wellbeing and the capacity to adapt and make reasonable adjustments to meet the needs.

1.3 This Policy forms part of the KHCPS whole-school approach to promoting child safeguarding and wellbeing, which seeks to involve everyone at KHCPS to ensure that the best interests of pupils underpin and are at the heart of all decisions, systems, processes and policies.

- 1.4 Although this Policy is necessarily detailed, it is important to KHCPs that its policies and procedures are transparent, clear and easy to understand for staff, pupils, parents and carers. KHCPs welcomes feedback on how it can continue to improve its policies.

## 2 Scope and Application

- 2.1 This Policy applies to the whole of KHCPs including the Early Years Foundation Stage (EYFS).

- 2.2 This Policy and all other KHCPs policies on behaviour and discipline apply to all pupils at KHCPs, and at all times when a pupil is:

- in or at KHCPs (to include any period of remote education);
- representing KHCPs or wearing School uniform;
- travelling to or from KHCPs;
- on KHCPs-organised trips;
- associated with KHCPs at any time.

- 2.3 This Policy shall also apply to pupils at all times and places including out of school hours and off-school premises, in circumstances where failing to apply this Policy may:

- affect the health, safety or wellbeing of a member of the KHCPs community or a member of the public;
- have repercussions for the orderly running of KHCPs; or
- bring KHCPs into disrepute.

## 3 Regulatory Framework

- 3.1 This Policy has been prepared to meet KHCPs responsibilities under:

- Education Act 2002, as amended by the Education Act 2011;
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 as amended by The School Discipline (Pupil Exclusions and Reviews) (England) (Amendment) Regulations 2022;
- The Education and Inspections Act 2006;
- The Education Act 1996;
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended by the Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014;
- Education (Independent School Standards) Regulations 2014;
- Education and Skills Act 2008;
- Statutory framework for the Early Years Foundation Stage (DfE, September 2023);
- Children Act 1989;

- Childcare Act 2006;
- Data Protection Act 2018 and UK General Data Protection Regulation (**UK GDPR**);
- Human Rights Act 1998; and
- Equality Act 2010.

3.2 This Policy has regard to the following guidance and advice:

- **Keeping children safe in education** (Department for Education (DfE), September 2024) (**KCSIE**);
- **Working together to safeguard children** (HM Government, December 2023);
- **Information sharing advice for safeguarding practitioners** (HM Government, May 2024);
- **Behaviour in schools: advice for Headteachers and school staff 2022** (DfE, February 2024);
- **Preventing and tackling bullying, advice for Headteachers, staff and governing bodies** (DfE, July 2017)
- **Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement** (DfE, September 2023) (**Suspension and Permanent Exclusion Guidance**);
- **Use of reasonable force** (DfE, July 2013);
- **Searching, screening and confiscation** (DfE, July 2022);
- **Alternative provision** (DfE, January 2013) (**AP Guidance**);
- **Sharing nudes and semi-nudes: advice for education settings working with children and young people** (UKCIS, December 2020, updated March 2024);
- **Mental health and behaviour in schools** (DfE, November 2018);
- **Equality Act 2010: advice for schools** (DfE, June 2018);
- **Police and Criminal Evidence Act 1984 (PACE) PACE Code C** (Home Office, 2019);
- **Guidance for appropriate adults** (Home Office, April 2003);
- **Relationships education, relationships and sex education and health education** (DfE, June 2019, updated September 2021); and
- **The designated teacher for looked-after and previously looked-after children** (DfE, February 2018)

3.3 The following KHCPS and Trust policies, procedures and resource materials are relevant to this Policy and, where applicable, breaches of them will constitute a breach of this Behaviour Policy:

- KHCPS Anti-Bullying Policy;
- KHCPS Attendance Policy;

- KHCPs Relationships and Sex Education (RSE) Policy;
- DET Harmful Sexual Behaviour and Child-on-Child Abuse Policy;
- DET Online Safety Policy;
- DET Safeguarding and Child Protection Policy;
- DET Risk Assessment Policy for Pupil Welfare;
- DET Searching, Screening and Confiscation Policy;
- DET Special Educational Needs and Disability (SEND) Policy;
- DET Staff Code of Conduct;
- DET Uniform Policy; and
- DET Use of Reasonable Force and Physical Restraint Policy.

All DET policies are accessible [here](#). All KHCPs policies are accessible [here](#).

## 4 Publication and Availability

- 4.1 This Policy is published on the KHCPs website.
- 4.2 This Policy is available in hard copy on request.
- 4.3 A copy of the Policy is available for inspection from the KHCPs School Office during the school day.
- 4.4 This Policy can be made available in large print or another accessible format if required.

## 5 Definitions

- 5.1 Where the following words or phrases are used in this Policy:
  - References to DET or the Trust are references to Discovery Educational Trust, the **Academy Trust**
  - References to **parent** or **parents** means the natural or adoptive parents of the pupil (irrespective of whether they are or have ever been married, with whom the pupil lives, or whether they have contact with the pupil) as well as any person who is not the natural or adoptive parent of the pupil, but who has care of, or parental responsibility for, the pupil (e.g. foster carer/legal guardian).
  - References to **school days** mean Monday to Friday, when KHCPs is open to pupils during term time. The dates of terms are published on the KHCPs website.

## 6 Responsibility Statement and Allocation of Tasks

- 6.1 DET has overall responsibility for all matters which are the subject of this Policy.
- 6.2 DET is aware of its duties under the Equality Act 2010 and the requirement under S.149 of the Equality Act 2010 to meet the Public Sector Equality Duty. This means in carrying out its functions, the Trust is required to have due regard to the need to:

- eliminate discrimination and other conduct that is prohibited by the Act;
  - advance equality of opportunity between people, who share a protected characteristic, and people, who do not share it; and
  - foster good relations across all characteristics - between people, who share a protected characteristic, and people, who do not share it.
- 6.3 Any sanction imposed on a pupil will be legal and proportionate. The sanction will be reasonable in all the circumstances and account will be taken of the pupil’s age, any special educational needs or disability they may have, and any religious requirements affecting them.
- 6.4 In discharging its responsibilities under this Policy, the Trust expects school leaders and staff to undertake the following roles:
- 6.5 School leaders will:
- Be highly visible, routinely engage with pupils, parents and staff on setting and maintaining the behaviour culture and an environment where everyone feels safe and supported;
  - Play a crucial role in ensuring that all staff understand behavioural expectations and the importance of maintaining them;
  - Ensure that all new staff are inducted clearly into the KHCPS behaviour culture to ensure that they understand its rules and routines and how best to support all pupils to participate in creating the culture of the School;
  - Consider any appropriate training that is required for staff to meet their duties and functions under the Behaviour Policy;
  - Ensure that staff have adequate training on matters such as: how certain special educational needs, disabilities or mental health needs may, at times, affect a pupil’s behaviour;
  - Encourage engagement with experts, e.g. educational psychologists, counsellors and mental health support teams, to inform effective implementation and design of behaviour policies, and this links to the whole-school approach to mental health and wellbeing.
- 6.6 KHCPS staff will:
- model compassion and kindness, provide hope and support connection and belonging;
  - understand that any event in a child’s life can impact on how they think, feel and act;
  - use logical (natural) consequences rather than just simply punishments or sanctions;
  - provide routines, set limits and have boundaries;
  - prioritise relationships to ensure that all children feel safe and secure.
  - play an important role in developing a calm and safe environment for pupils, and establish clear boundaries of acceptable pupil behaviour;



- uphold the whole-school approach to behaviour by teaching and modelling expected behaviour and positive relationships; as defined in this Policy, in order that pupils can see examples of good habits, and are confident to ask for help when needed;
- challenge pupils to meet the School’s expectations and maintain boundaries of acceptable conduct;
- communicate School expectations, routines, values and standards both explicitly through teaching behaviour and in every interaction with pupils;
- regulate their own emotions and consider the impact of their own behaviour on School culture and how they can uphold the KHCPS rules and expectations in addition to those set out in the Trust Staff Code of Conduct.

6.7 In order to achieve this, the Trust has allocated the following tasks:

<b>Task</b>	<b>Allocated to</b>	<b>When / frequency of review</b>
Keeping the Policy up to date and compliant with the law and best practice	Headteacher (HT)	As a minimum annually, ideally termly, and as required
Reviewing induction and ongoing training for staff	HT	As required, and, at least, termly
Monitoring the implementation of the Policy, relevant risk assessments and any action taken in response, and evaluating effectiveness	HT	As a minimum annually, ideally termly, and as required
Seeking input from interested groups (such as pupils, staff, parents) to consider improvements to KHCPS processes under the Policy	HT	As a minimum annually, ideally termly, and as required
Formal annual review including effectiveness of Policy and procedures in promoting good behaviour, and trends relating to disciplinary measures taken	KHCPS Local School Committee (LSC)	As a minimum annually, and as required
Overall responsibility for content and implementation	DET	As a minimum annually.

## 7 Promoting High Expectations of Good Behaviour

7.1 KHCPS has high expectations for its children, while recognising that some children and young people have specific needs. The following expectations cover all times of the School day, and where children are representing the School out of hours or off site. This means that the School:

- encourages a positive attitude to learning within a safe, happy environment;
- promotes high expectations and enables pupils to become independent responsible learners;
- encourages a sense of respect for the community and the environment;
- believes that clear, consistent routines and systems are essential to support children and young people's development, and ensure the health, safety and wellbeing of everyone in the KHCPs community.

It is everyone's responsibility to remind and support children and young people where these expectations are not met. Equally, it is important to comment positively when they are. Staff model expected behaviours, attitudes and habits.

- 7.2 Pupils are educated about good behaviour through the KHCPs curriculum, PSHE, RSE and the KHCPs pastoral support systems. Pupils are encouraged to act responsibly and, through the operation of this Policy, to accept responsibility for their behaviour. This includes teaching pupils explicitly what good behaviour looks like (for example, through the teaching of good habits and routines).
- 7.3 KHCPs understands that rewards can be more effective than sanctions in motivating pupils. The ways in which KHCPs may reward good behaviour are detailed in Appendix 2.
- 7.4 KHCPs recognises that, where challenging behaviour is related to a pupil's disability, use of positive discipline and reward methods may enable it to manage the pupil's behaviour more effectively, and to improve their educational outcomes.
- 7.5 Where appropriate, staff should also consider any contributing factors that are identified after a behaviour incident has occurred, for example, if the pupil has suffered a bereavement, experienced abuse or neglect, has mental health needs, has been subject to bullying, has needs, including SEND (including any not previously identified), has been subject to criminal exploitation, or is experiencing significant challenges at home.

## **8 Responding to Unacceptable Behaviour**

- 8.1 Any behaviour that falls below expectations, for example, disruption to learning, unkind or inconsiderate actions, requires some level of intervention. Mindful that every interaction is an intervention, it is important to remember that the strongest approach to support a child is through their relationship with the adult. At all points, KHCPs staff try to ensure that a strong connection with the child having difficulties is maintained. The School uses positive recognition, as appropriate, to ensure that the children know that staff are still there, and that they recognise the children's effort and any changes that they have made.
- 8.2 When a member of KHCPs staff becomes aware of misbehaviour, they should respond in a consistent, fair, proportionate and timely manner in accordance with this Behaviour Policy, and, specifically, the Rewards and Sanctions detail at Appendix 2.
- 8.3 The first priority will be to ensure the safety of pupils, and de-escalation techniques can be used to prevent further behaviour issues arising. Staff will remind pupils of the expectations for behaviour.
- 8.4 KHCPs recognises that taking disciplinary action and providing appropriate support are not mutually exclusive actions. They can and should be used at the same time, if necessary.
- 8.5 KHCPs believes in the power of using restorative approaches. Such processes will not shy away from using consequences, such as loss of privileges, where logical. They also focus on the need to take responsibility for finding a constructive way forward for all concerned. This might

mean a sincere apology followed by an act of kindness. Such approaches encourage KHCPs children to think, not only of the consequences of their behaviour on themselves, but also to consider the impact of their actions on others:

In using these processes at KHCPs, four questions are asked:

- What happened?
- What were you feeling or thinking at the time?
- Who has been affected?
- What can we do to make things right? (What should happen next?).

This approach provides the children with an opportunity to reflect on what has happened and the impact that this may have had on others. They can then show the person that has been affected by their action that they are sorry.

## 9 Lower to Mid Impact, Minor Breaches of Discipline/this Behaviour Policy

- 9.1 KHCPs adopts a culture of openness and transparency and, where there are any concerns regarding breaches of discipline, contact should be made with KHCPs at the earliest opportunity. All concerns are taken seriously, including scenarios where suspicions or breaches of discipline appear minor.
- 9.2 KHCPs has pastoral support systems in place to assist pupils in managing their behaviour. A range of sanctions are available for those who breach this KHCPs Behaviour Policy. Refer to Appendix 2.
- 9.3 The decision to issue a sanction and the sanction itself must be made on the KHCPs premises or whilst the pupil is under the charge of the relevant member of staff.
- 9.4 Allegations, complaints or rumours of minor breaches of discipline are dealt with by staff as they occur. Staff may carry out informal investigations and/or interviews with the pupils involved. Low-level sanctions may be given following such processes. Refer to Appendix 2 for details of possible sanctions.
- 9.5 A minor breach of discipline may be referred to a senior member of staff and external agencies (where appropriate) prior to, during or following an informal investigation.
- 9.6 When considering the appropriate sanction, the risks posed to pupil welfare by an individual's behaviour will be assessed. This may include consideration of how any action taken, sanctions applied, or inaction may affect that individual's welfare and, where appropriate, how it may affect other pupils' welfare and/or the KHCPs community as a whole.

## 10 Higher Impact, Serious and/or Persistent Breaches of Discipline/this Behaviour Policy

- 10.1 Allegations, complaints or rumours of serious and/or persistent breaches of discipline should be referred to the HT.
- 10.2 The decision to issue a sanction and the sanction itself must be made on the KHCPs premises or whilst the pupil is under the charge of the relevant member of staff.
- 10.3 The main categories of misconduct, which are likely to be considered to be serious breaches of discipline include, but are not limited to:

- 10.3.1 Any form of bullying;
  - 10.3.2 Supply, which means providing or sharing (whether or not for money or other consideration), or facilitation of supply, e.g. sale, exchange or sharing (which includes promotion/advertisement or facilitating supply)/possession/use of drugs and solvents, or their paraphernalia or substances intended to resemble them, or alcohol or tobacco as prohibited by KHCPS;
  - 10.3.3 actual or attempted theft, blackmail, intimidation, cyber-based bullying or prejudice-based bullying, discriminatory-based bullying, behaviour or language or other potentially criminal offence, including being an accessory or conspirator;
  - 10.3.4 physical violence and/or abuse (which may include, but is not limited to, hitting, kicking, shaking, biting and hair pulling);
  - 10.3.5 physical or emotional abuse or harassment (to include behaviour that may be categorised as "banter", "just having a laugh", "part of growing up", "boys being boys" or "girls being girls");
  - 10.3.6 initiation/hazing-type violence and rituals (which may include, but is not limited to, activities involving harassment, abuse or humiliation used as a way of initiating a person into a group);
  - 10.3.7 sexual violence, sexual harassment and upskirting and other harmful/inappropriate sexual behaviour;
  - 10.3.8 consensual and non-consensual sharing of nudes and semi-nude images and/or videos;
  - 10.3.9 behaviour in contravention of the KHCPS policies on the acceptable use of technologies or online safety;
  - 10.3.10 supply or possession of pornography;
  - 10.3.11 behaviour, which may constitute a criminal offence, such as:
    - (a) possession or use of firearms, knives or other weapons;
    - (b) vandalism, defacement and/or destruction of school property.
  - 10.3.12 possession of prohibited items under section 550ZA (3) of the Education Act 1996 and Regulation 3 of the Schools (Specification and Disposal of Articles) regulations 2012. Refer to Appendix 4;
  - 10.3.13 possession of banned items as detailed in Appendix 4;
  - 10.3.14 persistent breaches of discipline or attitudes or behaviour, which are inconsistent with the KHCPS ethos;
  - 10.3.15 other misconduct, which affects the welfare of a member or members of the KHCPS community, or which brings KHCPS into disrepute (single or repeated episodes) on or off the KHCPS premises;
  - 10.3.16 other misconduct specifically provided for in this KHCPS Behaviour Policy.
- 10.4 KHCPS aims to operate within the principles of fairness and natural justice. A decision to

exclude a pupil permanently will only be taken:

- 10.4.1 in response to a serious breach and/or persistent breaches of the KHCPS Behaviour Policy; and
- 10.4.2 where allowing the pupil to remain in School would seriously harm the education and/or welfare of the pupil and/or others, such as KHCPS staff and/or pupils.
- 10.5 An allegation, complaint or rumour of a serious breach of discipline will be investigated in accordance with the procedures set out in Appendix 3.
- 10.6 Complainants will be taken seriously and KHCPS will carefully discharge its duty of care to both complainants and those pupils accused. Reporting concerns is encouraged by KHCPS. A complainant is not creating a problem by reporting an allegation, complaint or rumour and should not feel ashamed or embarrassed for making a report.
- 10.7 If the findings of the investigation, on the balance of probabilities, support the allegation, complaint or rumour of a serious breach of discipline, a disciplinary meeting may be held in accordance with the procedures set out in Appendix 3.
- 10.8 Appendix 2 sets out a non-exhaustive list of possible sanctions, which may be imposed for serious and/or persistent breaches of discipline/this Policy.
- 10.9 KHCPS always prioritises the safety and welfare of all staff and children, recognising that everyone is entitled to a safe and supportive environment. Any incident (verbal or physical), which compromises safety, can be perceived as harmful. Through training, School staff understand that this behaviour is not necessarily deliberate, rather it is often due to a stress response.
- 11 Suspected Criminal Behaviour**
- 11.1 Before investigating a behaviour incident, KHCPS will consider whether a criminal offence may have been committed and should be reported to the Police.
- 11.2 KHCPS will undertake the minimum investigation required to be able to establish this, and before making a decision, will consider its duty to safeguard KHCPS pupils (including any victims or alleged perpetrators) by assessing and balancing the risk of reporting the matter to the Police on the mental health and wellbeing of the pupil and others, as well as the risk of not making a report to the Police.
- 11.3 Where a report is made to the Police, KHCPS will not act in a way which could prejudice a criminal investigation or tip off anyone who may be involved. KHCPS will keep in mind that any records created (including witness statements) may be requested by the Police, Crown Prosecution or Defence Solicitors for use within criminal proceedings, with disclosure to other parties.
- 11.4 Depending on the individual circumstances of the case, and usually having liaised with the Police, KHCPS may decide to continue its investigation and impose sanctions.
- 11.5 KHCPS will follow the Trust Safeguarding and Child Protection Policy and its own safeguarding and child protection procedures at all times, and, when making a report to the Police, it may also be appropriate to make a report to Children's Social Care. This will usually be led by the Designated Safeguarding Lead (DSL).

## 12 Removal from the Classroom

12.1 Refer also to Appendix 1.

12.2 KHCPS will only remove a pupil from the classroom for serious disciplinary reasons, as a formal sanction under this Policy. Removal from the classroom is different to the use of separate spaces (for example, sensory/nurture rooms used for non-disciplinary reasons to meet a pupil's needs).

12.3 Removal from the classroom will happen when a reminder of expectations and warnings have been issued. A sanction will be set for the pupil. Removal from the classroom may occur for the following reasons, but this list should not be seen as exhaustive:

- to maintain the safety of all pupils, and to restore stability following an unreasonably high level of disruption;
- to enable disruptive pupils to be taken to a place where education can be continued in a managed environment; and
- to allow the pupil to regain calm in a safe space.

12.4 KHCPS will consider whether removal from the classroom is proportionate and will consider the circumstances of each individual case.

12.5 KHCPS will provide any pupil, who is removed from the classroom, with continuous meaningful education during any period of removal.

12.6 The HT will maintain overall strategic oversight of the use of removal from the classroom.

## 13 Supporting those, who have been harmed

KHCPS staff and children and young people receive the individual support that they need, in response to any incident where the behaviour has compromised the wellbeing of someone else, causing harm. Occasionally, there may be times, despite all reasonably practicable measures being taken, when prevention is unsuccessful, and someone is harmed. At these times, KHCPS ensures that this person (adult or child) is fully supported.

KHCPS always considers the following:

- Is the person physically safe and protected?
- Do they need immediate First Aid and medical treatment?
- Is there a need for immediate police involvement?
- ensure that they have the opportunity to talk about the incident, either with a trusted person or other independent service.
- give reassurance to reduce feelings of guilt and/or anxiety.

KHCPS recognises that some people are more at risk than others in their work, and, where this is the case, it ensures that there is appropriate support available.

## 14 Intervention, Support and Reintegration

14.1 KHCPS will, as far as practicable, adopt a range of initial intervention strategies to help pupils to manage their behaviour and reduce the likelihood of suspension and permanent exclusion. KHCPS has a system in place to ensure that leaders are aware of pupils whose behaviour is a cause for concern.

14.2 The range of intervention strategies that KHCPS will put in place include, but are not limited to:

- frequent and open engagement with parents;
- behaviour charts in classrooms;
- individual behaviour management plans;
- access to a “calm down” space;
- reduced timetables; and
- 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.

14.3 Where KHCPS has serious concerns about a pupil’s behaviour, it will consider appropriate interventions, including, but not limited to, whether an assessment of a pupil’s SEND is appropriate; where a pupil has an Education, Care and Health Plan (EHCP), whether an emergency review is appropriate and/or whether a multi-agency assessment is appropriate.

14.4 Following a sanction, KHCPS will consider appropriate strategies to help the pupil(s) involved understand how to improve their behaviour and meet the behaviour expectations of KHCPS. As far as reasonably practicable, this support will be delivered by appropriately trained designated staff.

14.5 KHCPS believes that understanding what the behaviour is communicating is the first part for planning a response.

The following documents detail ways to help KHCPS to understand behaviour:

- STAR Analysis;
- Three Stages to Supporting the Understanding of Behaviour – A TPP Guide;
- Behaviour Management Plans;
- Environmental Checklists for pupils with additional Social Emotional and Mental Health (SEMH) needs;
- A Tool for Understanding and Reframing Behaviour.

14.6 KHCPS will consider and apply appropriate strategies for the reintegration of a pupil following removal from the classroom or suspension.

## 15 **The Role of Parents**

15.1 KHCPS seeks to work in partnership with parents over matters of discipline and helping schools develop and maintain good behaviour, and it is part of the parents' obligations to KHCPS to support its Behaviour Policy.

15.2 KHCPS recognises that communicating the KHCPS Behaviour Policy to all members of the KHCPS community, including parents, is an important way of building and maintaining the KHCPS culture.

15.3 Where a parent has a concern about the management of behaviour, they should raise this

directly with KHCPs whilst continuing to work in partnership with them.

- 15.4 Parents will normally be informed as soon as reasonably practicable of any suspicion that their child has been involved in serious misconduct, but may be prevented from doing so immediately, e.g. by the Police, if they are involved.
- 15.5 Parents will be notified of any pending disciplinary action.
- 15.6 Parents will also be notified of disciplinary sanctions:
- imposed for persistent minor breaches of discipline; and
  - those imposed for serious breaches of discipline.
- 15.7 Parents will be consulted about the child's conduct and the application of this Policy to their child where KHCPs considers, in its professional judgement, that these give rise to a significant concern about pupil welfare.
- 15.8 Whenever the HT suspends or permanently excludes a pupil, they must, without delay, notify parents of the period of the suspension or permanent exclusion and the reason(s) for it, in accordance with section 51A Education Act 2002 and section 63. of the Suspension and Permanent Exclusion Guidance.

## 16 The Role of Pupils

- 16.1 Every pupil will be made aware of the KHCPs behaviour standards, expectations, pastoral support and the School's approach to a failure to meet required standards and consequence processes. Pupils will be taught that they have a duty to follow the KHCPs Behaviour Policy and uphold the KHCPs rules and should contribute to the KHCPs culture.
- 16.2 Pupils should be asked about their experience of behaviour and asked to provide feedback on the KHCPs behaviour culture. Every pupil will be supported to achieve the behaviour standards, including an induction process that familiarises them with the KHCPs behaviour culture.

## 17 Additional Needs

- 17.1 Where KHCPs has concerns about the behaviour, or risk of suspension or permanent exclusion, of a child with additional needs, a pupil with an EHCP or a looked after child, it should, in partnership with others (including the Local Authority (LA), where required), consider what additional support or alternative provision may be required. This should involve assessing the suitability of provision for a pupil's SEN or disability. Where a pupil has an EHCP, KHCPs should consider requesting an early annual review or interim/emergency review.
- 17.2 KHCPs will, as far as possible, attempt to anticipate likely triggers of misbehaviour and put in place support to prevent these. Any preventative measure should consider the specific circumstances and requirements of the pupil concerned.
- 17.3 The HT and the Trust must comply with their statutory duties in relation to SEN and disability and the Equality Act when administering the suspension and permanent exclusion process. This includes having regard to the SEND Code of Practice.
- 17.4 Whilst a suspension or permanent exclusion may still be an appropriate sanction, the HT should consider any contributing factors that are identified after an incident of poor behaviour



has occurred. For example, where it comes to light that the pupil has suffered a bereavement, has mental health issues or has been subject to bullying.

- 17.5 KHCPs will make reasonable adjustments for managing behaviour, which is related to a pupil's disability. Staff should seek advice from the HT if they are unsure about how to manage a pupil's behaviour where this is related to a disability.
- 17.6 If there is a concern that a pupil's behaviour is as a result of unmet educational or other needs, advice should be sought from the HT/KHCPs Special Educational Needs and Disability Coordinator (SENDCo), and further action, in accordance with the Trust's SEND Policy and the KHCPs SEN Information Report, will be considered.
- 17.7 Where a suspension or permanent exclusion is being considered, KHCPs will ensure that a pupil with a disability or special educational needs is able to present their case fully where their disability or special educational needs might hinder this.

## 18 Safeguarding and Child-on-Child Abuse

- 18.1 Some behaviour by a pupil towards another may be of such a nature that safeguarding concerns are raised. KHCPs will adopt a zero-tolerance approach to abuse in order to prevent harm to pupils. Safeguarding issues can manifest themselves via child-on-child abuse. This includes, but is not limited to:

- bullying (including cyber-bullying, prejudiced-based and discriminatory-based bullying);
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (which may include an online element which facilitates, threatens and/or encourages physical abuse);
- sexual violence and/or sexual harassment;
- causing somebody to engage in sexual activity without consent;
- upskirting and/or attempts to commit upskirting;
- consensual and non-consensual sharing of nudes and semi-nudes and or videos (also known as sexting or youth-produced sexual imagery); and
- initiation/hazing-type violence and rituals (which may include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element).

- 18.2 Child-on-child abuse can occur both inside and outside of KHCPs and may be taking place whilst not being reported. A "one size fits all" approach is not appropriate for all pupils, and a contextualised approach for more vulnerable pupils, victims of abuse and pupils with special educational needs and disabilities may be required. Certain behaviours, for example, dismissing sexual harassment as "just banter", "just having a laugh", "part of growing up", "boys being boys" or "girls being girls" can lead to a culture of unacceptable behaviours and create an unsafe environment for pupils. In worst case scenarios, dismissing sexual harassment can lead to a culture that normalises abuse and pupils accepting it as normal and not coming forward to report it.

- 18.3 Technology is a significant component in many safeguarding and wellbeing issues. Pupils are at risk of abuse online as well as face-to-face. This can take the form of abusive, harassing, and misogynistic messages, the non-consensual sharing of indecent images, especially around

chat groups, and the sharing of abusive images and pornography.

- 18.4 In line with the KHCPs aims and culture of openness and encouragement to report, the Trust's Harmful Sexual Behaviour and Child-on-Child Abuse Policy should be referred to. If behaviour matters give rise to a safeguarding concern, either in relation to the alleged victim(s) or perpetrator(s) or, more widely, in relation to ensuring the safety and welfare of pupils and/or staff, the DSL (or a deputy) should take a leading role in decision making and the procedures in the Trust's Safeguarding and Child Protection Policy and KHCPs procedures will take priority.

## 19 Malicious Allegations

- 19.1 Where a pupil makes an allegation, which is determined to be unsubstantiated, unfounded, false or malicious, the DSL will consider whether the pupil needs help or may have been abused by someone else, meaning that this may be a cry for help. A referral to external agencies may be appropriate in these circumstances. The HT will also consider whether to take disciplinary action against the pupil in accordance with this Policy.
- 19.2 Where such an allegation is made, appropriate support will be provided to the member(s) of staff affected.
- 19.3 KHCPs will consider a malicious allegation to be one where there is sufficient evidence, on the balance of probabilities, to disprove the allegation and that, by the same test, there is sufficient evidence that there has been a deliberate act to deceive.

## 20 Use of Reasonable Force

- 20.1 Corporal punishment is not used at KHCPs, and force must never be used as a form of punishment.
- 20.2 Any use of force by staff will be reasonable, proportionate and lawful. Reasonable force will be used in accordance with the Trust's Use of Reasonable Force and Physical Restraint Policy.

## 21 Searching Pupils

- 21.1 Refer also to the DET Searching, Screening and Confiscation Policy.
- 21.2 Under common law, school staff have the power to search a pupil for any item if the pupil agrees. KHCPs and Trust staff, as authorised by the DET Trust Board (TB) can, therefore, search for any item with pupil consent, but must ensure that the pupil understands the reason for the search, and how it will be conducted, so that the pupil's agreement is informed. The pupil must be given ample opportunity to ask questions. In seeking consent to search, the pupil's age, any disability, or special needs that the pupil may have, are considered.
- 21.3 KHCPs and Trust staff, as authorised by the DET TB, can search without the consent of the pupil, where they have reasonable grounds for suspecting that the pupil may have a prohibited or banned item. Reasonable grounds depend on circumstances, but could be, for example, hearing pupils talking about such an item, or noticing a pupil behaving in a way that causes them to suspect that a pupil is concealing a prohibited or banned item.
- 21.4 If a pupil is unwilling to cooperate with the search, KHCPs will consider why this is. If a search is necessary, but not required urgently, the staff member will seek advice from the HT or appropriate member of pastoral staff.
- 21.5 If a pupil refuses to cooperate with a search, the HT, and staff authorised by the HT, may use

reasonable force to search a pupil's possessions where they have reasonable grounds for suspecting that a pupil has an item prohibited by law in their possession (refer to Appendix 4 for a list of prohibited items). Reasonable force cannot be used to search for items that are banned by KHCPs. Refer to Appendix 4 for a list of banned items.

- 21.6 If a pupil continues to refuse to cooperate, they may be sanctioned in line with the KHCPs Behaviour Policy, where this is appropriate, in a consistent, fair and proportionate way.
- 21.7 Any search will be logged on CPOMS noting the rationale for, and the outcome of, the search.
- 21.8 KHCPs will follow the Trust Safeguarding and Child Protection Policy and its own procedures at all times if a safeguarding concern arises as a result of any actions connected with a search of a pupil.

## 22 Staff Training

- 22.1 KHCPs ensures that regular guidance and training is arranged on induction and at regular intervals thereafter so that staff and volunteers understand what is expected of them by this Policy and have the necessary knowledge and skills to carry out their roles. This includes:
- how staff can support pupils in meeting high standards of behaviour;
  - how staff can ensure that this Policy and sanctions are applied in a way that is consistent, fair, proportionate and predictable;
  - where applicable, to reflect the need of particular pupils.
- 22.2 The level and frequency of training depends on the role of the individual member of staff.
- 22.3 KHCPs maintains records of all staff training.

## 23 Risk Assessment

- 23.1 Where a concern about a pupil's welfare is identified, the risks to that pupil's welfare will be assessed and appropriate action will be taken to reduce the risks identified.
- 23.2 The format of risk assessment may vary and may be included as part of the KHCPs overall response to a welfare issue, including the use of CPOMS to record any concerns, individual behaviour management plans and One Plans, as appropriate. Regardless of the form used, the KHCPs approach to promoting pupil welfare will be systematic and pupil-focused.
- 23.3 The HT has overall responsibility for ensuring that matters, which affect pupil welfare, are adequately managed, and for ensuring that the relevant findings are implemented, monitored and evaluated as required.

## 24 Record Keeping

- 24.1 All records created in accordance with this Policy are managed in accordance with the DET Records Management Policy and Retention Schedules that apply to the retention and destruction of records.
- 24.2 KHCPs will establish and maintain a strong and effective system for data recording including all parts of behaviour culture that is collected from a range of sources and that is regularly objectively analysed and monitored by appropriate skilled staff.
- 24.3 KHCPs will keep a separate record on CPOMS for:

24.3.1 allegations and concerns reported in respect of:

- sexual harassment or sexual violence;
- bullying, discriminatory and prejudiced behaviour, either directly or indirectly, including racist, sexist, disability and homophobic/biphobic/transphobic bullying, use of derogatory language and racist incidents.

24.4 KHCPS will keep a record of any search by a member of staff for a 'prohibited item' and all searches conducted by police officers. This will be recorded in CPOMS.

24.5 KHCPS will keep a separate record of sanctions imposed for serious misbehaviour on CPOMS. The record will include:

- the name and Year Group of the pupil concerned;
- the nature and date of the offence;
- the sanction imposed and reason for it; and
- the name of the person imposing the sanction.

24.6 This record will be reviewed regularly by the HT so that patterns in behaviour can be identified and managed appropriately. This will also help if/when responding to any complaints about the way a case has been handled by KHCPS.

24.7 This record will be reviewed by the KHCPS LSC in order to evaluate all data recorded in order to meet its obligations under this Policy and, in particular, establish any trends (for example, in respect of particular socio-economical groups, or groups with a protected characteristic).

24.8 The records created in accordance with this Policy may contain personal data. The KHCPS use of this personal data will be in accordance with Data Protection law. The Trust has published on its website privacy notices, which explain how KHCPS will use personal data.

## Appendix 1 - Removal from the Classroom

- 1 Removal of a pupil from the classroom is an intervention which allows the pupil access to a distraction-free, calm space.
- 2 If the pupil continues to not uphold expectations, the pupil will be removed from the classroom. Some examples of why a pupil would be removed from the classroom are detailed here:
  - 2.1 to maintain the safety of all pupils and to restore stability following an unreasonably high level of disruption;
  - 2.2 to enable disruptive pupils to be taken to a place where work can be completed in a managed environment; and
  - 2.3 to allow the pupil to regain calm in a safe space.
  - 2.4 continuous rule breaking in class despite reminder, warning, sanction (parents will be called by the class teacher to share concerns);
  - 2.5 refusal to follow instructions inside the classroom;
  - 2.6 walking away from the classroom;
  - 2.7 swearing at another pupil/teacher in class;
  - 2.8 racism, bullying, misogyny or homophobia inside the classroom or whilst elsewhere on the KHCPs site.
- 3 It will be the responsibility of the HT to maintain overall oversight of KHCPs' arrangements for any removals.
- 4 When dealing with the removal of a pupil from the classroom, each case will be dealt with on its own individual facts and circumstances. The HT should:
  - 4.1 consider whether any assessment of underlying factors of disruptive behaviour is needed;
  - 4.2 facilitate reflection by the pupil on the behaviour that led to their removal from the classroom and what they can do to improve and avoid such behaviour in the future;
  - 4.3 ensure that pupils, where removed from the classroom for behaviour reasons, are never locked in the room of their removal;
  - 4.4 if a pupil has a Social Worker, including if they have a Child in Need Plan, a Child Protection Plan or are looked-after, notify their Social Worker, if the removal is part of a wider set of concerns about that child and their performance in school.
  - 4.5 if the pupil is looked-after, ensure that their Personal Education Plan is appropriately reviewed and amended, and notify their Virtual School Head.

## Appendix 2 - Rewards and Sanctions

### Rewards

The vast majority of children behave exceptionally at KHCPs every single lesson of every single day. The KHCPs rewards systems allow children, their parents and their teachers to see how well they are behaving and reflect sustained good work, effort and progress. They also reward attendance.

KHCPs recognises that a key part of developing the potential of its children is to give encouragement and praise. Praise is a key component of Discipline with Dignity, good teaching and good staff/children relationships. KHCPs members of staff are encouraged to actively look for opportunities to praise children, both within and beyond lessons. The School encourages its children to strive for excellence, which is interpreted as them being the best that they can be, regardless of ability. The School's system of rewards allows everyone to celebrate achievement, excellence and children's contribution in all aspects of School life.

The School's systems are as follows:

**Class Dojos, Star of the Week and Honours Certificates (bronze, silver, gold and platinum) can be awarded for all of the following:**

- An excellent piece of work (relative to the individual);
- Excellent effort;
- Good progress (relative to the individual);
- Improvement;
- Consistently good organisational skills;
- A positive contribution to the lesson;
- Courtesy;
- Consideration of others;
- Children, who have achieved their lesson or achievement targets;
- Taking pride in ourselves and our learning environment.

The School also rewards as follows:

- The class with the highest weekly attendance;
- Daily readers;
- 100% attendance (termly);
- Headteacher's Award (weekly);
- Times Tables Rockstar Award (regularly)
- P.E. Super Star

The School uses displays and notice boards to celebrate and publicise achievement in all spheres of School life.

When children start at KHCPs in Reception, the School's Behaviour Policy and rewards systems are discussed with parents at induction meetings. For children, who join the School mid-year, a senior member of staff also shares this information with parents.

When children start school in Reception, they are taught the School's behaviour expectations, and this is modelled to them by the adults. The use of the School's rewards systems is used to reinforce the excellent behaviour that is expected.

### Other Ways to Reward Children

The following are means of rewarding children that are available to staff at KHCPs:

- Assembly – praise from peers and teachers;
- Being sent to HT for 'well done' or to show work;

- Chart to display class points on the wall in classroom;
- Comment in reading diaries;
- Display work on the wall;
- ‘Compliment of the day’ text messages;
- Marking – stamps, written comments;
- Peer nomination (Social Moral Spiritual and Cultural “hands”);
- Phone calls home;
- Verbal praise.

This list is developed as new ideas evolve.

### **Behaviour for Learning Sanctions and Consequences**

If a pupil is disrupting the learning of others, they will be removed from the classroom.

KHCPs accepts and understands behaviour as a learning process. Children push limits, boundaries, and societal norms as part of their development. They may also react in different ways to stress, boredom, lack of understanding, over-excitement, and disappointment.

At KHCPs, members of staff view behaviour mistakes as inevitable. This means that children are offered support, help and guidance so that they can learn from their mistakes and improve for next time.

It is the role of fully developed adults, to help guide children and young people, to make helpful and positive choices when they can, by listening to them and explaining the impact their behaviour has on others (known as co-regulation).

KHCPs staff know that this is the best way to respond to children’s behaviour and maintain their relationship with them.

The approach that the School strives for is based on the premise of ‘connection before correction’.

### **The Use of Consequences**

Consequences can be a useful response to behaviours, remembering that some behaviours result in positive consequences. When responding to unwanted behaviour, the consequences used by KHCPs always have a clear link to the incident and help the child or young person to learn how to behave more appropriately should a similar situation occur, tailoring this to the needs of the individual.

It is helpful to view consequences as protective and/or educational. Best practice suggests that all protective consequences should run alongside educational consequences as it is unlikely that long-term behavioural change will occur without this.

**Protective Consequences:** these are required to protect the rights of others and keep a child or young person safe. At KHCPs, this may include:

- change of School day/timetable;
- arrangements for access to outside space;
- child or young person escorted in social situations;
- differentiated teaching space;
- appropriate use of suspension/permanent exclusion - using the time to reflect, amend plans and identify needs and other appropriate interventions to support the child or young person upon return.

**Educational Consequences:** at KHCPs, these consequences are used to teach, encourage, support and motivate the child or young person to behave differently next time, through better understanding. Examples include:

- ensuring that the child or young person completes the task that they have disrupted;
- rehearsing/modelling situations through intentional teaching of prosocial behaviour;

- ensuring that the child or young person assists with repairs, where they have caused damage (when possible and practical);
- intentionally providing educational opportunities for the child or young person to learn about the impact of certain actions and behaviours;
- providing the child or young person with an opportunity to ‘put things right’ through a process of reflecting, repairing and restoring relationships (a restorative approach is an example of one).

Unexpected Behaviour	Possible Consequences
<p><b>Relatively low impact</b></p> <p>Calling out</p> <p>Distracting others</p> <p>Refusal to complete assigned activity</p> <p>Being disrespectful to adults or peers</p> <p>Playing a little roughly at playtime</p> <p>One-off or infrequent incidents of not following class rules</p>	<p><b>Verbal interventions</b></p> <p>Positively phrased reminders (Hands up thank you)</p> <p>Praising other children doing the right thing</p> <p>Reference to the expected/unexpected behaviour visuals and a reminder of the consequences.</p> <p>Reflection support during breaktime or lunchtime with a trusted adult.</p> <p>Children should make things right (e.g. complete work) and apologise.</p>
<p><b>Mid impact</b></p> <p>Persistent demonstration of behaviours above despite verbal and visual interventions</p> <p>Swearing or unkind language directed at peers or adults</p> <p>One-off or infrequent playground behaviours as part of a game</p> <p>E.g. pushing, pulling, hitting, kicking, spitting</p> <p>Physical behaviour</p> <p>Low level damage to school or others’ property, e.g. drawing on books</p> <p>Deliberate mess making, e.g. throwing books/pencils on floor</p>	<p><b>Recorded in Behaviour Book</b></p> <p>I can see there is something wrong. I am here to help and listen. Tell me what happened.</p> <p>Staff to find out how the situation has developed and/or how it may be resolved.</p> <p>Children may need calming down time in a quiet space before they are ready to repair and restore.</p> <p>Reflection support during breaktime or lunchtime with a trusted adult.</p> <p>May not be permitted to take part in some activities, e.g. a club.</p> <p>Children should make things right (e.g. clear up mess) and apologise.</p> <p>Apology may need to be in writing.</p> <p>Class teacher may need to speak to parents.</p> <p>Recorded on CPOMS:  Date and time;  Names of all children involved;  Details of incident;  Record children’s exact words;  Record consequences.</p> <p>Senior Leadership Team (SLT) to monitor incidents on CPOMS .</p>



	Follow-up with teachers and pupils, where necessary.
<p><b>Higher impact</b></p> <p>Any form of bullying</p> <p>Online incidents</p> <p>Discriminatory behaviour or language (may be against race, colour, gender, religion, sexual orientation, disability, status)</p> <p>Significant, deliberate damage to School or others' property (needing to be dealt with by SLT)</p> <p>Significant, deliberate harmful behaviour (needing to be dealt with by SLT)</p> <p>Persistent disruptive behaviour that prevents others from learning.</p>	<p><b>Recorded on CPOMS</b></p> <p>Notify SLT.</p> <p>Opportunity for reflection.</p> <p>Restorative approach followed.</p> <p>Record incident on CPOMS using children's exact words (Category 'Discrimination' or 'Behaviour Incident').</p> <p>Parents notified by telephone by member of SLT.</p> <p>Outcome personalised based on previous behaviour, severity, response from pupil.</p> <p>Withdrawn or changes to timetable. Parents to be informed of decision by phone or face-to-face.</p> <p>If response leads to fixed term suspension, parents are notified in writing. Reintegration meeting to be held directly after fixed term suspension.</p>
<p><b>Harmful Sexual Behaviour (HSB)</b></p> <p>Any form of HSB must be recorded. This is on a continuum from relatively low level, age-appropriate behaviours to very high level, problematic or abusive behaviours</p> <p>Kiss Chase</p> <p>Using inappropriate, sexualised language</p> <p>Any inappropriate touch</p> <p>Smacking or pinching someone's bottom</p> <p>Touching someone's private parts</p> <p>Brushing or pushing into someone in an inappropriate way</p> <p>Masturbation</p> <p>Sexual violence and harassment</p> <p>Upskirting</p> <p>Youth-produced imagery</p>	<p><b>CPOMS</b></p> <p>Notify SLT.</p> <p>Opportunity for reflection.</p> <p>Restorative approach followed.</p> <p>Record incident on CPOMS using children's exact words (Category 'Pink Concern Form').</p> <p>Incident graded by SLT using the Brooks Traffic Light tool.</p> <p>Parents notified by telephone by member of SLT.</p> <p>Outcome personalised based on previous behaviour, severity, response from pupil.</p> <p>Withdrawn or changes to timetable. Parents to be informed of decision by phone or face-to-face.</p> <p>If response leads to suspension, parents are notified in writing.</p> <p>Reintegration meeting to be held directly after suspension.</p>

### Suspension and Permanent Exclusion from KHPCS

Only the HT has the power to impose a suspension or permanent exclusion from school. An 'Acting Head', who has been appointed to this position in the HT's absence, or when the HT post is vacant, will

also have this power. It is used in accordance with the latest guidance from the Department for Education (DfE) on exclusions. Currently *Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England including pupil movement – Guidance for maintained schools, academies, and pupil referral units in England (September 2022)*.

Suspension and permanent exclusion from School can take the form of:

- Suspension for a fixed term (including lunch time suspensions, which each count as half a day); or
- permanent exclusion.

Permanent exclusion from School will only be imposed for:

- significant higher impact behaviours, as listed above/a serious breach or breaches and/or persistent breaches of this Policy; and
- where allowing the pupil to remain in school would seriously harm the education and/or welfare of the pupil and/or others (such as staff and/or pupils) in the school.

It can also be applied for the following misdemeanours:

- Repeated failure to follow reasonable instructions from any member of staff;
- Walking away from a member of staff;
- Swearing directly or indirectly at a member of staff or child;
- Discriminatory comments, including racist and homophobic;
- Fighting or violence to other (including adults);
- Theft;
- Smoking/vaping;
- Bringing in inappropriate articles or materials into School;
- Causing personal injury (including to adults) or damage to property;
- Bullying;
- Persistent disruptive behaviour;
- Any other misdemeanour, as deemed appropriate by the HT.

Pupils may be withdrawn for an internal exclusion whilst an incident is fully investigated, and a period of reflection is allowed. Parents are informed of the exclusion via a letter given to the pupil, a copy of which is also sent home by post.

Parents are contacted each time a suspension/exclusion sanction occurs.

**The principles, guidance and procedure set out in the Suspension and Permanent Exclusion Guidance will be followed at all times.** This guidance forms the basis of the DET Exclusions Policy, which is available on the Trust website [here](#). This includes the statutory procedure for notifying parents, challenging the decision, and holding meetings/hearings, including the deadlines for these.

The HT may cancel (i.e. withdraw) any suspension or permanent exclusion for which a panel of the Local School Committee (LSC) or TB meeting has not yet commenced to review that decision. This may include where additional information has been received from the parents, Virtual School Head, Social Worker or other health or educational professional after the original decision was made.

In all cases, the HT will comply with the requirements of the Suspension and Permanent Exclusion Guidance in respect of notifying/reporting the cancellation to parents and others and offering a meeting with parents to explain the reasons for the cancellation.

**When investigating an incident involving behaviour in the wider community, KHCPS considers the following**

- Whether the Behaviour Policy and School rules have been broken;
- The severity of the misbehaviour;
- The extent to which the reputation of the School has been affected;
- Related to this, whether the pupil(s) were identifiable as a member of the School community;
- The extent to which the behaviour in question might have repercussions for the orderly running of the School and might pose a threat to another pupil or member of staff;
- Whether the misbehaviour in question was on the way to or from School, outside the School gates, or otherwise in close proximity to the School.

**If a pupil is found to have broken the Behaviour Policy and School rules in the wider community, staff treat this as a serious matter. The pupil can expect:**

- To be instructed by staff to behave in an acceptable manner, and to be disciplined on their return to School;
- To be referred to the HT and the DHT in their absence their Year Team;
- That their parents are contacted;
- To be issued with an appropriate sanction;
- If the misbehaviour could be classed as criminal or poses a serious threat to a member of the public, for the police to be informed.

## Appendix 3 - Investigations of Incidents and Alternative Action

### 1 Investigation

- 1.1 The HT may investigate incidents which potentially give rise to a breach of the KHCPs Behaviour Policy, or they may appoint a member of staff (usually a member of the SLT) to carry out the investigation.
- 1.2 The investigation and any interviews or meetings which take place with pupils will be conducted fairly, in a way which is appropriate in a school environment, and without being formal or legalistic in nature.
- 1.3 The pupils involved will be interviewed as part of the investigation and given the opportunity to state their version of events.
- 1.4 Pupils, who are clearly only witnesses and not at risk of disciplinary action, may be interviewed without an additional member of staff being present.
- 1.5 Parents do *not* need to be notified in advance that interviews are taking place, and their consent is not required (although they may be invited to attend an interview in the case of potentially serious breaches, where KHCPs deems it appropriate to do so).
- 1.6 The pupil will be asked to make a statement, and/or a written record of the interview will be made by the interviewing member of staff. Pupils will be asked to sign and date their statement or the written record of interview, confirming it to be true and accurate.
- 1.7 CCTV footage may be viewed and pupils' lockers and/or personal belongings may be searched during the course of an investigation. Refer to the DET Searching, Screening and Confiscation Policy for further detail.
- 1.8 It may sometimes be necessary to delay or suspend an investigation where external agencies such as the Police or social services are involved and have recommended this. A decision to delay or suspend an investigation will consider advice from appropriate external agencies and will be subject to periodic review. In relation to alleged sexual violence or sexual harassment, KHCPs will have regard to KCSIE and the KHCPs DSL (or Deputy DSL) will take a leading role on decisions.
- 1.9 Where the HT has appointed a senior member of staff to investigate an incident, which may result in a suspension or permanent exclusion from KHCPs, the investigating member of staff will fully report the outcome of their investigation to the HT to enable an informed decision to be made.

### 2 Removal from the classroom/suspension pending further investigation/enquiries

- 2.1 Where the incident is serious and/or complex and it has not been possible to complete the full investigation and/or conduct all enquiries on the day that the incident occurred or was brought to the attention of KHCPs, the pupil may be removed from the classroom while the investigation continues and/or enquiries are made (for example, consideration of a managed move). During this time, the pupil is entitled to receive the equivalent of full-time education provision. The period of removal from the classroom should be considered by the HT when determining the final sanction.
- 2.2 Alternatively, where it is not appropriate for the pupil to remain on KHCPs premises while the investigation continues/enquiries are made, the pupil may be suspended

from KHCPS for a fixed number of days pending further investigation/enquiries. The length of the suspension will be kept to the minimum required to complete the further investigation/enquiries.

- 2.3 Before a suspension pending further investigation/enquiries is imposed, the HT must be satisfied that a prima facie case has already been established in relation to the pupil's involvement in the incident to an extent that merits a suspension of, at least, that length.
- 2.4 A suspension pending further investigation/enquiries is still a serious disciplinary measure and the statutory procedure set out in the Suspension and Permanent Exclusion Guidance will be followed (including sending a notification letter to the parents containing all mandatory information).
- 2.5 Once the investigation/enquiries are complete, the HT will be in a position to make a final decision. This may include imposing a further suspension or permanent exclusion to run consecutively (i.e. back-to-back, without a break in between) with the original suspension pending further investigation/enquiries. A second suspension notification letter containing all mandatory information will be sent to the parents confirming the further suspension or permanent exclusion.

### 3 Decision

- 3.1 Once the investigation has concluded, all of the information gathered will be considered and a decision will be made as to what facts have been established to be true, to the civil standard of proof (i.e. on a balance of probabilities, or more likely than not).
- 3.2 A pupil's behaviour and discipline records will be considered, together with the pupil's background, and any special educational needs and/or disabilities they may have. KHCPS will follow the DET SEND Policy and its own SEN Information Report, as well as the DET Equality Policy and the DET Equality Statement and Objectives, where these are relevant.
- 3.3 All disciplinary sanctions imposed will be a fair, reasonable and proportionate response to the misbehaviour involved, considering the pupil's own account, aggravating features, mitigation, background, and special educational needs and/or disabilities.
- 3.4 Disciplinary sanctions will be recorded in the pupil's behaviour and discipline record.
- 3.5 KHCPS will usually notify the parents of disciplinary sanctions imposed and the reasons for them (parents must always be notified of suspensions and permanent exclusions).

### 4 Off-site directions

- 4.1 KHCPS has the power to direct that a pupil be educated off-site with the aim of improving their future behaviour. It must **not** be used as a disciplinary sanction or punishment for misconduct.
- 4.2 The off-site direction may be to a Pupil Referral Unit (**PRU**), an Alternative Provision Academy, or another academy/school (or unit therein).
- 4.3 Parental consent is **not** required for an off-site direction, and pupils are expected to

attend the other setting as directed. If they do not attend, their absence will be unauthorised and dealt with in the same way as it would if they failed to attend KHCPs.

- 4.4 The arrangements for the off-site placement will be based on an understanding of the support that the pupil needs in order to improve their behaviour, as well as any SEND or health needs that the pupil has. It may be full-time, or part-time in combination with attendance at KHCPs or another setting. The expectation is that the pupil will continue to receive full-time broad and balanced education.
- 4.5 A 'personalised plan for intervention' will be put in place, which sets out the objectives for the pupil's improvement and attainment, the timeframe involved, the arrangements for assessment and monitoring progress, and with a baseline of the pupil's current position against which to measure their progress.
- 4.6 The off-site placement will be regularly reviewed, and parents will be involved in the review. The purpose of the review is to ensure that the off-site placement is achieving its objectives, and that the pupil is benefitting from it.
- 4.7 During the period of an off-site direction by KHCPs to another school/academy, the pupil must be dual registered, which means that they will be registered at both KHCPs and the school/academy to which the pupil is directed off-site.
- 4.8 KHCPs will follow the Alternative Provision Guidance when exercising this power.

## 5 **Managed moves**

- 5.1 A managed move is used to initiate a process, which leads to the transfer of a pupil to another mainstream school permanently. If a temporary move needs to occur to improve a pupil's behaviour, then off site direction (as described in Section 4 above, and further in paragraphs 33 to 42 of the Suspension and Permanent Exclusion Guidance) should be used. Managed moves should only occur when it is in the pupil's best interests.
- 5.2 As it is a proposed permanent transfer to another setting, parental consent is required, and parents will be consulted while this is being explored.

## Appendix 4 - Prohibited and Banned Items

- 1 Refer also to the DET Searching, Screening and Confiscation Policy.
- 2 The following are “prohibited items” under section 550ZA (3) of the Education Act 1996 and Regulation 3 of the Schools (Specification and Disposal of Articles) regulations 2012:
  - knives or weapons;
  - alcohol;
  - illegal drugs;
  - stolen items;
  - tobacco and cigarette papers;
  - fireworks;
  - pornographic images;
  - any article that a member of staff reasonably suspects has been, or is likely to be, used:
    - to commit an offence;
    - to cause personal injury to, or damage to the property of, the School, staff, pupils, or any person (including the pupil).
- 3 KHCPs also bans other items, including:
  - chewing gum;
  - drug paraphernalia;
  - cigarettes, electronic cigarettes or e-cigarettes, personal vaporizers (PVs) and electronic nicotine delivery systems (ENDSs) battery-operated devices that mimic tobacco smoking;
  - any item that is reasonably believed to be likely to cause harm, offence, e.g. any item of a racist nature, or disruption.

This means that pupils must not have these items in their possession on KHCPs premises, or at any time when they are in the lawful charge and control of KHCPs.