

# Positive Behaviour Principles

Incorporating the Behaviour, Exclusions, Positive handling, Anti-Bullying and Racist incidents policies

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## Bobbing, Grove Park and Iwade Schools Positive Behaviour Principles & Policy

These principles are shaped through consultation with parents, staff and children about behaviour in our Trust, alongside educational research and practice from local schools.

Our main behaviour principle is to reinforce the positive and so we start each day on a positive note through being a welcome face to children and parents/carers at the start of each day. Every day is a new start. We are implementing a restorative approach across the Trust.

Good behaviour and achievement is not automatically learned. Instead, positive behaviours must be modelled, explained, taught, supported and recognised. We have very high expectations of behaviour and will continue to develop children's understanding of the impact of choices they make, whether positive or negative. Everyone makes mistakes, in their learning and in their behaviour choices. These are opportunities to learn and grow more.

Embedding these principles for our children will support them in making positive behaviour choices, avoiding anti-social behaviours such as discrimination or bullying.

“Don't stop learning because life doesn't stop teaching.”

— **Oscar Auliq-Ice**

“You can learn a lot from your mistakes when you aren't busy denying them.”

— **Oscar Auliq-Ice**

“Everything that occurs to us in life is a resource, an experience that we can learn from and grow from.”

— **Kilroy J. Oldster, Dead Toad Scrolls**

We recognise the barriers that some children face and adapt to meet their needs through this policy. We believe that all behaviour is communication; some children need adaptations to the policy in order to meet their needs, so whilst the approach may vary to suit the child, we are consistent in how we approach children.

### Our aims

- We will treat all children fairly and based on each child's individual needs.
- We will communicate with each other (TA, teacher, Senior Leadership Team, parent) to help support children's learning and behavioural needs.
- We will actively teach children to make positive choices.
- We will give all children the chance to rectify and learn from their mistakes throughout the day to make the correct choice in the future.
- We will celebrate success
- We will maintain, support and promote high expectations we have of children's behaviour and learning
- We will use language that supports and promotes positive behaviour choices.

## Our expectations of children, staff and parents

### Children

- To always try your best and celebrate personal achievements and those of others
- Respect, support and care for each other both in school and in the wider community
- Listen to others and respect their opinions
- Follow instructions given by every member of staff throughout the school day
- Be tolerant of others and their needs, accepting that everyone has the right to learn and feel safe
- Take responsibility for their own actions, being honest and acknowledging mistakes if they have been made

### Staff

- Create a positive climate for good behaviour
- Provide a caring learning environment for all
- Show appreciation of the efforts and contributions of each child on an individual basis
- Encourage relationships based on kindness, respect and understanding the needs of others
- Lead good behaviour by example
- Be consistent in high expectations of behaviour
- Work with senior members of staff to identify reasons for barriers and patterns of behaviour
- Meet the educational, social and behavioural needs of individuals (through an appropriate curriculum and support plan if appropriate).
- Form positive relationships with parents so that children are aware that the key adults in their lives share a common aim
- Ensure fair treatment for all regardless of age, gender, race, religion, ability or disability and listen to both side of every story before acting.
- Treat any injuries at break times before investigating any issues of behaviour incidents

### Parents

- Foster good relationships with the school
- Celebrate success for your child in regards to both learning and behaviour
- Encourage their child to tell a member of staff if they feel concerned in any way about someone else's behaviour or if they do not feel safe
- Work with the school, in line with this policy, to ensure behaviour remains good for the benefit of all
- Understand that there are two sides to every story and ensure that all versions are heard
- Have an awareness and understanding that the policy is adaptive to the needs of each child in regards to both learning and behaviour, rewards and consequences, enabling each child to learn from their mistakes and experience success.
- To trust that the school and its staff manage behaviour and learning in a professional manner with the best interest of everyone.

### What does this look like for children?

We promote positive behaviour and learning throughout the school. We use a positive behaviour management process by which a child's behaviour and learning is improved by the use of reward, consequence and learning from collective experiences as they arise. We encourage our children to make good behaviour choices which are intrinsically motivated.

### Class rules

Each class will have their own set of rules, linked to the trust ethos, which are chosen, discussed and agreed at the start of the year. These rules are pupil led, with appropriate guidance from the class teacher, so they are understood by all. These are shared in each classroom.

### Each day

Pupils enter the classroom at the beginning of each day and are encouraged to place their name on the feelings board. This is to provide everyone with the chance to discuss any problems or worries that the children might have at the beginning of the day. Pupils are encouraged to use the feelings board throughout the day to make adults aware of how they are feeling and to open up a discussion to work through so that the pupil is ready to learn for the day.

When a pupil is demonstrating positive learning behaviours, such as carrying tasks out set by the teacher and are ready to learn, the class adult will direct the child to move their name onto the Green band - Ready to Learn.

Every pupil's target is to remain on green throughout the day by demonstrating correct learning behaviours which should be celebrated.

Verbal praise is used frequently throughout the day to motivate, encourage and reward; this may be further emphasised with a move up the chart to highlight individual efforts with behaviour and learning.

Pupils may be given individualised targets; these can be to support children in making the right choices, or to continue to recognise their fantastic choices and stretch them to improve even further.

We know that pupils' behaviour for learning is of equal importance as their conduct around school. For this, merit cards are awarded to pupils who are demonstrating core behaviours in correlation with our Curriculum rationale. Staff are aiming to recognise pupils which are intrinsically motivated to be respectful, socially aware, well-mannered and environmentally conscious for the benefit of society and our planet. Each week merit cards are counted and added to the team point total for the school. One merit card winner from each year group is picked from a draw to win a prize in the end of week assembly.

### Curriculum rationale

#### Bobbing and Iwade – link to team points

- To develop **independent, collaborative, resilient** and **curious** learners who are **critical thinkers** which enables them to develop and adapt to our ever changing world
- To be respectful, socially aware, well-mannered and environmentally conscious for the benefit of society and our planet
- To allow and encourage **flexibility** and support, to cater for pupil needs and interests
- To use a STEAM (Science, Technology, Arts, Engineering & Maths) approach to enable children to **make links in their learning, deepen their understanding, motivate** and inspire
- To enable our children to develop their **critical thinking** for all aspects of their lives

## Grove Park

At Grove Park we want our children to:

- Become curious learners who are able to work independently and collaboratively with great resilience.
- Be respectful, well mannered, socially aware and environmentally conscious both in our locality and in the wider world.
- To be confident children who show a willingness to learn.
- Have high aspirations for themselves.
- Have a love of reading and are able to articulate their learning effectively.
- Be able to think deeply and critically about their learning

To enable this to happen we:

- Teach from a broad and balanced curriculum, which is relevant to our community and the ever-changing world we live in.
- Create an environment where children are inspired to love learning.
- Teach a progressive, spiral curriculum that revisits previous knowledge which enables the children to make links in their learning and to allow opportunities for retrieval of knowledge to ensure that learning is embedded.
- Value children's academic, physical, social and spiritual development.
- Have an inclusive environment where our teachers tailor the learning to the needs of our learners.
- Offer exciting opportunities for real life learning and experiences.
- Understand that our curriculum is not a fixed affair, it must adapt with the needs of our community.
- Have subject leaders who are skilled in their subject and use this knowledge to support their colleagues and the curriculum as a whole.
- Provide engaging learning opportunities for all learners.
- Prioritise the physical and mental wellbeing of all members of our school community.



In class we use a behaviour chart which can look like this example below:

<b>Ultimate Gold</b>
<b>Smashing Silver</b>
<b>Brilliant Bronze</b>
<b>Green Ready to learn</b>

The core reward will be positive praise from staff members and peers. This begins as soon as pupil's are on the 'Green – Ready to learn' stage on the behaviour chart. **Remaining on Green is our expectation and most children will achieve every day, which will always be seen as a positive.** Moving up the chart should provide children with a personal challenge and will be celebrated if they achieve this.

There are a wide range of extrinsic age appropriate accolades to reward and promote positive behaviour and learning at various stages of the system such as; stickers, certificates, shout outs, raffle tickets, prizes and celebration assemblies sharing achievements.

As children move through the school we encourage children to be intrinsically motivated so they make the right behaviour choices to support them with the transition to secondary school and later life.

### Managing poor behaviour choices

Having made reasonable adjustments for pupils with ADHD/SEMH or another disability that can impact on behaviour the pupil will move their name off of the chart if they are not showing correct learning behaviours.

Should the pupils make poor behaviour choices, staff will remind them of the expectations and warn them that, if the behaviour continues, they will need to have their name removed from Green. When moving their name off from the chart, pupils will be encouraged to put their name onto the feelings board as necessary. We understand that behaviour is a form of communication and by moving their name onto the feelings board this could provide an opportunity to discuss any feelings or anxieties the pupil may be having. If the child's behaviour improves and they again show correct learning behaviours, they have the opportunity to move their name back onto the chart to the adult's discretion.

If, after removing their name from the chart, the pupil continues to make poor behaviour choices they will be directed appropriately to reflect on their decisions. After this period of reflection pupils will need to put things right in their own time. Pupils will be assisted by adults to recognise how their behaviour might affect others and for ways they could make things right. During this conversation the child is encouraged to take responsibility for their behaviour. It is from here an appropriate action will be agreed to make things right.

Occasionally incidents occur which are of a more serious nature. The child will be allowed to de-escalate from the situation and given the opportunity to calm down. When the child is ready to discuss the incident rationally, they will work with a member of staff to discuss a fair and suitable

conclusion and consequence if required. Depending on the circumstances of the situation at the time and the needs of the child, they may move their name off the chart at a suitable time. Incidents of a more serious nature will be managed in school using a Restorative Justice approach and parents will be informed of the outcomes at the end of the day.

The next day will be a fresh start for both adult and child, and they will be able to enter the classroom put their name on green when they are showing correct learning behaviours, allowing them to begin their day positively.

### Recording of behavioural incidents

We recognise that all children will make mistakes regarding their behaviour, and that this should not be held against them, nor does every incident need to be recorded if dealt with appropriately. However, if these behaviours become repeated or are out of character, it might be an indication that something else is happening in their lives either within or outside of school. Therefore, if the same child has more than one incident in a week, shows repeated behaviour incidents over a period of time, or shows behaviours which are outside of their normal character, the adult who is dealing with it will record them on CPOMS/My Concern and they will be alerted to the Community Lead and Class Teacher.

### Children with specific behavioural needs

We recognise that some children have specific needs with regards to their behaviour. For those identified with SEN (emotional, social or mental health), or whose behaviour is as a direct result of disability, the system may be altered in consultation between the class teacher and the Inclusion team and adapted to meet their needs. Their Individualised Learning Plan, Individualised Behaviour Plan (IBP) or other plan will indicate the actions planned to address and support their needs.

### Nurture and Individual Behaviour Management plans

If a child's behaviour is giving staff cause for concern, senior staff and/or Inclusion manager may decide whether to implement a Nurture programme or an IBP depending on the individual child's circumstances and needs. Parents will always be informed.

### Out of School Behaviour

With the support of our Pastoral team we will actively support parents if children are acting in an unsafe or irresponsible manner whilst not under our duty of care. The Trust is committed to ensuring our pupils act as positive ambassadors for our school within the community. We expect the following:

- Good order on all transport (including taxis) to and from school, educational visits or learning opportunities in other schools.
- Safe behaviour on the way to and from school.
- Positive behaviour which does not threaten the health, safety or welfare of our pupils, staff, volunteers or members of the public.
- Reassurance to members of the public about school care and control over pupils in order to protect the reputation of the school.
- Protection for individual staff and pupils from harmful conduct by pupils of each school when not on the school site.

## Positive Handling Policy

It is recognised that the vast majority of pupils in our school respond positively to the behaviour expectations at Bobbing, Grove Park and Iwade Schools. The well-being, welfare and safety of all pupils and staff at Bobbing, Grove Park and Iwade Schools is of paramount importance.

It is however acknowledged that in exceptional circumstances, where a child is putting themselves or others at risk of serious injury or harm, staff may need to take action in situations where the use of reasonable force may be required.

Bobbing, Grove Park and Iwade Schools acknowledge that physical techniques are only part of a whole setting approach to behaviour management. Positive Handling will only be used as a last resort when all other behaviour management strategies and de-escalation techniques have failed or when pupils or staff are at risk.

- We do not support the routine use of physical interventions.
- All staff at Bobbing, Grove Park and Iwade Schools understand that school cannot use force as a punishment; it is always unlawful to use force as a punishment.
- Positive Handling uses the minimum degree of force necessary for the shortest period of time to prevent a pupil harming themselves or others
- The scale and nature of any physical intervention must be proportionate to both the behaviour of the individual to be controlled, and the nature of the harm they might cause

Every effort will be made to ensure that all staff in this school:

- clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where reasonable force is necessary and
- are provided with appropriate training to deal with these difficult situations.

### Training

All school staff who are authorised to be in charge of pupils are automatically authorised to use reasonable force where necessary. No member of staff will be expected to undertake positive handling, although we recognise that adults have a duty of care to act in the best interests of the children. Staff should use their own judgement and assess the risks before acting.

Positive Handling training will be made available to designated staff and will be the responsibility of the Head of School. We will prioritise non class facing staff as well as members of staff in a class where a pupil is potentially at higher risk due to their behaviours. All staff will receive training on a range of de-escalation techniques and strategies.

### What is reasonable force?

The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.

- It may include examples such as preventing a child leaving the classroom where leaving would risk their safety, prevent a child attacking a member of staff or another child or restrain a pupil at risk of harming themselves through physical outbursts.
- Reasonable in the circumstances means using no more force than is needed.
- Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.
- School staff should always try to avoid acting in a way that might cause injury.
- It is acknowledged that in extreme cases it may not always be possible to avoid injury as an accidental consequence of the intervention.

Wherever possible, assistance will be sought from another member of staff before intervention. The form of physical intervention may involve staff doing the following:

- Physically interposing themselves between pupils
- Blocking a pupil's path
- Escorting a pupil
- Shepherding a pupil away

This is not a definitive list and other strategies may be employed. Any such measures will be most effective in the context of the overall ethos of the school.

See "Use of Reasonable Force; Advice for Headteachers, Staff and Governing Bodies" (DfE, 2013)

All members of school staff have a legal power to use reasonable force. This power applies to any member of staff at the school. The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.

### Different types of physical contact with pupils

#### Physical Contact

Situations in which proper physical contact occurs between staff and pupil. Examples of where touching a pupil might be proper or necessary:

- holding the hand of the child at the front/back of the line when going to assembly or when together around the school;
- When comforting a distressed pupil;
- When a pupil is being congratulated or praised;
- To demonstrate how to use a musical instrument;
- To demonstrate exercise or techniques during PE lessons or sports coaching;
- To give first aid.
- Intimate care (see Intimate Care Policy)

#### Physical Intervention

This may be used to divert a pupil from a destructive or disruptive action, for example guiding or leading a pupil by the arm or shoulder where the pupil is compliant.

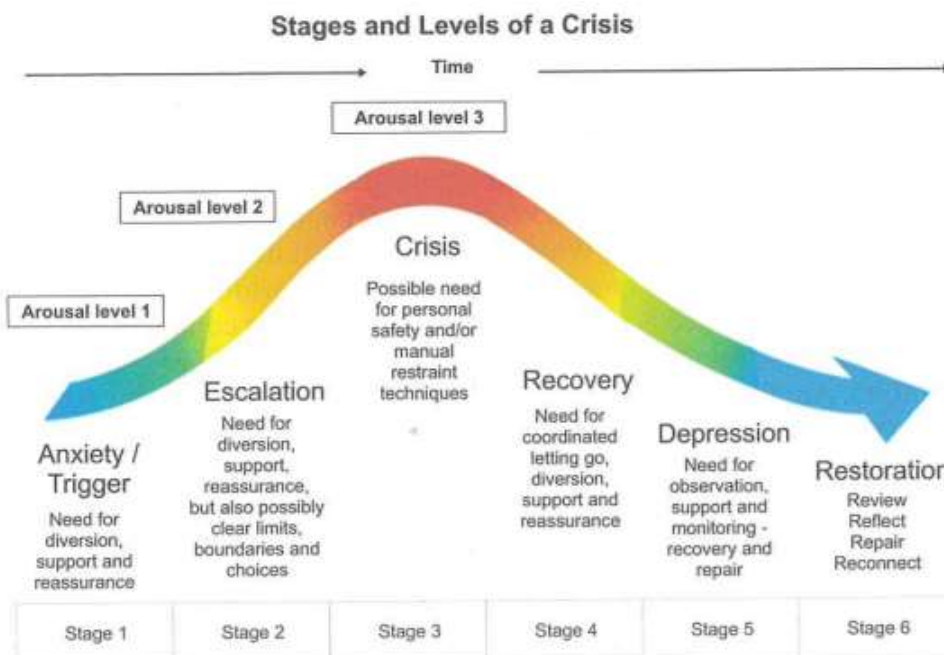
#### Physical Control/Restraint

This will involve the use of reasonable force when there is an immediate risk to pupils, staff or property. It is important to note that the use of "reasonable force" should be seen as a last resort. All such incidents must be recorded and be stored in an accessible way. If at all possible, more than one member of staff should be present if physical restraint is necessitated. The level of compliance from the pupil determines whether or not the interaction is an intervention or a control/restraint.

### Strategies for Dealing with Challenging Behaviour and Escalating Situations

Staff consistently use positive strategies to encourage acceptable behaviour and good order, in line with the Bobbing, Grove Park and Iwade Schools Behaviour Policy. Every effort will be made to resolve conflicts positively.

Through Team Teach training, all staff are aware of the “6 stages” of crisis;



Staff should be able to justify that a range of de-escalation strategies have been attempted throughout Stages 1 and 2, and proved ineffective or would have been impractical before asking for a trained Team Teach adult to come and support them. These strategies would include the use of space, safe environments, diversions, calm stances and postures, non-threatening facial expressions, low tone, volume and pace in communication, careful use of words, and physical reassurance and prompts.

Consideration of these strategies should be maintained during and after the need for physical contact. If used, as soon as it is safe, any hold or restraint should be gradually relaxed to allow the pupil to regain self-control. The pupil should be informed about what will happen next and be offered reassurance and encouragement to remain calm. In this way the pupil will be more likely to see the restraint as an act of care.

All members of school staff have a legal power to use reasonable force. (Section 93, Education and Inspections Act 2006).

### Recording

Where positive handling has been used a record of the incident always needs to be kept. All recording needs to be completed on the day of incident on CPOMS/My Concern and needs to include the following:

- a brief description of the incident and actions taken
- attempts made to calm the situation
- names of staff using restraint
- nature of physical intervention technique used
- how incident was resolved and any consequences
- effectiveness of the intervention

### Informing Parents

Parents will always be informed following an incident where positive handling has been used. If appropriate, a discussion will take place involving parents and relevant members of staff (e.g.

Community Assistant HT, Head of School, SENCO, Community Lead, class teacher) to put measures in place to address the behaviour concern.

### Action after an Incident

The Head of School or Assistant HT will ensure that each incident is reviewed and investigated further as required. If further action is required in relation to a member of staff or a pupil, this will be pursued through the appropriate procedure:

- Child Protection Safeguarding Policy
- Managing Allegations Against Staff Policy
- Staff or Pupil Disciplinary Procedure
- Behaviour Policy

Members of staff will be kept informed of any action taken. In case of any action concerning a member of staff, he/she will be advised to seek advice from his/her professional association/union.

### Complaints

The availability of a clear policy regarding Positive Handling and early involvement of parents should reduce the likelihood of complaints but may not eliminate them. Any complaints about staff will be dealt with under the school's Complaints Procedure.

### Monitoring of Incidents

Whenever a member of staff has occasion to use positive handling, this will always be recorded and documented. Monitoring of incidents will help to ensure that staff are following the correct procedures and will alert the Head of School/Trust Safeguarding Lead/SENCo to the needs of any pupil(s) whose behaviour can only be contained using positive handling. This process will address patterns of incidents and evaluate trends which may be emerging.

### Risk Assessment for children with specific needs

If a child is demonstrating challenging behaviour which is putting himself or others at harm, the school will carry out a risk assessment (see Page 11 of this policy).

This will identify the risky behaviours and then set out which strategies could be put in place to mitigate these risks. If the risk is still high, a meeting will be held with parents to design a Positive Behaviour Support Plan (Page 12) where strategies and Team Teach handling will be agreed with parents.

At this meeting, the parents, Inclusion lead, Head of School and Class teacher shall all be present, along with any other professionals which could have an influence on the plan.



# Pupil Risk Assessment and Positive Behaviour Support Plan

Risk can be assessed using the following scales;

Probability Scale:                      **unlikely**      **possible**      **probable**

Severity Scale:      **minor injury**      **RIDDOR**      **serious injury**      **critical injury**

Any mitigated risk at Amber or Red will require a Positive Behaviour Support Plan.

Name:	Date of Birth:	Year Group & Class:	Date plan written:		
What behavioural patterns present a health and safety hazard or danger to themselves or others whilst in school, or off site?			Probability	Severity	Unmitigated Risk
1.					
2.					
3.					
4.					
What actions have been taken to reduce the above risk?					Mitigated Risk
1.					
2.					
3.					
4.					

What are parent's and other professional's views?
Has a positive handling intervention been planned for?
Are there any activities that cannot be reasonably safely managed?

Written by:		Approved by:	
Signature:		Signature:	
Date:		Date:	

## Section 2 – Positive Behaviour Support Plan (PBSP)

This section must only be completed if a Behaviour Scaling remains mitigated at Amber or Red.

PBSP's should be completed in a formal meeting with the pupil's parent(s) and any other relevant professionals in attendance.

Date of PBSP Meeting:		Proposed 6 week Review Date:	
Proactive Strategies			
Active Signs & Strategies	Reactive Signs & Strategies		Recovery Strategies
Positive Handling Interventions that have been agreed to reduce risk:			

*Present at the meeting will be; Class Teacher, Inclusion Lead, Head of School, parent/carers*

On behalf of the School:		Parent/Carer:	
Signature:		Signature:	
Date:		Date:	



## Exclusions Policy

### Aims

Our school aims to ensure that:

- The exclusions process is applied fairly and consistently
- The exclusions process is understood by Governors, staff, parents and pupils
- Pupils in school are safe and happy
- Pupils do not become NEET (not in education, employment or training)

### Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education: [Exclusion from maintained schools, academies and pupil referral units \(PRUs\) in England](#).

It is based on the following legislation, which outline schools' powers to exclude pupils:

- Section 52 of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- Sections 64-68 of the School Standards and Framework Act 1998

In addition, the policy is based on:

- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which looks at parental responsibility for excluded pupils
- Section 579 of the [Education Act 1996](#), which defines 'school day'
- 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](#)

### The decision to exclude

Only the Chief Executive Officer (CEO), can exclude a pupil from school. A permanent exclusion will be taken as a last resort. This power may not be delegated to anyone else.

Our school is aware that off-rolling is unlawful. Ofsted defines off-rolling as:

"...the practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil."

We are committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.

A decision to exclude a pupil will be taken only:

- In response to serious or persistent breaches of the school's behaviour policy, **and**
- If allowing the pupil to remain in school would seriously harm the education or welfare of others

Before deciding whether to exclude a pupil, either permanently or for a fixed period, the EP will:

- Consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked
- Allow the pupil to give their version of events
- Consider if the pupil has special educational needs (SEN)

## Duration of exclusions

The EP may exclude a pupil for one or more fixed periods not exceeding a total of 45 days in any one school year or permanently. If a pupil is excluded for lunchtimes only, each lunchtime counts as a half day. The EP may exclude a pupil permanently if he/she judges that the circumstances warrant it.

## Definition

For the purposes of exclusions, school day is defined as any day on which there is a school session. Therefore, INSET or staff training days do not count as a school day.

## Roles and responsibilities

### The Chief Executive Officer

The CEO can delegate the actions to be taken to the Heads of School or Trust Deputy Head Teacher.

### Informing parents

The CEO will immediately provide the following information, in writing, to the parents of an excluded pupil:

- The reason(s) for the exclusion
- The length of a fixed-term exclusion or, for a permanent exclusion, the fact that it is permanent
- Information about parents' right to make representations about the exclusion to the governing board and how the pupil may be involved in this
- Where there is a legal requirement for the governing board to meet to consider the reinstatement of a pupil, and that parents have a right to attend a meeting, be represented at a meeting (at their own expense) and to bring a friend
- Take account of his/her legal duty of care when sending a pupil home following exclusion. 'Holding' arrangements until the pupil can be collected may be necessary. (The school cannot force parents to collect an excluded child straightaway)
- Inform parents what arrangements we have made to provide education for the pupil during the first five days of the exclusion. Work will be provided that is accessible and achievable by pupils outside of school.

This information will be put in writing and will be sent either by email, by text, by delivering a letter directly to the parents, leaving it at their last known address or by posting it to this address. The information can also legally be sent home with the excluded pupil, but in this case we will always send a duplicate copy by a reliable alternative method. The information provided to parents will be clear and free of unnecessary jargon. Consideration will be given to translating the letter if the parent's first language is not English.

The CEO will also notify parents by the end of the afternoon session on the day their child is excluded that for the first 5 school days of an exclusion, or until the start date of any alternative provision where this is earlier, parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this.

If alternative provision is being arranged, the following information will be included when notifying parents of an exclusion:

- The start date for any provision of full-time education that has been arranged
- The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant
- The address at which the provision will take place

➤ Any information required by the pupil to identify the person they should report to on the first day

Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session, it may be provided in a subsequent notice, but it will be provided no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of an exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.

The school will explain to parents in writing that they have the right of appeal to the governing body concerning:

- Fixed term exclusions of more than five school days in a term or if any exclusion will mean that the pupil misses a public examination or national curriculum test.
- Permanent exclusions.

If the local governing body decide not to reinstate the pupil before the end of a fixed term exclusion or not to reinstate following a permanent exclusion then parents can appeal to the academy trust.

Parents may make a claim to a court or tribunal if they believe the pupil has been discriminated against. The Equality Advisory Service will supply help and advice.

Where the excluded pupil is of compulsory school age, the school will also notify parents without delay and by the end of the afternoon session that for the first five days of an exclusion they are legally required to ensure that their child is not in a public place during school hours without reasonable justification and that they may be given a fixed penalty notice if they fail to do so.

Parents will be informed where fixed term exclusion has been extended or converted to a permanent exclusion. In such cases, the CEO will write again to the parents explaining the reasons for the change and providing any additional information required.

#### [Informing the governing board and local authority](#)

The CEO will immediately notify the governing board and the local authority (LA) of:

- A permanent exclusion, including when a fixed-period exclusion is made permanent
- Exclusions which would result in the pupil being excluded for more than 5 school days (or more than 10 lunchtimes) in a term
- Exclusions which would result in the pupil missing a public examination

For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the CEO will also immediately inform the pupil's 'home authority' of the exclusion and the reason(s) for it without delay.

For all other exclusions, the CEO will notify the governing board and LA once a term.

The Head of Schools will make a termly report to the local governing body on all exclusions, covering:

- The number and type of exclusions.
- The reasons, gender, ethnicity and age of pupils and whether they were already on individual education programmes or pastoral support programmes.
- Repeated exclusions and the school's response to them.
- Links with parents.
- Truancy, punctuality and attendance figures.
- Follow-up action, including what has subsequently happened to permanently excluded pupils.

In addition, within 14 days of a request, the academy trust must report to the Regional Schools Commissioner/Education Secretary information about any exclusion within the last 12 months.

## The LA

For permanent exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth day of the exclusion.

## The powers of the local governing body

The local governing body may review all the various categories of exclusions and will consider any representations made by the parents of the excluded pupil. The governing body has no power to increase the severity of exclusion. It can, however, uphold exclusion or direct the pupil's reinstatement, either immediately or by a particular date. However, in the case of fixed term exclusion that does not bring the pupil's total number of days of exclusion to more than five days in a term, the governing body cannot direct reinstatement and is not required to arrange a meeting with parents.

## Returning from a fixed-term exclusion

Following a fixed-term exclusion, a re-integration meeting will be held involving the pupil, parents, a member of senior staff and other staff, where appropriate.

The following measures may be implemented when a pupil returns from a fixed-term exclusion:

- Agreeing a behaviour contract
- Regular informal 'catch-ups' between the pupil and a key member of staff
- Agreement on regular contact with the parents to keep them informed on how well the pupil has re-integrated

## School registers

A pupil's name will be removed from the school admissions register if:

- 15 school days have passed since the parents were notified of the exclusion panel's decision to not reinstate the pupil and no application has been made for an independent review panel, or
- The parents have stated in writing that they will not be applying for an independent review panel

Where an application for an independent review has been made, the governing board will wait until that review has concluded before removing a pupil's name from the register.

Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

Where excluded pupils are not attending alternative provision, code E (absent) will be used.

## Discipline/appeals committee

The local governing body will delegate functions in respect of exclusions to a temporary discipline sub-committee (hereafter referred to as 'the committee').

- The committee consists of at least three governors made up from the Local Governing Body and/or Trust Board. One will be nominated as Chair of the committee
- All governors who serve on a discipline committee receive training to help them discharge their duties. A clerk to the discipline committee is also appointed.
- The committee can hear more than one appeal at a single sitting, so long as it complies with the statutory time limits related to each one.
- If one of the committee has knowledge of the pupil(s) involved in the exclusion, or of the incident that led to that exclusion that could affect his/her impartiality, he/she should step down.
- The chair has a casting vote in all cases where an even number of governors are considering the case

- If the exclusion could result in a pupil missing a public examination, the committee will make every effort to meet before the date of the examination. Should this not be possible, then the chair of governors will consider the exclusion and decide whether to re-instate the pupil, (these are the only circumstances in which the chair alone will review exclusion). When this occurs, the parents also have the right to make oral representations. If possible, the chair of governors will have the advice of the clerk. The committee or chair of governors may agree to allow the pupil back on to the school premises for the sole purpose of sitting an examination but they are not obliged to do so.

## Convening an appeal meeting

### Fixed term exclusions of 5–15 days

- If the parents of an excluded pupil make written representations, the committee will consider them.
- No statutory time limits apply to the consideration of such exclusions.
- The committee has the discretion to agree to a meeting to discuss the exclusion, if this is requested by the parents.
- In the case of a fixed term exclusion of more than five but not more than 15 school days, the committee, once having agreed to hold a meeting, will hold that meeting between the 6th and the 50th school day after receiving notice of the exclusion from the Chief Executive Officer or Head of School.

### Longer fixed term exclusions and permanent exclusions

- Should the exclusion be for more than 15 days, or the total of fixed term exclusions is more than 15 days that term, or if the exclusion is a permanent one, the committee has a duty to convene a meeting to be held between the 5th and the 16th school day after the date of receipt of a notice to consider the exclusion. The governing body need not postpone a meeting if a police investigation of a potential crime associated with the reason for the exclusion is underway.
- The parents, the Head of School/CEO (and possibly a LA officer if the trust so chooses) will be invited to the meeting at a time and a place convenient to all the participants, within the statutory time limit. The parent and the school may each be accompanied by a friend/advisor.
- The committee will ask for any written statements, including witness statements in advance of the meeting.
- The clerk will circulate in advance of the meeting any written statements and a list of those who will be present at the meeting to all parties, including the pupil if it is known that he/she will be present.

Note: if a pupil has a number of lunchtime exclusions in any one term which add up to more than five school days, the rules above also apply.

## Before the meeting

The governing body should:

- Not discuss the exclusion with any party outside the meeting.
- Identify the steps they will take to enable and encourage the excluded pupil to attend the meeting and speak on his/her own behalf.

## Conduct of the meeting

The meeting will be conducted as follows:

- No party to the review will be alone with the committee before, during or after the meeting.
- The clerk makes all introductions and explains the reason for the meeting and the powers held by the committee either to uphold an exclusion or re-instate the pupil.
- The school representative, usually the Head of School, will present the school's case.
- He/she can be questioned by all the other parties.
- The parents will be asked to give their reasons for appealing.
- Very often it is the friend/advisor (who may well be a lawyer) who presents the parents' case.
- The parents and the pupil, if present, will still be asked if they have anything to add.
- The other parties may question the parent and/or comment on what the family has said.
- If present, an LA representative will provide information on support for pupils in the LA and how similar incidents have been dealt with by other schools, and can be questioned on these, but may not comment on the specific case being discussed. The academy trust is not obliged to have an LA representative present but may wish to do so.
- The school sums up its case.
- The parents or their representative sum up their case.
- All the parties except the committee and the clerk leave.
- The committee will apply the 'balance of probabilities' standard of proof to the allegation of misconduct by the pupil. The more serious the allegation, the more convincing the substantiating evidence needs to be. This is not the same as requiring the criminal standard of 'beyond all reasonable doubt' to be applied.

## The decision – fixed term exclusion (including lunchtime exclusions)

The clerk may help the committee in making its decision by reference to notes taken, by reminding them of statutory procedures where relevant and by wording the decision letters afterwards. In the case of fixed term exclusion, it is possible that the exclusion may already have expired and the pupil is back in school. In that case:

- The committee will decide whether or not, based on the evidence submitted, they would have reinstated the child during the fixed term exclusion.
- The outcome should be added to the pupil's record for future reference.

In rare cases, the parents may have already decided that they do not want their child reinstated whatever the committee's decision. Under those circumstances, the committee should simply record whether or not they believed that the CEO's decision was justified. This view should be recorded and sent to the parents.

If the fixed term exclusion is still operative:

- The committee can either uphold the exclusion, which will have to run its course, or
- Direct the pupil's reinstatement either immediately or on a named date.

The committee through the clerk must inform the parents and the Head of School of their decision in writing within one school day of the hearing, giving the reasons. They may not attach any conditions to any direction they have given the Head of School to reinstate the pupil.

The school has in place established procedures both for the return to school of a pupil whose fixed term exclusion has been upheld, and for the reinstatement of a pupil whose exclusion has been overturned. On their return, a pupil first has a meeting with the Head of School or another senior member of staff, responsible for the pupil's welfare, along with his/her parents.

## The decision – permanent exclusion

We follow government guidance which sets out reasons why it would normally be inappropriate to reinstate a pupil. These are:

- Serious actual or threatened violence against another pupil or a member of staff.
- Sexual abuse or assault.
- Supplying illegal drugs.
- Persistent and malicious disruptive behaviour, including open defiance or refusal to conform to school rules.

When the committee decides to uphold a permanent exclusion, a letter to the parents will state:

- Their reason for the decision.
- The right of the family to refer the case to an independent review panel, together with the name and address of the person to whom any request for a review should be sent.
- The date by which any request for a review should be lodged.
- That any request for a review must set out the grounds on which the request is made.
- That any claims on grounds of disability discrimination can also be set out. If a case for discrimination is made, this will be referred to a first-tier tribunal or a county court.

If the committee decides to overturn the exclusion, as with fixed term exclusions, the decision as to whether there is to be an immediate reinstatement or a later date for this to occur will be conveyed to all parties. A note of the governing body's views on the exclusion will be placed on the pupil's school record with copies of relevant papers.

## Independent review panels

We advise parents that they have the right to request a review of the decision by the governor's committee to uphold a permanent exclusion through an independent review panel and how this can be done. The request will normally be made to the clerk of the review panel.

If parents apply for an independent review, Bobbing, Grove Park and Iwades Schools will arrange for an independent panel to review the decision of the governing board not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents by the governing body of its decision to not reinstate a pupil.

A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school governors category and 2 members will come from the headteacher/Head of School/CEO category.

- A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer
- School governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or headteachers during this time
- Headteachers or individuals who have been a headteacher within the last 5 years

A person may not serve as a member of a review panel if they:

- Are/or have been a Trustee/Member of Bobbing, Grove Park and Iwade Schools, or governing board, of the excluding school
- Are the Head of School/Chief Executive Officer of either Iwade or Bobbing School, or have held this position in the last 5 years

- Are an employee of Bobbing, Grove Park and Iwade Schools or the governing board at Bobbing, Grove Park and Iwade Schools (unless they are employed as a headteacher at another school)
- Have, or at any time have had, any connection with Bobbing, Grove Park and Iwade Schools, governing board, parents or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
- Have not had the required training within the last 2 years

Parents will also be given:

- A link to the statutory guidance on exclusions.
- A link to guidance on making a claim of discrimination to the first-tier tribunal.
- A link to the Coram Children’s Legal Centre.
- If needed, links to local services such as the traveller education service or the local parent partnership.

Bobbing, Grove Park and Iwade Schools are responsible for managing and training independent panels concerning cases of permanent exclusion. An independent panel cannot overturn the decision of a governors’ committee. They can uphold the decision or recommend that the governors reconsider. Further, if they have grounds for believing that the governors’ decision was flawed in any way, they can quash the decision and direct the governing body to reconsider their decision.

Bobbing, Grove Park and Iwade Schools may appoint a clerk to provide advice to the panel and parties to the review on procedure, legislation and statutory guidance on exclusions. There is statutory guidance on who is eligible to be an independent review panel clerk. Their duties both before and during the hearing are clearly stated. Bobbing, Grove Park and Iwade Schools will ensure that all panel members and clerks have received training within the two years before the date of the review, and details are given in the guidance as to what that training must comprise.

If requested by parents in their application for an independent review panel, Bobbing, Grove Park and Iwade Schools must appoint a SEN expert to attend the panel and cover the associated cost of this appointment.

The statutory guidance is also very specific concerning the role of the panel in reviewing the governing body’s decision not to reinstate an exclude pupil. The panel may decide to adjourn a hearing if there is an on-going police investigation and/or criminal proceedings associated with the exclusion. The panel will reconvene at the earliest opportunity but may adjourn more than once if necessary.

### Financial implications of exclusion

Should a pupil be permanently excluded, the appropriate sum allotted for that child’s education will be deducted immediately from the school budget. The money will remain in the school budget for a little longer if the parent chooses to appeal to a governors’ committee and then an independent review panel.

If an independent review panel requires the governing board to reconsider a permanent exclusion but the governing board upholds that exclusion, the school will be charged an additional £4,000 by the LA in which the academy is sited. The money will not be deducted if the parents decline a reinstatement offered by the school. This is to ensure that the money follows the child to whatever form of education he/she receives after the exclusion. Special arrangements can be made if the child moves to another LA or would be about to move anyway from one phase of education to another, for example, at age 11.



### Pupils excluded from other schools

Should the LA place an excluded pupil with us, we will not refuse to take such a pupil unless we are full. However, if the child has already been excluded from two or more schools, then our governing body may refuse to take him/her.

## Anti-bullying Policy

This policy outlines what Bobbing, Grove Park and Iwade Schools will do to prevent and tackle all forms of bullying. The policy has been adopted with the involvement of the whole school community. Bobbing, Grove Park and Iwade Schools are committed to developing an anti-bullying culture where the bullying of adults, children or young people is not tolerated in any form.

### Links with other school policies and practices

This policy links with several school policies, practices and action plans including:

- Behaviour (as part of this handbook)
- Complaints policy
- Child protection & safeguarding policy
- Confidentiality policy
- Online safety and Acceptable Use Policies (AUP)
- Curriculum policies, such as: PSHE, citizenship and computing
- Social media, mobile phones and other electronic devices policy
- Confiscation of inappropriate items policy

### Links to legislation

There are several pieces of legislation which set out measures and actions for schools in response to bullying, as well as criminal and civil law. These may include (but are not limited to):

- The Education and Inspection Act 2006, 2011
- The Equality Act 2010
- Protection from Harassment Act 1997
- The Malicious Communications Act 1988
- Public Order Act 1986

### Responsibilities

It is the responsibility of:

- The Heads of School to communicate this policy to the school community, to ensure that disciplinary measures are applied fairly, consistently and reasonably, and that a member of the senior leadership team has been identified to take overall responsibility.
- Governors to take a lead role in monitoring and reviewing this policy.
- All staff, including: governors, senior leadership, teaching and non-teaching staff, to support, uphold and implement this policy accordingly.
- Parents/carers to support their children and work in partnership with the school.
- Pupils to abide by the policy.

### Definition of bullying

Bullying can be defined as “behaviour by an individual or a group, repeated over time that intentionally hurts another individual either physically or emotionally”. (DfE “Preventing and Tackling Bullying”, July 2017)

The Anti-Bullying Alliance and its members have a shared definition of bullying based on research from across the world for over 30 years:

- “the repetitive, intentional hurting of one person or group by another person or group, where the relationship involves an imbalance of power. It can happen face to face or online”

It is the responsibility of the school and everyone associated with the school to eradicate bullying by ensuring the development of a caring and supportive ethos. There is strong evidence to support a 'whole school approach' (Cambridge Education 2005) which involves the whole community include pupils, teachers, support staff, parents and governors.

- Bullying can include name calling, taunting, mocking, making offensive comments; kicking; hitting; taking belongings; producing offensive graffiti; gossiping; excluding people from groups and spreading hurtful and untruthful rumours.
- This includes the same unacceptable behaviours expressed online, sometimes called online or cyberbullying. This can include: sending offensive, upsetting and inappropriate messages by phone, text, instant messenger, through gaming, websites, social media sites and apps, and sending offensive or degrading photos or videos.
- Bullying is recognised by the school as being a form of child on child abuse. It can be emotionally abusive and can cause severe and adverse effects on children's emotional development.

### Forms and types of bullying covered by this policy

- Bullying can happen to anyone. This policy covers all types and forms of bullying including:
- Bullying related to physical appearance
- Bullying of young carers, children in care or otherwise related to home circumstances
- Bullying related to physical/mental health conditions
- Physical bullying
- Emotional bullying
- Sexual bullying
- Bullying via technology, known as online or cyberbullying
- Prejudicial bullying (against people/pupils with protected characteristics):
  - Bullying related to race, religion, faith and belief and for those without faith
  - Bullying related to ethnicity, nationality or culture
  - Bullying related to Special Educational Needs or Disability (SEND)
  - Bullying related to sexual orientation (homophobic/biphobic bullying)
  - Gender based bullying, including transphobic bullying
  - Bullying against teenage parents (pregnancy and maternity under the Equality Act)

### Aims

The aims in managing incidents of bullying are:

- to provide a secure environment in which pupils can report incidents confidently
- to show all pupils and parents that bullying is taken seriously
- to enable teachers to respond calmly and consistently to bullying incidents
- to reassure pupils that the school will protect and support all parties whilst the issues are resolved
- to provide long term and positive programmes of personal development where it is required

### Bobbing, Grove Park and Iwade Schools Ethos

The Bobbing, Grove Park and Iwade Schools communities recognise that all forms of bullying, especially if left unaddressed, can have a devastating effect on individuals; it can create a barrier to learning and have serious consequences for mental wellbeing. By effectively preventing and tackling bullying our school can help to create a safe and disciplined environment, where pupils are able to learn and fulfil their potential.

### Our Community

- Monitors and reviews our anti-bullying policy and practice on a regular basis.
- Supports staff to promote positive relationships to help prevent bullying.

- Recognises that some members of our community may be more vulnerable to bullying and its impact than others; this may include children with SEND. Being aware of this will help us to develop effective strategies to prevent bullying from happening and provide appropriate support, if required.
- Will intervene by identifying and tackling bullying behaviour appropriately and promptly.
- Ensures our pupils are aware that bullying concerns will be dealt with sensitively and effectively; that everyone should feel safe to learn and abide by the anti-bullying policy.
- Requires all members of the community to work with the school to uphold the anti-bullying policy.
- Recognises the potential impact of bullying on the wider family of those affected so will work in partnership with parents/carers regarding all reported bullying concerns and will seek to keep them informed at all stages.
- Will deal promptly with grievances regarding the school response to bullying in line with our complaints policy
- Seeks to learn from good anti-bullying practice elsewhere.
- Utilises support from the Local Authority and other relevant organisations when appropriate.

### Responding to bullying

The following steps may be taken when dealing with all incidents of bullying reported to the school:

- If bullying is suspected or reported, the incident will be dealt with immediately by the member of staff who has been approached or witnessed the concern.
- The school will provide appropriate support for the person being bullied – making sure they are not at risk of immediate harm and will involve them in any decision-making, as appropriate.
- The Head of School or a Designated Safeguarding Lead (DSL) or another member of leadership staff will interview all parties involved.
- The DSL will be informed of all bullying issues where there are safeguarding concerns.
- The school will speak with and inform other staff members, where appropriate.
- The school will ensure parents/carers are kept informed about the concern and action taken, as appropriate and in line with child protection and confidentiality policies.
- Sanctions, as identified within the school behaviour policy, and support will be implemented in consultation with all parties concerned.
- If necessary, other agencies may be consulted or involved, such as the police, if a criminal offence has been committed, or other local services including early help or children's social care, if a child is felt to be at risk of significant harm.
- Where the bullying of or by pupils takes place off school site or outside of normal school hours (including cyberbullying), the school will ensure that the concern is fully investigated. If required, the DSL will collaborate with other schools. Appropriate action will be taken, including providing support and implementing sanctions in school in accordance with this policy and the school's behaviour policy.
- A clear and precise account of bullying incidents will be recorded by the school in accordance with existing procedures. This will include recording appropriate details regarding decisions and action taken.

## Cyberbullying

When responding to cyberbullying concerns, the school will:

- Act as soon as an incident has been reported or identified.
- Provide appropriate support for the person who has been cyberbullied and work with the person who has carried out the bullying to ensure that it does not happen again.
- Encourage the person being bullied to keep any evidence (screenshots) of the bullying activity to assist any investigation.
- Take all available steps where possible to identify the person responsible. This may include:
  - looking at use of the school systems;
  - identifying and interviewing possible witnesses;
  - Contacting the service provider and the police, if necessary.
- Work with the individuals and online service providers to prevent the incident from spreading and assist in removing offensive or upsetting material from circulation. This may include:
  - Support reports to a service provider to remove content if those involved are unable to be identified or if those involved refuse to or are unable to delete content.
  - Confiscating and searching pupils' electronic devices, such as mobile phones, in accordance with the law and the Trust Confiscation of inappropriate items policy
  - Requesting the deletion of locally-held content and content posted online if they contravene school behavioural policies.
- Ensure that sanctions are applied to the person responsible for the cyberbullying; the school will take steps to change the attitude and behaviour of the bully, as well as ensuring access to any additional help that they may need.
- Inform the police if a criminal offence has been committed.
- Provide information to staff and pupils regarding steps they can take to protect themselves online. This may include:
  - advising those targeted not to retaliate or reply;
  - providing advice on blocking or removing people from contact lists;
  - helping those involved to think carefully about what private information they may have in the public domain.

See the **Online safety policy** for more information.

## Supporting pupils

Pupils who have been bullied will be supported by:

- Reassuring the pupil and providing continuous pastoral support.
- Offering an immediate opportunity to discuss the experience with their teacher, the designated safeguarding lead, or a member of staff of their choice.
- Being advised to keep a record of the bullying as evidence and discuss how to respond to concerns and build resilience as appropriate.
- Working towards restoring self-esteem and confidence.
- Providing ongoing support; this may include: working and speaking with staff, offering formal counselling, engaging with parents and carers.
- Where necessary, working with the wider community and local/national organisations to provide further or specialist advice and guidance; this could include support through Early Help or Children Social Work Service, or support through the Children and Young People's Mental Health Service (CYPMHS).

Pupils who have perpetrated bullying will be helped by:

- Discussing what happened, establishing the concern and the need to change.
- Informing parents/carers to help change the attitude and behaviour of the child.
- Providing appropriate education and support regarding their behaviour or actions.

- If online, requesting that content be removed and reporting accounts/content to service provider.
- Sanctioning, in line with school behaviour/discipline policy; this may include official warnings, detentions, removal of privileges (including online access when encountering cyberbullying concerns), and fixed-term or permanent exclusions.
- Where necessary, working with the wider community and local/national organisations to provide further or specialist advice and guidance; this may include involvement from the Police or referrals to Early Help, Children Social Work Service, or the Children and Young People's Mental Health Service (CYPMHS).

### Vulnerable pupils

Some pupils are more vulnerable, such as those children with SEND or those who have been or are in care. These children can often lack the social or communication skills to report such incidents so it is important that staff are alert to the potential bullying this group could face and ensure the mechanisms for reporting are inclusive.

Keeping Children Safe in Education 2022 list the following additional barriers for SEND children:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's condition without further exploration;
- being more prone to peer group isolation or bullying including prejudice based bullying than other children;
- the potential for children with SEND or certain medical conditions being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs;
- communication barriers and difficulties in managing or reporting these challenges; and
- cognitive understanding – being unable to understand the difference between fact and fiction in online content and then repeating the content behaviours in schools or the consequences of doing so.

Our regular DSL team meetings give time to discuss and review the caseload and look for patterns and exceptions for all children, including those with SEND. We consider the language and social interaction barriers these children may have as the use of abstract language and concepts can lead to frustration, confusion and misunderstanding. This means that rules must be clear and consistent and not open to interpretation.

The additional opportunities for social and emotional development ensure that SEND children are not prone to peer isolation. The structure of the schools into vertically organised communities means that all children mix together and every child is known to the staff within the community, including any additional needs to ensure that where there is a change in behaviour for a child, this is identified rapidly by the staff so it can be investigated.

The **online safety policy** has been developed with SEND children in mind, particularly when considering online bullying.

### Supporting adults

Our Trust takes measures to prevent and tackle bullying among pupils; however, it is equally important to recognise that bullying of adults, including staff and parents, whether by pupils, parents or other staff members, is unacceptable.

Adults who have been bullied or affected will be supported by:

- Offering an immediate opportunity to discuss the concern with the designated safeguarding lead, a senior member of staff and/or the Head of School.

- Advising them to keep a record of the bullying as evidence and discuss how to respond to concerns and build resilience, as appropriate.
- Where the bullying takes place off school site or outside of normal school hours (including online), the school will still investigate the concern and ensure that appropriate action is taken in accordance with the schools' behaviour and discipline policy.
- Reporting offensive or upsetting content and/or accounts to the service provider, where the bullying has occurred online.
- Reassuring and offering appropriate support.
- Working with the wider community and local/national organisations to provide further or specialist advice and guidance.

Adults who have perpetrated the bullying will be helped by:

- Discussing what happened with a senior member of staff and/or the Head of School to establish the concern.
- Establishing whether a legitimate grievance or concern has been raised and signposting to the school's official complaints procedures.
- If online, requesting that content be removed.
- Instigating disciplinary, civil or legal action as appropriate or required.

Note: Specific guidance is available for leaders regarding dealing with complaints made on social networking sites: [www.kelsi.org.uk/child-protection-and-safeguarding/e-safety](http://www.kelsi.org.uk/child-protection-and-safeguarding/e-safety)

## Preventing bullying

### Environment

The whole school community will:

- Create and support an inclusive environment which promotes a culture of mutual respect, consideration and care for others, which will be upheld by all.
- Recognise that bullying can be perpetrated or experienced by any member of the community, including adults and children (peer on peer abuse).
- Recognises the potential for children with SEND to be disproportionately impacted by bullying and will implement additional pastoral support as required.
- Openly discuss differences between people that could motivate bullying, such as: children with different family situations, such as looked after children or those with caring responsibilities, religion, ethnicity, disability, gender, sexuality or appearance related difference.
- Challenge practice and language (including 'banter') which does not uphold the school values of tolerance, non-discrimination and respect towards others.
- Be encouraged to use technology, especially mobile phones and social media, positively and responsibly.
- Work with staff, the wider community and outside agencies to prevent and tackle concerns including all forms of prejudice-driven bullying.
- Actively create "safe spaces" for vulnerable children and young people.
- Celebrate success and achievements to promote and build a positive school ethos.

### Policy and Support

The whole school community will:

- Provide a range of approaches for pupils, staff and parents/carers to access support and report concerns.

- Regularly update and evaluate our practice to consider the developments of technology and provide up-to-date advice and education to all members of the community regarding positive online behaviour.
- Take appropriate, proportionate and reasonable action, in line with existing school policies, for any bullying brought to the schools' attention, which involves or affects pupils, even when they are not on school premises; for example, when using school transport or online, etc.
- Implement appropriate disciplinary sanctions; the consequences of bullying will reflect the seriousness of the incident, so that others see that bullying is unacceptable.
- Use a variety of techniques to resolve the issues between those who bully, and those who have been bullied.

### Education and Training

The school community will:

- Train all staff, including: teaching staff, support staff (e.g. administration staff, lunchtime support staff and site support staff) and pastoral staff, to identify all forms of bullying and take appropriate action, following the school's policy and procedures, including recording and reporting incidents.
- Consider a range of opportunities and approaches for addressing bullying throughout the curriculum and other activities, such as: through displays, assemblies, peer support, the school/student council, etc.
- Collaborate with other local educational settings as appropriate, and during key times of the year, for example during transition.
- Ensure anti-bullying has a high profile throughout the year, reinforced through key opportunities such as anti-bullying week
- Provide systematic opportunities to develop pupils' social and emotional skills, including building their resilience and self-esteem.

### Involvement of pupils

We will:

- Involve pupils in policy writing and decision making, to ensure that they understand the school's approach and are clear about the part they play in preventing bullying.
- Regularly canvas children and young people's views on the extent and nature of bullying.
- Ensure that all pupils know how to express worries and anxieties about bullying.
- Ensure that all pupils are aware of the range of sanctions which may be applied against those engaging in bullying.
- Involve pupils in anti-bullying campaigns in schools and embedded messages in the wider school curriculum.
- Utilise pupil voice in providing pupil led education and support
- Publicise the details of internal support, as well as external helplines and websites.
- Offer support to pupils who have been bullied and to those who are bullying to address the problems they have.

### Involvement and liaison with parents and carers

We will:

- Take steps to involve parents and carers in develop policies and procedures, to ensure they are aware that the school does not tolerate any form of bullying.
- Make sure that key information about bullying (including policies and named points of contact) is available to parents/carers in a variety of formats, including via the school website
- Ensure all parents/carers know who to contact if they are worried about bullying and where to access independent advice.



- Work with all parents/carers and the local community to address issues beyond the school gates that give rise to bullying.
- Ensure that parents work with the school to role model positive behaviour for pupils, both on and offline.
- Ensure all parents/carers know about our complaints procedure and how to use it effectively, to raise concerns in an appropriate manner.

### Monitoring and review: putting policy into practice

- The school will ensure that they regularly monitor and evaluate mechanisms to ensure that the policy is being consistently applied.
- Any issues identified will be incorporated into the school's action planning.
- The Head of School and Chief Executive Officer will be informed of bullying concerns, as appropriate.
- The named Governor for bullying will report on a regular basis to the governing body on incidents of bullying, including outcomes.

### Useful links and supporting organisations

- Anti-Bullying Alliance: [www.anti-bullyingalliance.org.uk](http://www.anti-bullyingalliance.org.uk)
- Childline: [www.childline.org.uk](http://www.childline.org.uk)
- Family Lives: [www.familylives.org.uk](http://www.familylives.org.uk)
- Kidscape: [www.kidscape.org.uk](http://www.kidscape.org.uk)
- MindEd: [www.minded.org.uk](http://www.minded.org.uk)
- NSPCC: [www.nspcc.org.uk](http://www.nspcc.org.uk)
- The BIG Award: [www.bullyinginterventiongroup.co.uk/index.php](http://www.bullyinginterventiongroup.co.uk/index.php)
- PSHE Association: [www.pshe-association.org.uk](http://www.pshe-association.org.uk)
- Restorative Justice Council: [www.restorativejustice.org.uk](http://www.restorativejustice.org.uk)
- The Diana Award: [www.diana-award.org.uk](http://www.diana-award.org.uk)
- Victim Support: [www.victimsupport.org.uk](http://www.victimsupport.org.uk)
- Young Minds: [www.youngminds.org.uk](http://www.youngminds.org.uk)
- Young Carers: [www.youngcarers.net](http://www.youngcarers.net)
- The Restorative Justice Council: [www.restorativejustice.org.uk/restorative-practice-schools](http://www.restorativejustice.org.uk/restorative-practice-schools)

### SEND

- Changing Faces: [www.changingfaces.org.uk](http://www.changingfaces.org.uk)
- Mencap: [www.mencap.org.uk](http://www.mencap.org.uk)
- Anti-Bullying Alliance Cyberbullying and children and young people with SEN and disabilities: [www.cafamily.org.uk/media/750755/cyberbullying\\_and\\_send\\_-\\_module\\_final.pdf](http://www.cafamily.org.uk/media/750755/cyberbullying_and_send_-_module_final.pdf)
- DfE: SEND code of practice: [www.gov.uk/government/publications/send-code-of-practice-0-to-25](http://www.gov.uk/government/publications/send-code-of-practice-0-to-25)

### Cyberbullying

- Childnet: [www.childnet.com](http://www.childnet.com)
- Internet Watch Foundation: [www.iwf.org.uk](http://www.iwf.org.uk)
- Think U Know: [www.thinkuknow.co.uk](http://www.thinkuknow.co.uk)
- UK Safer Internet Centre: [www.saferinternet.org.uk](http://www.saferinternet.org.uk)
- The UK Council for Child Internet Safety (UKCCIS) [www.gov.uk/government/groups/uk-council-for-child-internet-safety-ukccis](http://www.gov.uk/government/groups/uk-council-for-child-internet-safety-ukccis)
- DfE 'Cyberbullying: advice for headteachers and school staff': [www.gov.uk/government/publications/preventing-and-tackling-bullying](http://www.gov.uk/government/publications/preventing-and-tackling-bullying)
- DfE 'Advice for parents and carers on cyberbullying': [www.gov.uk/government/publications/preventing-and-tackling-bullying](http://www.gov.uk/government/publications/preventing-and-tackling-bullying)

### Race, religion and nationality

- Anne Frank Trust: [www.annefrank.org.uk](http://www.annefrank.org.uk)

- Kick it Out: [www.kickitout.org](http://www.kickitout.org)
- Report it: [www.report-it.org.uk](http://www.report-it.org.uk)
- Stop Hate: [www.stophateuk.org](http://www.stophateuk.org)
- Tell Mama: [www.tellmamauk.org](http://www.tellmamauk.org)
- Educate against Hate: [www.educateagainsthate.com](http://www.educateagainsthate.com)
- Show Racism the Red Card: [www.srtrc.org/educational](http://www.srtrc.org/educational)

#### LGBT

- Barnardo's LGBT Hub: [www.barnardos.org.uk/what\\_we\\_do/our\\_work/lgbtq.htm](http://www.barnardos.org.uk/what_we_do/our_work/lgbtq.htm)
- Metro Charity: [www.metrocentreonline.org](http://www.metrocentreonline.org)
- EACH: [www.eachaction.org.uk](http://www.eachaction.org.uk)
- Proud Trust: [www.theproudtrust.org](http://www.theproudtrust.org)
- Schools Out: [www.schools-out.org.uk](http://www.schools-out.org.uk)
- Stonewall: [www.stonewall.org.uk](http://www.stonewall.org.uk)

#### Sexual harassment and sexual bullying

- Ending Violence Against Women and Girls (EVAW) [www.endviolenceagainstwomen.org.uk](http://www.endviolenceagainstwomen.org.uk)
- A Guide for Schools: [www.endviolenceagainstwomen.org.uk/data/files/resources/71/EVAW-Coalition-Schools-Guide.pdf](http://www.endviolenceagainstwomen.org.uk/data/files/resources/71/EVAW-Coalition-Schools-Guide.pdf)
- Disrespect No Body: [www.gov.uk/government/publications/disrespect-nobody-campaign-posters](http://www.gov.uk/government/publications/disrespect-nobody-campaign-posters)
- Anti-bullying Alliance: Preventing and responding to Sexual Bullying: [www.anti-bullyingalliance.org.uk/tools-information/all-about-bullying/sexual-and-gender-related/preventing-and-responding-sexual](http://www.anti-bullyingalliance.org.uk/tools-information/all-about-bullying/sexual-and-gender-related/preventing-and-responding-sexual)
- Anti-bullying Alliance: advice for school staff and professionals about developing effective anti-bullying practice in relation to sexual bullying: [www.anti-bullyingalliance.org.uk/tools-information/all-about-bullying/sexual-and-gender-related](http://www.anti-bullyingalliance.org.uk/tools-information/all-about-bullying/sexual-and-gender-related)

## Racism & the use of Discriminatory and Derogatory Language

All members of the school community (staff, pupils, parents and visitors) have a right not to experience racism or any derogatory language at school, whether or not this is directed at them. We value all children and seek to ensure that they learn that challenging hurtful behaviour and discrimination is an important part of the school ethos. Discriminatory behaviour relating to race, gender, sexuality, disability and religious views are evident in wider society and therefore inevitably will occasionally occur within schools. Incidents can occur in any school setting, including this one. We work actively to:

- Develop a climate which is intolerant to the use of derogatory language.
- To ensure an atmosphere in which all pupils feel valued and listened to and have confidence that their concerns will be addressed.

Pupils are taught about discrimination, that it is unacceptable and that it diminishes us all. As a school we aim to recognise and value diversity by ensuring that:

- All pupils have an equal and strong sense of belonging within the school community.
- There are few discriminatory incidents and these are dealt with effectively.
- Ensuring that our curriculum is diverse, and there are planned opportunities for teaching tolerance through PHSE/SRE, SMSC and British Values.

### What is a discriminatory incident?

#### Racism

Schools are required to use the following definition for recording and responding to racist incidents:

“Any incident which is perceived to be racist by the victim or any other person”.

The Home Office Code of Practice explains that, “The purpose of the definition ... is to ensure that investigations take full account of the possibility of a racist dimension to the incident and that statistics of such incidents are collected on a uniform basis”.

In recording incidents under this definition, it is not the intention to label individuals as racist. Records of incidents are held on CPOMS/My Concern for the children involved, along with the restorative justice process and any relevant sanction.

#### Other types of discrimination and use of derogatory language

Under the Equality Act (2010) schools have duty to eliminate discrimination against pupils for all protected characteristics. Any incident which is perceived to be discriminatory or derogatory by the victim or any other person will be challenged and addressed using a Restorative Justice and educational approach.

#### How incidents are addressed

Any discriminatory incident including racism, or one which involves derogatory language will:

- The incident will be fully investigated using our Restorative Justice approach. The victim of the discriminatory or derogatory language will speak to the perpetrator(s) to explain how what was said or done impacts them, their feelings and their lives. A record of this investigation will be kept on CPOMS/My Concern and linked to all/any child involved, and tagged as “Behaviour – Cyber Bullying, Derogatory Language used, Discriminatory behaviour (including sexist/disability), Racist Incident, Homophobic/Biphobic/Transphobic incident”, depending on the incident.

- It is important to reflect, as part of the investigation, the age, stage and development of the children directly involved, as this may have an effect on the sanction agreed.
- In the first instance of such behaviour, parents of all/any children involved will be asked to meet with the class teacher/Community Lead to discuss the incident, and share the actions taken. This could take place face to face or by phone. Any face to face meeting will be held inside the school building and not at the classroom door. These meetings will take place as soon as possible following the incident.
- A record of this meeting will be kept on CPOMS/My Concern , and in the case of a racist or bullying incident, it will be reported to the Local Authority <https://www.kelsi.org.uk/school-management/data-and-reporting/management-information/racial-and-bullying-reporting> (“As it happens” Report)
- Should the perpetrator repeat similar derogatory behaviour, a more formal meeting shall be held with parents, the child, class teacher, Community Lead and the Assistant Headteacher where further appropriate sanctions will be agreed.
- Should this continue, despite the actions taken, a formal meeting will be held with the Head of School to discuss the seriousness of the issue and share further sanctions which could include a form of exclusion.

By recording all incidents the Trust is able to:

- Demonstrate that they have dealt satisfactorily with incidents.
- Monitor trends and patterns of behaviour if they exist.
- Take preventative action against racism which may come into the school from society in general.
- Provide good educational responses to any behaviour that is of concern.

Consequently, any incident which is perceived by anyone to be derogatory will be investigated, recorded and monitored as such. This designation does not necessarily mean that discrimination has occurred.

In investigating any incident as defined above, the school will be seeking to establish whether any behaviour, language or expression has occurred which has caused harm or offence.

In some incidents it may be found that the motivation was to cause harm or offence, in others it may have been unintentional. Intentional discriminatory behaviour will be dealt with differently to unintentional incidents. For example, younger pupils may unwittingly use offensive language which they do not understand and did not intend to cause offence. However, these incidents are still recorded on CPOMS/My Concern but dealt with through teaching the children about what is appropriate, and restorative justice conversations are evidenced.

It is important to note that discriminatory incidents/bullying can be subtle and may not always be directly explicit. These kinds of incidents can be just as damaging to victims as explicit discrimination. Pupils may also suspect the motives and intent of their fellow pupils when perfectly acceptable language is being used. Importantly, wherever offence is caused it needs to be understood and resolved, and will be recorded as a discriminatory incident and tagged accordingly to support in school monitoring.

It should be noted that under the prescribed definition, racist and other discriminatory incidents related to protected characteristics can occur without a victim or target being present, for example telling a racist joke or making derogatory remarks about a particular ethnic community or sexuality. Such incidents will also be recorded and resolved. Some discriminatory incidents involve allegations that the school itself has failed to provide equal and fair opportunities or treatment to individuals or

groups on the basis of their protected characteristics. Where such an allegation is made this too will be recorded and investigated as a discriminatory incident.

### Roles and Responsibilities

- The Governors are responsible for monitoring the policy.
- The CEO is responsible for implementing the policy and procedures.
- All members of the school community are responsible for following the procedures, and acting as role models as well as challenging any discriminatory behaviour or derogatory language.

### Expectations of pupils

All pupils, as appropriate to their age and understanding, have a responsibility for promoting a harmonious school community and challenging and/or reporting discriminatory behaviours. (It is understood however that it may be difficult for pupils who are the targets of discrimination to report it.)

### Expectations of staff

All staff will report immediately any allegations or incidences of discriminatory behaviour or language to the appropriate member of the leadership team and logged on CPOMS/MY CONCERN. They will ensure that all incidents are reported in this method to ensure that their statutory responsibility to do so is adhered to. Staff are expected to support all pupils involved in any incidences in a restorative method.

### Expectations of parents

We always take parents' concerns seriously. However, the school can only respond to incidents that are drawn to their attention.

Parents are expected to ensure that their children display appropriate and acceptable behaviour in and out of school with their school fellows. When problems arise in school we will seek the support of all parents in ensuring their children understand where and why offence has been caused and what, if any, change might be necessary to adhere to the school's race equality policies.

### Recording the Racial Incident Investigation

The CEO has overall responsibility (which may be delegated to the Head of School) for managing racial incidents. The Head of School should ensure that the school has:

- Made it a requirement to investigate, record and report where there is a perception that a racial or derogatory incident may have taken place.
- Communicated the school's commitment to tackling racial and derogatory incidents to all members of the school community, including provision for this procedure to be made available in community languages where appropriate.
- Completed the Racial Incident Monitoring form ("As it happens" form) on KELSI as soon as possible after an incident has taken place.

### Management of Racial Incidents

Considerations for all Incidents:

- Investigate the incident thoroughly.
- Record the incident on a Racial Incident Monitoring Form ("As it happens" form) on KELSI in any instance where the victim or perpetrator is a pupil. This is also then logged on CPOMS/My Concern.
- Keep the situation under regular review to ensure that any harassment, abuse or victimisation has stopped and that the victim feels safe.

- Consider any curriculum implications, including the need for a special assembly or changes to the school's behaviour code or other policies.
- Support for the victim (if a pupil).
- Support for the alleged perpetrator (if a pupil).
- Consider if there is a child protection issue in this case.
- Consider seeking advice from the Local Education Officer.

#### Support for the Victim (if a pupil)

- Take appropriate action to offer support to the victim.
- Meet with the pupil's parent(s)/guardian/carer to discuss the matter and explain the action taken. An interpreter/translator may be needed at the meetings.
- Reinforce the school's commitment to tackling racist incidents.

#### Support for the alleged Perpetrator (if a pupil)

- An appropriate member of staff should intervene and take immediate action, for example, separating the victim(s) from the perpetrator(s).
- Any racist behaviour should be challenged immediately. The perpetrator should be told that his/her behaviour is unacceptable and will not be tolerated.
- Appropriate action should be taken to support, educate and monitor the behaviour of the perpetrator to ensure that the racist behaviour will not be repeated. The actions taken will be logged against the original incident on CPOMS/My Concern.
- The incident should be reported to the Chief Executive Officer or Head of School and he/she should decide whether any further action needs to be taken, including notifying the police of any investigation and the outcome.
- The Chief Executive Officer or Head of School can consider the use of a full range of sanctions including the use of fixed term or permanent exclusion.
- Discuss the incident with the alleged perpetrator's parent(s)/guardian/carers and reinforce the school's commitment to tackling racial incidents. This formal meeting will take place within the school building, and be recorded on CPOMS/My Concern.

#### Dealing with Members of Staff as alleged Perpetrators or Victims

All members of staff are required to abide by the Trust's Equality Policy. Substantiated racial discrimination by any member of staff towards pupils may be considered as misconduct and the perpetrator may be subject to disciplinary action.

In the event of such an allegation being made against a member of staff, the Chief Executive Officer or his/her nominee should investigate the allegation in accordance with the relevant Disciplinary Procedures. All members of staff have the right to use the school's grievance procedure if they suffer discrimination and cannot get satisfactory management support.

The Trustees and Chief Executive Officer have a duty of care towards employees, and must ensure that they address any complaints from employees about discrimination by pupils, parents or colleagues, and provide appropriate support and referrals as necessary.

### Dealing with Members of the Public as alleged Perpetrators

Racially motivated conduct by members of public requires an immediate response. The following procedure is to be followed in cases of racial incidents involving a member of the public:

- The incident to be reported to the Chief Executive Officer/Head of School as soon as possible.
- The police to be informed of incidents involving violent, threatening or abusive behaviour.

### Managing the impact of racial incidents in the school and the community

- Racist graffiti or slogans should be reported and removed immediately or within 24 hours.
- Racist literature, badges and insignia should be confiscated immediately, giving a clear explanation setting out the reasons why the property has been confiscated. The confiscated property should be handed to the police in criminal proceedings or returned to the pupils parent at the earliest opportunity, as appropriate. A teacher may not deliberately destroy a confiscated item unless such action is necessary in the immediate interests of safety.
- If the incident has caused damage or is seen as a threat of damage to a person or property, it may be appropriate to call a special meeting either with staff only or with pupils to discuss what has happened. Support and advice may also need to be sought from the Local Education Officer, the Police, the local Racial Equality Council, a Victim Support group or another appropriate agency.

### Reporting to the Police

Violent, criminal or other serious racial incidents may be reported to Kent Police. This applies to all racial incidents brought to the attention of the school, regardless of the relationship of the parties to the school. Kent Police have the discretion to decide to pursue action based on incidents. Violent, criminal or serious incidents should also be reported to the LA.

### Reporting information to parents, Trustees and the LA

The Governors and Trust Board will receive a seasonal termly report on any racial incidents in the Head of School report to local governors. The school will report annually to the LA on racial incidents during the preceding year.

Written by: Tim Harwood (Trust Standards Executive)

Date: September 2022