



Sandwell Academy Behaviour and Exclusion (including Anti- Bullying provision)

Policy Title:	Behaviour and Exclusion (including Anti-Bullying Provision) Policy into Practice
Policy Reference:	Sandwell Academy / Student
Description:	This document sets out how the Academy manages behaviour and exclusion. It also incorporates the Academy Anti-bullying Policy.
Status:	Statutory
Category:	Academy
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Version:	V1.6 – July 2018
Other relevant SA policies:	None
Adopted by the Governing Board on:	November 2013
Date for Review:	June 2019

Change Record		
Versi on	Date	Description
1.1	June 2009	Incorporation of Anti-bullying provision
1.2	October 2011	Changes to statutory guidance
1.3	September 2013	DHM
1.4	July 2015	DHM
1.5	July 2017	Change of personnel/Bromcom
1.6	July 2018	DfE Policy updates

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Introduction

All students and staff at the Sandwell Academy are entitled to work in a safe and supportive environment where everyone is valued. The Academy recognises that it has an explicit duty to safeguard and protect children and young people and this policy should be read in conjunction with the Safeguarding and Child Protection Policy

Effective learning takes place where high expectations of behaviour are clearly communicated and bullying is not tolerated. Positive reward rather than punitive sanctions provides the motivation to succeed. It is upon these principles that the Charter for Students (Appendix 1) and Charter for Parents (Appendix 2) are founded and will develop. The Charters are agreed by the students, teachers, parents and Governors of the Academy. It is the responsibility of all concerned to ensure that standards are upheld and that the students become entitled:

To be valued

To be actively encouraged to achieve and succeed at a level appropriate to age and individual ability

To develop independence and personal responsibility

To develop and justify personal viewpoints in a climate which encourages active listening, open discussion and respect

Students are expected to extend these same entitlements to everyone in the Academy and the wider community. There must be due regard for other students' and teachers' entitlements. Above all we must remember:

Students attend school to learn

Teachers come to school to teach

Everyone at the Sandwell Academy must be safe

In the rare exceptions when students breach the above they will be dealt with appropriately to ensure that other students and staff can proceed effectively with their learning and teaching.

The Academy has adopted special provisions designed to achieve a bully-free school. These are set out in detail as a separate section of this policy document.

How will teachers promote positive behaviour?

A school which actively fosters an ethos which is motivating, supportive and friendly will promote good behaviour.

The following strategies, if operated consistently **by all employees**, will help us to achieve a positive atmosphere and high standards of behaviour.

- Effective session preparation to ensure work is matched to the ability of all students within a group.
- Provision of attractive and user friendly learning resources.
- Actively involving students in learning which includes a range of varied and relevant activities.
- Establishing clear routines for classroom management.
- Setting attainable and realistic targets each session.
- Providing constructive feedback through regular marking and purposeful discussions with students.
- Ensuring records of progress inform session planning.
- Keeping Personal Tutors and parents updated about student progress.
- Rewarding good behaviour and work regularly by:
 - words of encouragement
 - sharing examples of good practice with group
 - displaying work
 - broadcasting achievements via the news bulletin
 - awarding commendations
- Retaining a sense of humour and fostering a friendly atmosphere.
- Ensuring that teaching environments are attractively maintained.
- Setting appropriate and relevant homework tasks.
- Listening and taking appropriate action when students express concern.
- Not tolerating bullying. Any such incidence should be referred to the Personal Tutor and a Senior Manager immediately.

Taking Appropriate Action

No matter how effectively we operate consistent strategies there will be occasions when students' behaviour or standards of work are unacceptable. Swift and appropriate action should be taken. The responsibility for taking action rests with the relevant Personal Tutor or Subject Teacher. Teachers will be supported by their Line Managers and Senior Managers. If teachers are unsure about the nature of action they should seek advice. Personal Tutors should be kept informed so that they can retain the overview of their personal students' progress. Key people to take advice from will be any of the Senior Managers or the Head. The procedures for disciplinary action are as follows:

Level One : Subject Teacher

- Follow the Behaviour for Learning Procedure – Stages 1 & 2 - Record on Bromcom (the Academy's information management system).
- Keep calm
- Do not be led into an argument
- Condemn the act not the person
- Discuss the problem
- Ensure a fair outcome
- Set target for future behaviour

Level Two : Subject Teacher

- Refer to actions in Stage One
- Follow the Behaviour for Learning Procedure – Stage 3. Record on Bromcom and inform Personal Tutors and relevant Senior Manager.
- Inform Parent/Guardian if appropriate
- Arrange meeting with Parent/Guardian if appropriate
- If an incident occurs where a student's behaviour is causing significant disruption, on discussion with Senior Management/the Pastoral Team it may be appropriate to remove the student from the situation whilst further information is sought. (Behaviour for Learning Procedure – Stage 4. Record on Bromcom)
- Instances such as aggressive behaviour, use of extreme bad language and dangerous behaviour would constitute major disruption. In such cases, the student will be removed to the Internal Exclusion Centre by a member of the Senior Management Team/Pastoral Team (Behaviour for Learning Procedure – Stage 4.) An internal exclusion is only issued as a consequence of a serious breach of the Academy's Behaviour Policy and may also be issued in conjunction with or as an alternative to fixed term exclusion.

Level Three : Subject Teachers and/or Personal Tutors and/or Senior Managers

- Make an appointment with the Parent/Guardian
- Seek professional advice within the Academy
- Referral to Inclusion team
- Relevant staff to attend meeting.

Level Four : Meeting with Parents/Guardian

- Thank Parent/Guardian for coming to the Academy
- Give progress report. Emphasise positive achievements as well as concerns
- Identify behaviour causing concern
- Agree future targets
- Devise support strategies
- Set a review date
- Document action

Level Five : Senior Manager

- Devise support strategies which may include involvement of outside agencies.
- If appropriate, draw up a behaviour contract
- Set a review date
- Document action

Level Six : Senior Manager and the Head

- If students do not respond to the actions of level one to level five they will be referred to a Disciplinary meeting with the Head
- The students and parent/guardian will be asked to attend the Disciplinary meeting
- The Deputy Head responsible for the Key Stage and other appropriate staff will also attend the meeting

Procedure at this Disciplinary Meeting

- The Deputy Head responsible for the Key stage of the student will present a full overview of the behaviour file on the student
- The students and parent/guardian will be asked to comment
- The Head will ask questions of the student, parents/guardian and Deputy Head.
- The Head will ensure that all levels of support have been secured for the student through levels one to five of this procedure
- The Head will decide on the next stage of action.

Possible Outcomes

- The student returns to the current programme of study with specific targets of good behaviour to be met over an agreed period of time. A second meeting would be agreed to review progress within an appropriate timescale.
- The student returns to an alternative programme of study which is arranged to meet the needs of the student and to safeguard the learning of other students. Further meetings will be held to review student progress.
- Permanent Exclusion

Level Seven :

- Following the Disciplinary meeting of level six and the introduction of the additional support strategies agreed with parent/guardian, there are two possible outcomes.
- The student meets the standards of behaviour required at the Academy and completes their programme of study.
- The student does not meet the standards of behaviour required at the Academy and the Head or his representative permanently excludes the student.

At any time :

- At any time through levels one to seven, fixed term exclusions may be issued by the Head or his representative in accordance with the Exclusion Policy.

At any time :

- Occasionally, in exceptional circumstances, where all support strategies have failed to achieve the desired behaviour, the parents/guardians in consultation with the Academy have the right to withdraw the student and seek alternative education.

At any time :

- In cases, when an incident is of a most serious nature, the Head or his representative may make a decision to immediately exclude a student. Exclusions can be either a fixed period or permanent.

Conclusion :

- Clearly the level of intervention to adopt depends on the nature of the behaviour and the circumstances. Intervention can occur at any level. The 'common sense' rule applies and teachers are encouraged to seek advice when they are unsure of appropriate action.

Exclusion Policy

Action to be taken by Senior Staff in Serious Disciplinary Matters

Please take note of the principles of quality care, guidance and fairness implicit within the Charter for Students.

Over serious matters students must be interviewed by a senior member of staff, ie Deputy Head, Senior Manager, Pastoral Manager or Head of Department. If the nature of the incident is most serious then at least two staff members should be present to conduct the interview, e.g. Two Deputy Heads/Senior Managers or Deputy Head/Senior Managers and Pastoral Manager. The student should be encouraged to provide a written statement of what happened and offered the opportunity to sign this as an authoritative record of events. At this stage this report will help to enable the Academy to decide on what further action should be undertaken.

In discharging their duties the Head and Governors of the Academy will give due regard where appropriate to the DfE statutory guidance **Exclusion from maintained schools, academies and pupil referral units in England – September 2017**

Factors to consider before making a decision to exclude

Before deciding whether to exclude a student, either permanently or for a fixed period, the Head should:

- Ensure that an appropriate investigation has been carried out.
- Consider all the evidence available to support the allegations.
- Allow the student to give his or her version of events.
- Check whether the incident may have been provoked, for example by bullying or by racial or sexual harassment.
- If necessary consult others, but not anyone who may later have a role in reviewing the Head's decision.

If satisfied that, on the balance of probabilities, the student did what he/she is alleged to have done; the Head may exclude the student.

NB – The student contract makes it very clear that the Academy takes a zero tolerance approach to drug activity. It states, "Illegal or harmful drugs and substances are very dangerous and students should note that there will be no toleration of possession, sale, purchase or consumption at the Academy or away from School. Such activity will result in exclusion"

Fixed Term Exclusion

The DfE regulations allow a fixed period exclusion for a student of up to 45 school days in an academic year. However fixed term exclusion should be as short as possible and should not exceed five days in any one period.

Having decided to exclude a student for a fixed period, a telephone call will be made to the parent/guardian to inform them of the decision. Parent/Guardian will be asked to come to the Academy to collect the child. A letter will be sent to the parent/guardian confirming the exclusion, defining the length of the exclusion and the reason for the exclusion. It will also state the time and date on which the student should return to the Academy, accompanied by parent/guardian to be reintegrated into the Academy.

For all periods of fixed term exclusion students will be provided with work to carry out under the guidance of parent/guardian. On the reinstatement of the child into the school, it may be necessary to provide the student with support. This could be in the form of:

- Monitoring Report
- School Nurse
- Pastoral Team
- Learning Support
- Outside Agencies

Permanent Exclusion

If the Head, or his representative in his absence, decides to permanently exclude a student the following procedure should be followed. A telephone call will be made to the parent/guardian to inform them of the decision. If the student is in attendance at the Academy the parent/guardian will be asked to collect their child immediately. This will be followed by a letter within one school day which will state:

1. The reason for the permanent exclusion
2. The parent/guardian rights to make representation about the exclusion to the Discipline Committee.
3. The name and contact details of the person whom the parent/guardian should contact if they wish to make representation who will be the Clerk to the Discipline Committee.

The letter will also provide information on the timescale within which the Discipline Committee must meet and the arrangements for enabling the student to continue his or her education at home under the guidance of parent/guardian.

In addition parent/guardian will also be informed of the Local Authority contact who can provide advice and the contact details of the Children's Legal Centre helpline.

A model letter available within the DfE guidance would be used.

Informing the Discipline Committee and the LA.

The Head or his representative will immediately inform the Chair of the Governing Board and the Clerk to the Discipline Committee. In addition, the Exclusion Officer at Sandwell Local Authority will be notified.

Responsibilities of the Discipline Committee

The Governing Board will nominate a pool of Governors from which to select three Governors to serve as the Discipline Committee. The Discipline Committee must meet within 15 school days after the date of the permanent exclusion. The parent/guardian, Head and a Local Authority officer will be invited to a meeting by the Clerk to the Discipline Committee. All written statements will be circulated in advance of the meeting.

The student and/or a friend or legal representative may accompany the parent/guardian at their request.

Procedure at the Discipline Committee Meeting

The Clerk to the Discipline Committee will oversee the proceedings.

The Committee will consider:

1. Any representation made by the parent/guardian, the student and the Local Authority Officer.
2. Whether the Head has complied with the exclusion procedure and has had due regard to the Behaviour Policy and the DfE guidance before deciding to exclude the student.

Following the Meeting

The Discipline Committee, via the Clerk to the Discipline Committee, will inform the parent/guardian, the Head and the Local Authority of their decision in writing within one day of the meeting, stating the reasons.

In the event of the Committee deciding not to reinstate the student they should also inform the parent/guardian of their right to appeal to an Independent Appeal Panel and provide the contact details of the Clerk to the Independent Appeal Panel. The appeal must be received in writing within 15 school days of the date of the letter from the Clerk to the Discipline Committee of the outcome of the meeting.

Independent Appeal Panel

The Independent Appeal Panel will consist of three members:

- One serving or recently retired Head
- One serving or recently serving Governor
- One lay member who will be the Chair of the Panel

The Independent Appeal Panel must meet within 15 school days from the receipt of the Appeal. The panel will consider all aspects of the case. The decision of the Independent Appeal Panel is final.

Anti-bullying Policy

Aims and objectives:

Our goal is to have a Bully Free School. This policy aims to provide a framework to help achieve this. It is written in accordance with the DfE guidance **Preventing and Tackling Bullying - Advice for headteachers, staff and Governing Bodies – July 2017**. (See Appendix 1)

Students at Sandwell Academy need to feel safe, secure and valued, so that they can maximise their potential and get the best possible start to their lives from their time at the Academy. However, we are realistic and appreciate that there is always the possibility of bullying occurring within the Academy and outside of the Academy.

Bullying – A definition:

Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via text messages or the internet), and is often motivated by prejudice against particular groups, for example on grounds of race, religion, gender, sexual orientation, or because a child is adopted or has caring responsibilities. It might be motivated by actual differences between children, or perceived differences. Forms of bullying could include:

- physical violence
- threatening behaviour
- verbal abuse
- teasing
- humiliation
- embarrassment
- name calling
- comments about family
- comments about appearance / physique
- comments about ethnicity / religion
- intentional damage to possessions
- psychological bullying
- use of technology to assist in any of the above such as texting, email or photographs

All these and many more demonstrate the wide variety of ways in which students can be bullied.

Procedures to follow:

It is vitally important that any incidents of bullying be notified immediately to the **Personal Tutor** or other relevant members of staff as indicated in the **Student and Parent Charters**.

All students will be periodically reminded that if they ever feel that appropriate action is not being taken to resolve the problem, they can have immediate access to the Head.

Whose responsibility is it to report bullying?

- The victim
- Other students
- Parents
- Staff

Sometimes, the victim may find it difficult to report the matter. Other people ie. other students and parents have a responsibility to see that the matter is raised and dealt with appropriately. We all need to look out for each other.

What action will be taken?

The priority is to safeguard the victim and other students and totally remove any possibility of repeat. All action taken must be **consistent, prompt** and in line with the Academy's Behaviour Policy.

The following steps may be taken when dealing with incidents:

- If bullying is suspected or reported, the incident will be dealt with immediately by the member of staff who has been approached.
- A clear account of the incident will be recorded and given to the Deputy Head with responsibility for the Key Stage.
- The Deputy Head will interview all concerned and will record the incident using a consistent form and within a confidential bullying incident log.
- Records of incidents will be kept within the student's pastoral file(s) for the duration of the student's attendance at the Academy and therefore subject to the same guidelines for access and confidentiality.
- Personal tutors will be kept informed and if it persists the personal tutor should advise the appropriate subject teachers.
- Parents will be kept informed by the personal tutor.
- Other agencies such as the police, transport companies or other schools may need to be informed if bullying occurs outside of the Academy.

Students who **have been bullied** will be supported by:

- offering an immediate opportunity to discuss the experience with their personal tutor or member of staff
- reassuring the pupil

- offering continuous support
- restoring self-esteem and confidence
- follow-up (two weeks after the incident, and the following half term)

Students who **have bullied** will be helped by:

- discussing what happened
- discovering why the student became involved
- establishing the wrongdoing and need to change
- informing parents or guardians to help change the attitude of the student

Sanctions for incidents of bullying:

The following disciplinary steps can be taken:

- official warnings to cease offending
- minor fixed-term exclusion
- major fixed-term exclusion
- permanent exclusion

In the event of not being able to secure the victim's safety with an offender or if any one incident is particularly serious in the judgement of the Head, the Bully will be excluded from the Academy using the normal procedures for exclusion (Ref: Behaviour Policy).

Intervention techniques: Support within the curriculum:

Within the curriculum, the Academy will raise the awareness of the nature of bullying through inclusion in PSHE, form tutorial time, assemblies and subject areas, as appropriate, in an attempt to eradicate such behaviour.

Opportunities to emphasise the Academy's views about bullying will be made via assemblies, broadcasts and, where appropriate, within lessons.

Intervention techniques: Role of Tutors, Parents and Management

Bullying should be a regular topic of discussion within the tutorial group. Personal tutors should encourage discussions about bullying emphasising the school's views about nil tolerance.

Students should be encouraged to look out for each other and be prepared to report any concerns to a teacher, supervisor or Deputy Head. Every student should be reminded that the Head is available to support them if they feel the matter has not been dealt with properly or the bullying will not stop.

Parents also have an important role to play and are strongly advised (through the Parents' Charter) to report any concerns over bullying, however small.

Monitoring, evaluation and review

Data from incidents and feedback from all parties will be used to monitor, evaluate and ultimately review this policy annually.

By doing this we anticipate:

- Staff to be more vigilant and responsive to bullying.
- Fewer student reports of incidents of bullying.
- Fewer student reports of being involved in bullying.
- Increased number of students claiming they would not join in bullying others.
- Increased number of students claiming they would tell a member of staff if they felt they were being bullied.

Key Staff responsible

Progress and review of this policy will be maintained by the designated Deputy Head for Behaviour. This review will be carried out in consultation with the remainder of the Senior team, a selection of tutors and student representation.

Date for next review

This policy will be reviewed at the end of each academic year for implementation the following September.

Following appropriate consultation, nothing contained in these policies shall prevent the Head Teacher and the Chairman of Governors jointly agreeing in exceptional circumstances some alternative sanction or sanctions, or other measure which, in any particular case, is thought to provide a more effective resolution of the problem concerned.

Appendix 1

DfE Policies Related to Behaviour Management

These can all be found on the [Department for Education website](#).

Behaviour and Discipline in Schools – A Guide for Head Teachers and School Staff
(Guidance)

Behaviour and Discipline in Schools – Guidance for Governing Bodies (Statutory Guidance)

Preventing and Tackling Bullying - Advice for School Leaders, staff and Governing Bodies
(Guidance)

Screening, Searching and Confiscation - Advice for Head Teachers, Staff and Governing
Bodies (Non-statutory advice)

Use of Reasonable Force - Advice for Head Teachers, Staff and Governing Bodies (Non-
statutory advice)