

JOHN TAYLOR MULTI ACADEMY TRUST



Behaviour Policy

Implementation date: September 2018

LGB procedures: Yes

This policy will be reviewed at regular intervals to reflect changes regarding advice within education and following analysis of behaviour trends within each JTMAT School. The policy and guidance will be reviewed by each schools Senior Leadership Team and Local Governing Body.

Each JTMAT School will have a member of the Senior Leadership Team who will be the lead for behaviour.

1.0 **Rationale:**

1.1 JTMAT schools want their pupils to be able to make a positive contribution within the society that they live. We recognise that pupils will make decisions that may not have positive outcomes. The Policy at a JTMAT School is a statement of good practice that covers all aspects of school that contribute to the development and maintenance of good behaviour and a positive ethos both inside and outside the classroom.

1.2 Effective behaviour management is essential for the smooth running of each JTMAT School. Each school recognises the importance of teaching behaviour and does this explicitly through the curriculum and implicitly through example.

1.3 All members of the school are expected to help maintain an atmosphere conducive to learning with courtesy and consideration for others as basic requirements, allowing teachers to teach and pupils to learn.

1.4 This policy should be read in conjunction with the MAT policies and school's guidance documents on SEND, Anti-Bullying, Attendance, Safeguarding, and Drugs. JTMAT schools acknowledge their legal duties under the Equality Act 2010, in respect of safeguarding and in respect of pupils with special educational needs (SEN).

1.5 As part of the statutory duty of each JTMAT School to promote pupils' wellbeing, schools have a clear role to play in the management of pupil's behaviour. To support this, the Government's [Education and Inspections Act 2006](#), ensures that school staff has the information, advice and power to:

- Discipline pupils whose behaviour is unacceptable, who break the school rules or who fail to follow a reasonable instruction (Section 90 and 91 of the [Education and Inspections Act 2006](#)).
- The power also applies to all paid staff (unless the Headteacher/Head of School says otherwise) with responsibility for pupils, such as teaching assistants.
- Discipline pupils at any time the pupil is in school or elsewhere under the charge of a teacher, including on school visits.
- Discipline pupils in certain circumstances when a pupil's misbehaviour occurs outside of school.
- Impose detention outside school hours.
- Confiscate pupils' property.

1.6 JTMAT Schools have a safeguarding duty, in respect of all of its pupils, regarding appropriate behaviour as per the [Keeping Children Safe in Education](#) statutory guidance. The school will share relevant data to the Local Authority and other relevant professionals as required. Please read this policy alongside the school's Health and Safety, Supporting Pupils with Medical Conditions, Drugs, and Child Protection policies.

1.7 This policy has been written with reference to national and LA guidelines and been informed by relevant research data.

2.0 **Aims:**

2.1 To establish a common approach to the behaviour management of all pupils which will support staff and pupils in getting the most from their education through a persistent and consistent approach.

2.2 The overarching aims are:

1. To enable effective teaching and learning, including ensuring pupils complete assigned work;
2. To promote good behaviour, self-discipline and respect;
3. To encourage achievement;
4. To create a safe and secure environment for pupils and staff, and prevent bullying;
5. To teach pupils to understand, accept and tolerate differences in individuals;
6. To regulate conduct of pupils.

2.3 Both rewards and sanctions will be used by staff to promote a positive ethos in the school and every lesson should incorporate praise and encouragement of pupils. Positive behaviour management is the responsibility of all staff and the wider school community. It is a co-operative venture: we work as part of a team. Mutual support, consistency and communication are essential components of this teamwork.

2.4 Successful implementation depends on full participation. Every member of the school has a responsibility to ensure positive behaviour.

2.5 Definition: Positive behaviour management is a process by which a child's behaviour is improved by using reward, sanction and reflection.

"Praise me more, criticise me less, I'm still learning" is a phrase, which epitomises JTMATs approach to positive behaviour.

3.0 Consequences for Poor Behaviour:

3.1 Should a pupil behave in a way that is less than is expected through misbehaviour, breaking a school rule, or fails to follow a reasonable instruction from a teacher, then the teacher can impose a sanction on the pupil.

3.2 JTMAT schools will ensure that when assigning a sanction:

1. The decision to sanction is made by a paid member of school staff or someone authorised to do so by the headteacher/head of school.
2. The decision to sanction and the sanction itself are made on the school premises or while the pupil is under the charge of a member of staff.
3. The sanction will not breach any legislation (e.g. respect for disability, SEN, race, gender, LGBT+, or any other human rights) and will be reasonable.

3.3 JTMAT schools will ensure that the sanction is proportionate and reasonable as per the terms of section 91 of the [Education and Inspections Act 2006](#), which states that the 'penalty must be reasonable' and that account must be taken of the pupil's age, SEN or disability, and any religious requirements affecting them.

3.4 JTMAT schools will consider if the behaviour indicates that a child is suffering or is likely to suffer significant harm. If that is the situation, the Safeguarding Policy and procedures will be followed. Should a pupil continue to demonstrate disruptive behaviour then consideration will be given to if there is an unmet educational or other need. An Early Help Assessment may then be undertaken.

It may also be deemed appropriate to consider a risk assessment for the pupil in certain situations.

4.0 Sanctions

4.1 Each JTMAT school will ensure that the staff, pupils and parents, are clear of the high expectations required of pupils at all times. The policy will be supported by all.

4.2 Each JTMAT school will have procedures in place regarding positive behaviour expectations and sanctions. These will be implemented consistently and fairly. Details of these can be found in the specific school procedures section later in this document. Sanctions can be varied and could include, but are not limited to: verbal reprimand, extra work being set, loss of privileges, missing free time, detentions (including at weekends), school based community service (including litter picking, clearing up, removing graffiti), regular reporting to staff, and temporary or permanent exclusion.

5.0 Pupils' Conduct Outside of the School Gate

5.1 JTMAT schools and the staff, have the power to discipline pupils for misbehaving outside of the school premises "to an extent as is reasonable". This includes:

- For misbehaviour when the pupil is:
 - Taking part in a school-organised or school related activity; or
 - Travelling to or from school; or
 - Wearing school uniform; or
 - Is identifiable by any other means as a pupil of a JTMAT school.
- For misbehaviour at any time that:
 - Could have repercussions for the orderly running of the school; or
 - Poses a threat to another pupil or member of the public; or
 - Could adversely affect the reputation of JTMAT or its schools.

5.2 JTMAT schools will respond to non-criminal behaviour and bullying which occurs off the school site but is witnessed by a member of staff or reported to us, in line with the school's behaviour procedures. Criminal behaviour, including cyber-bullying, should be passed to the appropriate authorities.

6.0 Detentions

6.1 Detentions can be set during the school day, and outside of normal hours. This can include any day when the pupil does not have permission to be absent, weekends (although not the weekend preceding or following the half term break) and on staff training days.

6.2 Parental consent is not required for the setting of detentions. However, JTMAT schools will advise parents of when the detention is set should it be outside of the normal school day. It is the parent's responsibility to ensure that the pupil can travel home at the end of the detention, and be transported to the detention should one be set for a staff training day or at a weekend.

7.0 Confiscation of Inappropriate Items

7.1 JTMAT staff has the right to, and will, confiscate items due to:

1. The general right to discipline. Staff has the right to confiscate, retain or dispose of a pupil's property as a punishment, if reasonable. These rights are set out with the DfE advice from [Searching, screening and confiscation guidance](#) and from Section 9 of the [Education and Inspections Act 2006](#). The law protects staff from liability for damage or loss of a confiscated item provided the member of staff has acted lawfully.

2. The power to search without consent for "prohibited items" which include:

- Knives or weapons
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco and cigarette papers
- Fireworks
- Pornographic images
- Anything that has been or could be used to commit an offence, cause personal injury or damage to property
- Any item banned by the JTMAT school rules.

7.2 JTMAT staff have a duty to always hand over weapons and knives, and extreme or child pornography to the police. For all other items, it will be based on the discretion of the Senior Staff at each school.

7.3 Should a search be necessary, JTMAT school staff are not required to inform parents before a search takes place or to seek parental consent to search a pupil. Whilst there is no legal requirement to make or keep a record of a search, JTMAT staff will do so where possible. A search can happen for any item with consent from a pupil. Should a pupil refuse to cooperate then this can be deemed a behaviour issue and sanctions applied. Should the Head of School/Headteacher deem that a student has something on their possession under part 2 of the items listed within 7.1, staff are able to undertake the search without consent from the pupil.

7.4 JTMAT school staff will normally inform the individual's parents or guardians where a "prohibited item" is found, unless that could place the student in significant harm. If that is the case, then the JTMAT Safeguarding policy will be followed.

7.5 Complaints about searching can be done through the normal school complaints procedure.

7.6 Complete secrecy can never be promised to a pupil, though information given in confidence will not generally be disclosed to anyone else. Action will be taken to ensure the pupil comes to no serious harm if this is considered a risk. Regarding disclosures, JTMAT staff need to carefully define and communicate the boundaries of confidentiality offered.

8.0 **Power to Use Reasonable Force**

8.1 JTMAT staff has the power to use reasonable force to prevent pupils committing an offence, injuring themselves or others, or damaging property.

8.2 JTMAT Senior staff, alongside other authorised staff, can use reasonable force depending on the circumstances when conducting a search without consent, if it is regarding any items listed in 7.1, point 2.

9.0 **Seclusion/Isolation Rooms**

9.1 JTMAT schools will isolate a pupil from their peers either through using other classrooms, offices, or an isolation room when investigating an incident or a pupil behaves in a disruptive way, as stated in the behaviour procedures within this document.

9.2 The staff in each JTMAT School will determine the length of time for the seclusion or isolation. The school will also determine what pupils may and may not do during the time there. Where possible and appropriate, work will be provided in line with the pupil's lessons to ensure there is a limitation regarding any potential loss of learning. Provision for eating and access to toilet facilities will be in place.

10.0 Exclusion

10.1 Where possible JTMAT schools look to avoid excluding a pupil, however there are times when this is the only option due to either the need to escalate a consequence due to continued poor or disruptive behaviour, or the behaviour is significant. Examples of reasons to use exclusion can be found later in this document, but the list is not exhaustive but is specific to the school.

10.2 There are two types of exclusion:

- Fixed term exclusion: a pupil is temporarily excluded (suspended) from school. A pupil can be fixed term excluded for a maximum of 45 days in one school year. A fixed term exclusion of up to 5 days requires the JTMAT School to provide work for the pupil. Should the fixed term exclusion be longer than 5 days, then the JTMAT School will arrange suitable full-time education from the sixth day. This is likely to be through the local Short Stay School/Pupil Referral Unit.
- Permanent exclusion: a pupil is expelled. From the sixth day, the Local Authority will arrange full time education for the pupil.

10.3 If the decision is made to exclude a pupil, the parent will be informed as soon as possible. This will be followed by a letter to inform parents of how long the exclusion is for, the reason, and how to challenge the exclusion, if they wish to do so.

10.4 Should a parent wish to challenge the exclusion, a Governing Body meeting will be convened. The meeting will include representatives from the Governing Body, the Headteacher/Head of School and parent/s of the pupil.

The Governing Body will request written evidence in advance of the meeting, circulate any written evidence at least 5 days before the meeting to all parties, allow parents and pupils to be accompanied by a friend or representative, and identify the steps to enable the pupil to attend the meeting and/or communicate whilst taking into consideration their age and understanding.

The Governing Body will consider:

1. the interests and circumstances of the excluded pupil
2. the circumstances in which the pupil was excluded
3. the interests of other pupils and people working at the school.

The Governing Body will look to establish the facts, 'on the balance of probability'. They will decide whether the decision to exclude the pupil was lawful, reasonable and procedurally fair, taking account of the Headteacher's/Head of Schools legal duties. The Governing Body will write to all parties, with their decision to either:

1. uphold an exclusion, or
2. direct reinstatement of the pupil immediately or on a particular date.

Following this, parents have the right to request an Independent Review Panel review the decision. Parents must lodge their application for review within 15 days of notice being given to the parents by the Governing Body of their decision to uphold a permanent exclusion.

10.5 If the pupil is excluded, for the first 5 days, it is the parent's responsibility to ensure that their child is not in a public place during normal school hours, without a valid reason. If the pupil is found in a public place, it can lead to the parent being prosecuted.

11.0 Managing Allegations from Pupils Against Other Pupils

11.1 The [Keeping Children Safe in Education](#) document states that '*Governing bodies and proprietors should ensure their child protection policy includes procedures to minimise the risk of peer on peer abuse and sets out how allegations of peer on peer abuse will be investigated and dealt with*' (page 19). The document also states it is most important to ensure opportunities of seeking the voice of the child are heard, '*Governing bodies, proprietors and school or college leaders should ensure the child's wishes and feelings are taken into account when determining what action to take and what services to provide. Systems should be in place for children to express their views and give feedback. Ultimately, any system and processes should operate with the **best** interests of the child at their heart.*'

11.2 At any JTMAT school we continue to ensure that any form of abuse or harmful behaviour is dealt with immediately and consistently to reduce the extent of harm to the young person, with full consideration to impact on that individual child's emotional and mental health and well-being.

11.3 Purpose and Aim

Children and young people may be harmful to one another in a number of ways, which would be classified as peer on peer abuse. The purpose of this section of the policy is to explore the many forms of peer on peer abuse and include a planned and supportive response to the issues.

11.4 At a JTMAT school we have the following policies in place that should be read in conjunction with this policy:
Child Protection Policy and Procedures

11.5 Framework and Legislation

This policy is supported by the key principles of the [Children's Act, 1989](#) that the child's welfare is paramount. Another key document that focuses adult thinking towards the views of the child is [Working Together, 2015](#), highlighting that every assessment of a child, '*must be informed by the views of the child*' and within that '*It is important to understand the resilience of the individual child when planning appropriate services.* (Working Together, 2015:23) This is clearly echoed by [Keeping Children Safe in Education](#) through ensuring procedures are in place in schools and settings to hear the voice of the child.

11.6 Introduction to abuse and harmful behaviour

Abusive behaviour can happen to pupils in schools and settings and it is necessary to consider what abuse is and looks like, how it can be managed and what appropriate support and intervention can be put in place to meet the needs of the individual and what preventative strategies may be put in place to reduce further risk of harm.

Abuse is abuse and should never be tolerated or passed off as 'banter' or 'part of growing up'. Equally, abuse issues can sometimes be gender specific e.g. girls being sexually touched/assaulted and boys being subject to initiation/hazing type violence (KCSIE, 2019). It is important to consider the forms abuse may take and the subsequent actions required.

11.7 Types of abuse:

There are many forms of abuse that may occur between peers and this list is not exhaustive. Each form of abuse or prejudiced behaviour is described in detail followed by advice and support on actions to be taken.

Physical abuse e.g. (biting, hitting, kicking, hair pulling etc.)

Physical abuse may include, hitting, kicking, nipping, shaking, biting, hair pulling, or otherwise causing physical harm to another person. There may be many reasons why a child harms another and it is important to understand why a young person has engaged in such behaviour, including accidentally before considering the action or punishment to be undertaken.

Sexually harmful behaviour/sexual abuse e.g. (inappropriate sexual language, touching, sexual assault etc.)

Sexually harmful behaviour from young people is not always contrived or with the intent to harm others. There may be many reasons why a young person engages in sexually harmful behaviour and it may be just as distressing to the young person who instigates it as well as the young person it is intended towards. Sexually harmful behaviour may range from inappropriate sexual language, inappropriate role-play, upskirting, to sexually touching another or sexual assault/abuse.

Bullying (physical, name calling, homophobic etc.)

Bullying is unwanted, aggressive behaviour among school-aged children that involves a real or perceived power imbalance. The behaviour is repeated, or has the potential to be repeated, over time. Both young people who are bullied and who bully others may have serious, lasting problems.

In order to be considered bullying, the behaviour must be aggressive and include:

- An Imbalance of Power: Young people who bully use their power—such as physical strength, access to embarrassing information, or popularity—to control or harm others. Power imbalances can change over time and in different situations, even if they involve the same people.
- Repetition: Bullying behaviours happen more than once or have the potential to happen more than once.

Bullying includes actions such as making threats, spreading rumours, attacking someone physically or verbally or for a particular reason e.g. size, hair colour, gender, sexual orientation, and excluding someone from a group on purpose.

Cyber bullying

Cyber bullying is the use of phones, instant messaging, e-mail, chat rooms or social networking sites such as Facebook and Twitter to harass threaten or intimidate someone for the same reasons as stated above.

It is important to state that cyber bullying can very easily fall into criminal behaviour under the [Malicious Communications Act 1988](#) under section 1 which states that electronic communications which are indecent or grossly offensive, convey a threat or false information or demonstrate that there is an intention to cause distress or anxiety to the victim would be deemed to be criminal. This is also supported by the [Communications Act 2003](#), Section 127 which states that electronic communications which are grossly offensive or indecent, obscene or menacing, or false, used again for the purpose of causing annoyance, inconvenience or needless anxiety to another could also be deemed to be criminal behaviour.

If the behaviour involves the use of taking or distributing indecent images of young people under the age of 18 then this is also a criminal offence under the [Sexual Offences Act 2003](#). Outside of the immediate support young people may require in these instances, the school will have no choice but to involve the police to investigate these situations.

Sexting

Sexting is when someone sends or receives a sexually explicit text, image or video. This includes sending 'nude pics', 'rude pics' or 'nude selfies'. Pressuring someone into sending a

nude picture can happen in any relationship and to anyone, whatever their age, gender or sexual preference.

However, once the image is taken and sent, the sender has lost control of the image and these images could end up anywhere. By having in their possession, or distributing, indecent images of a person under 18 on to someone else, young people could be breaking the law as stated as these are offences under the [Sexual Offences Act 2003](#).

Initiation/Hazing

Hazing is a form of initiation ceremony, which is used to induct newcomers into an organisation such as a private school, sports team etc. There are a number of different forms, from relatively mild rituals to severe and sometimes violent ceremonies.

The idea behind this practice is that it welcomes newcomers by subjecting them to a series of trials, which promote a bond between them. After the hazing is over, the newcomers also have something in common with older members of the organisation, because they all experienced it as part of a rite of passage. Many rituals involve humiliation, embarrassment, abuse, and harassment.

Prejudiced Behaviour

The term prejudice-related bullying refers to a range of hurtful behaviour, physical or emotional or both, which causes someone to feel powerless, worthless, excluded or marginalised, and which is connected with prejudices around belonging, identity and equality in wider society – in particular, prejudices to do with disabilities and special educational needs, ethnic, cultural and religious backgrounds, gender, home life, (for example in relation to issues of care, parental occupation, poverty and social class) and sexual identity (LGBT+).

Teenage relationship abuse

Teenage relationship abuse is defined as a pattern of actual or threatened acts of physical, sexual, and/or emotional abuse, perpetrated by an adolescent (between the ages of 13 and 18) against a current or former partner. Abuse may include insults, coercion, social sabotage, sexual harassment, threats and/or acts of physical or sexual abuse. The abusive teen uses this pattern of violent and coercive behaviour, in a heterosexual or same gender relationship, in order to gain power and maintain control over the partner.

11.8 Expected action taken from all staff

Although the type of abuse may have a varying effect on the victim and initiator of the harm, these simple steps can help clarify the situation and establish the facts before deciding the consequences for those involved in perpetrating harm.

It is important to deal with a situation of peer abuse immediately and sensitively. It is necessary to gather the information as soon as possible to get the true facts around what has occurred as soon after the child(ren) may have forgotten. It is equally important to deal with it sensitively and think about the language used and the impact of that language on both the children and the parents when they become involved. For example; do not use the word perpetrator, this can quickly create a 'blame' culture and leave a child labelled.

In all cases of peer on peer abuse it is necessary that all staff be trained in dealing with such incidents, talking to young people and instigating immediate support in a calm and consistent manner. Staff should not be prejudiced, judgemental, dismissive or irresponsible in dealing with such sensitive matters.

Should staff be concerned that this is becoming a safeguarding concern, they should follow the process for referral. i.e. complete the cause for concern (orange) form and pass to the Designated Safeguard Lead (DSL) or one of the Deputy Designated Safeguarding Leads (DDSL).

The DSL/DDSL will then gather the facts, consider the intent and decide on the next course of action. This may require getting the police involved.

11.9 Informing parents

Parents will be informed of any concerns, if relevant, and following advice from relevant agencies. Staff will always advise pupils to inform parents as a matter of course.

11.10 Next Steps

Once the outcome of the incident(s) has been established, a JTMAT school will consider any necessary next steps regarding relevant intervention and support.

This could involve one or more of the interventions below:

- Support via the specific school student support team
- Referral to the Local Support Team, or other relevant agency
- Restorative Justice work between relevant pupils
- Targeted work with a class, group, year group regarding the issue.
- A risk assessment being undertaken
- An Early Help Assessment Plan
- A consequence (internal, fixed term or permanent exclusion) may be appropriate

11.11 Prevention

JTMAT schools will minimise the risk of allegations against other pupils by:

- Providing a developmentally appropriate PSHE syllabus which develops pupils understanding of acceptable behaviour and keeping themselves safe;
- Having systems in place for any student to raise concerns with staff, knowing that they will be listened to, believed and valued;
- Using Early Help systems to identify at risk pupils;
- Ensuring adequate communicate with other relevant agencies as appropriate;
- Delivering targeted work on assertiveness and keeping safe to those pupils identified as being at risk
- Developing robust risk assessments & providing targeted work for pupils identified as being a potential risk to other pupils.

12.0 Managing Allegations from Pupils Against Staff

12.1 JTMAT schools will wish to establish a quick resolution should an allegation be made against a member of staff. This will be in the best interests of all concerned.

12.2 In response to the allegation, staff suspension will not be the default position.

12.3 Any allegation should be reported straight away to the Headteacher or Head of School, unless the allegation is about them. If that is the case, the allegation should be reported to the Chair of Governors who will, without delay, report this directly to the Chief Executive Officer (CEO) of the Trust. The CEO will contact the Local Authority Designated Officer (LADO), as required.

12.4 A thorough investigation of the incident will be undertaken by the designated member of staff, following advice from the LADO. Support will be offered for the victim.

12.5 Should the accusation be deemed malicious or unfounded, the pupil will have breached the school rules and it will be deemed a significant incident. This could lead to a fixed term exclusion, a permanent exclusion, and/or police involvement. The LADO will refer the matter to Children's Services.

School Specific Context and Procedures will be on the individual school websites.