

Dorset Education Partnership

BEHAVIOUR POLICY

To be reviewed 3-yearly

ReviewedJanuary 2008.....

ReviewedJune 2011.....

ReviewedJune 2014.....

ReviewedMay 2015.....

ReviewedNovember 2017.....

ReviewedJune 2018.....

ReviewedSeptember 2019.....

This Policy conforms to DFE guidance issued February 2014

1. The purpose of the policy

- To promote good behaviour, self-discipline and respect
- Prevent bullying
- Ensure that students complete assigned work
- Regulate the conduct of students
- Ensure that students are safe, including relevant aspects of safeguarding and particularly vulnerable groups (e.g. LAC, SEND, Ethnic Minorities)

2. Rewards and support

The school places the emphasis on rewarding and encouraging good behaviour. A range of strategies are used and positive behaviour is celebrated in school and notified to parents. Where necessary, students will be actively supported to behave appropriately, particularly where there are SEND issues.

3. Teachers' Powers

- Teachers have statutory authority 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).
- Teachers can discipline pupils at any time the pupil is in school or elsewhere under the charge of a teacher, including on school visits.
- Teachers can also discipline pupils in certain circumstances when a pupil's misbehaviour occurs outside of school.
- Teachers have a power to impose detention outside school hours without giving notice to the student's parents or guardians.
- Teachers can confiscate pupils' property.

The powers also apply to all paid staff with responsibility for pupils, such as teaching assistants.

Searching pupils with consent

School staff can search pupils with their consent for any item. The consent does not have to be in writing. If a member of staff suspects that a pupil has a prohibited item and the pupil refuses to agree to be searched then the school may punish the pupil as though the search was positive.

Searching pupils without consent

A headteacher or a member of staff authorised by the headteacher can carry out the search for prohibited items where there are reasonable grounds for suspecting that a pupil is in possession of a prohibited item.

The member of staff must be the same sex as the pupil and another member of staff should act as a witness. However, a search can be carried out by a member of staff who is of the opposite sex to the pupil and without a witness where the staff member reasonably believes that there is a risk of serious harm to a person or if they feel important evidence will be disposed of if such a search is not carried out immediately and it is not reasonably practicable to call another member of staff. In such cases, staff should take into account the increased expectation of privacy for older pupils.

Prohibited items are:

- knives or weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence, or
- to cause personal injury to, or damage to the property of, any person (including the pupil).

Further prohibited items at FUS are:

- any drugs related paraphernalia
- any cigarette related paraphernalia
- 'e' cigarettes or similar items used for 'vaping'
- a student's mobile phone to find evidence of bullying or illegal activity

The extent of search

Pupils can only be required to remove 'outer clothing'. 'Outer clothing' means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear. The exception to this are socks. Outer clothing includes hats, shoes, boots, gloves and scarves. The power to search without consent permits a personal search involving the removal of outer clothing, socks and the searching of pockets. Staff cannot carry out an intimate search; this can only be carried out by the police.

Searching lockers and desks

Schools can search lockers and desks with the pupil's consent. If a pupil refuses to allow the search then schools can still carry out the search for prohibited items.

Use of force

Members of staff can use such force as is reasonable given the circumstances when conducting a search for any prohibited item as listed above on this page, however force cannot be used to search for items solely banned under school rules.

Confiscation

Section 91 Education and Inspections Act 2006 gives schools power to discipline pupils which enables a member of staff to confiscate, keep or dispose of pupil's property as a disciplinary measure where it is reasonable to do so. Staff have a defence to any complaint provided they act within their legal powers. The law protects members of staff from liability for any loss of or damage to any confiscated item, provided that they have acted lawfully.

Items confiscated pursuant to a 'with consent' search

Staff can use their discretion to confiscate, keep or destroy any item found provided it is reasonable in the circumstances. If any item is thought to be a weapon it must be passed to the police.

Items confiscated pursuant to a 'without consent' search

A member of staff can seize anything that they have reasonable grounds for suspecting is a prohibited item or is evidence in relation to an offence. School staff can seize any prohibited item found as a result of a search. They can also seize any item, however found, which they consider harmful or detrimental to school discipline. In this situation, the parents will be asked to collect the contraband. If they do not wish to collect the materials, they will be disposed of.

If an electronic device is found, the member of staff may examine any data or files on the device if they think there is good reason to do so.

Following an examination, if staff have decided to return, keep or dispose of the device, they may erase any data or files if they consider there is a good reason to do so. When determining a 'good reason' to examine or erase the data or files, staff must reasonably suspect that the data or file has been, or could be, used to cause harm, to disrupt teaching or break school rules.

Whenever inappropriate material is found, it is for the member of staff to decide if the material should be deleted, kept as evidence of an offence/ breach of school rules or passed to the police. Staff should take into account any guidance provided by the school's Mobile Phone Policy.

4. INVOLVING THE POLICE

The school is fully committed to the Dorset Police Schools Related Incident Recording Policy and Procedure. Using this document for guidance, the school will decide if, and to what extent, the police should be involved in any incident. The school has a zero-tolerance approach towards any form of crime and will cooperate fully with any request from the police for information or assistance.

5. SANCTIONS

The school uses a range of measures to achieve the purposes of the policy. There is guidance authorised by the Governing body which includes the following;

- Screen and search students
- Use reasonable force and other physical contact
- Exert discipline beyond the school gates
- Work with outside agencies to assess the needs of students who display continuous disruptive behaviour
- Provide pastoral care for staff accused of misconduct

The following system has been drawn up in consultation with parents, students, staff and Governors. These behaviour points are recorded through Go 4 Schools our online learning platform. Parents, students and teachers all have access to the information on this system.

C1: Verbal warning

The member of staff will advise the student that they are disrupting learning.

C2: Second verbal warning

At this point, individual staff, teachers or teaching assistants, may request that a student takes a couple of minutes 'time out' outside the door to collect themselves. When they return, they must settle to learning to avoid getting a C3.*

C3: After School Detention (30 minutes or 1 hour),

If the warnings are not responded to, a detention will be issued. Where the detention was set for disruptive behaviour on the first detention of this nature students will be removed for one lesson. Where it is the second detention in that subject for disruptive behaviour they will be removed from that subject for a week. Where it is the third detention in that subject for disruptive behaviour they will be removed from that subject for two weeks. This is to avoid repeated disruption to others learners learning. This must be organised in the full knowledge of the DOL for that subject area and parents will be informed.

Detentions are monitored and repeated detentions will trigger further sanctions and interventions from the pastoral managers such as report cards or PSPs.

Staff may use other appropriate sanctions at their discretion such as detaining at break and lunchtimes etc.

C4: ON CALL

If the student is being disruptive in a lesson and has not responded to the C1-3 warnings a teacher may call for ON CALL. This is a senior member of staff who is on duty to collect students who are disrupting the learning of others. The member of staff teaching will call reception, who will in turn use the radio system to notify the duty member of staff. This member of staff will appear at the class and collect the student with their work for the lesson. They will escort them to the nearest sixth form lesson.

It is the duty of the teacher who has used ON CALL to record incident as a C4 on Go 4 Schools. In this case a C3 does not need to be set as well as this would constitute double punishment. Any student who is picked up ON CALL receives an hours detention in addition to their removal from the lesson.

C5: Failure to complete C3 / C4 detentions in a week.

If a student fails to attend their detentions set over the three days (Tuesday, Wednesday and / or Thursday) students will be expected to complete the time on Friday at 2.40pm. Students are then expected to be able to make their own way home after this sanction. Failure to clear the detentions in a C5 escalates to a C7. Students are reminded in the week to complete the C3s and it is present on Go 4 Schools for students and parents to see. Parents are emailed on a Thursday with information of the C5.

C6: Red Report Card

Students who fail amber report may be placed on red report card. This is a very serious level of reporting. Failure to keep the card, get it signed or meet the daily target here may result in the student being placed in a days' internal exclusion – C7.

C7: A Day's Internal Exclusion

Students will work isolated from other students, including at break and lunch time. The school day will also be extended by one hour.

*Examples of types of behaviour that might result in **internal exclusion** are:*

- 1. Disruptive behaviour in class*
- 2. Three C4 SLT call-outs*
- 3. Bullying; including misuse of social media in and out of school*
- 4. Some cases of fighting*
- 5. Truancy from lessons*
- 6. Vandalism or graffiti*
- 7. Smoking, including vaping*
- 8. Bringing the school into disrepute: due to misbehaviour to or from school or via social media video posts*
- 9. Some incidents of direct verbal abuse of staff e.g. rudeness or swearing in response to a member of staff*
- 10. Some examples of theft from a student*
- 11. Repeated lateness*

C8: Fixed Term External Exclusion

Examples of incidents which may result in a fixed term (1 to 15 day in length depending on the severity of the incident) or permanent exclusion (in some situations the incident may be so serious as to warrant going straight to permanent bypassing the C9 and 10 procedure) include;

- 1. Three occurrences of C7*
- 2. Physical assault of other students*
- 3. Some incidents of direct verbal abuse of staff e.g. swearing at a member of staff*
- 4. Serious defiance towards staff e.g. refusal to follow instructions*
- 5. Repeated non-completion of detentions*
- 6. Possession or handling of prohibited substances such as alcohol*
- 7. Bringing weapons, knives, fireworks or dangerous items into school – dependent upon the circumstance, this offence may warrant a permanent exclusion*
- 8. Serious theft or theft from a member of staff*
- 9. Persistent bullying including misuse of social media in and out of school*
- 10. Bringing the school into disrepute while in school uniform or for either before or after the school day has finished*
- 11. Malicious accusations against school staff*
- 12. Serious vandalism or graffiti*
- 13. Dangerous behaviour which compromise the safety of other pupils*

Where a student has been excluded before, it may be appropriate for the second and subsequent exclusions to be extended in length. This is so the student understands that if their behaviour does not improve that the sanction will become more serious.

C9: Governor's Warning

After three fixed term exclusions students and parents will be invited to a governor's final warning meeting. Before the meeting, the governor will contact the Deputy Head responsible for behaviour and they will investigate the circumstances of all previous fixed term exclusions (and other sanctions) in order that the governing body is reassured that a final warning should be issued to the student.

At the meeting itself, the student's behaviour record will be discussed and it will be made very clear to both the student and their parents that any further fixed term exclusions will result in a permanent exclusion. For some cases a managed move may be attempted first, but if this is not possible or is unsuccessful the student will still be permanently excluded.

The school could therefore be placed in the situation of giving a final warning to a student for a relatively minor offence such as non-completion of homework, as over time this offence could cumulatively build into persistent breaches of the school's behaviour policy. For example:

1. After school detentions are issued for non-completion of homework or poor behaviour.
2. A fixed term external exclusion is then issued for non-completion of detentions.
3. Once this had occurred three times, a final warning governor meeting would be conducted.
4. After a fourth offence (and after the final governor warning) the student would be permanently excluded.

C10: Permanent Exclusion

This decision will be made by the Head teacher and parents will be written to formally. This will happen as the result of a single serious incident or following another fixed term exclusion after a final governor's warning has taken place.

Incidents that will result in permanent exclusion (although this is not an exhaustive list) are:

- a) *Persistent disruptive behaviour*
- b) *Physical or sexual assault on a student or member of staff*
- c) *Bringing weapons, knives, fireworks or other dangerous items into school*
- d) *Incidents relating to illegal drugs – please refer to the details below:*

The school is aware of its legal responsibilities in regard to drug related incidents and in responding to them and will work in line with national legislation. In formulating its response to drugs incident the school follows the guidance as outlined in the Department for Education's "Drugs: Guidance for Schools" 2004 policy document. The

school is aware that more recent publications do exist but they are not specific in terms of suggested school action and this is why the 2004 document is used.

The school's first responsibility is for the welfare of all of the individuals within the school community and therefore the school will always apply a zero tolerance approach (e.g. permanent exclusion) to;

- supplying,
- handling (more than once),
- taking drugs on the school site,
- taking drugs off the school site but in school uniform or
- taking drugs on the way to or from school.

These offences will be deemed to be 'a serious breach of the school's behaviour policy' because the school feels that these actions 'place other students in the school at risk' because not punishing actions such as these will result in more drugs coming onto the school site, thereby putting all students at a greater risk of drug exposure.

There will be no exceptions to this rule for the offences of supplying drugs on the school site, taking drugs on the school site, taking drugs off the school site in school uniform or two or more occurrences of handling drugs.

For handling drugs (first offence) the school may decide that mitigating circumstances may mean that the sanction is commuted down to a fifteen day fixed term exclusion with the students involved being issued with a C9 final warning from a school governor.

Students who transfer to Ferndown with a previous poor record of behaviour

When students transfer to Ferndown at the start of year 9, because of an in year transfer or because of an appeal, their previous behaviour record will be taken into account. This means that the student will start the school at the stage they would have been on had those sanctions been committed at Ferndown. The previous record will only go back as far as Y7, as this is the transfer age for secondary students. This could lead to the situation where a student will start at Ferndown on a final governor warning and the outcome of one further fixed term exclusion would then be permanent exclusion.

The power to discipline students beyond the school gate (direct excerpt from DfE 2016 guidance)

Subject to the behaviour policy, teachers may also discipline pupils for:

- misbehaviour when the pupil is: o taking part in any school-organised or school-related activity or o travelling to or from school or o wearing school uniform or o in some other way identifiable as a pupil at the school. • or misbehaviour at any time, whether or not the conditions above apply, that: o could have repercussions for the orderly running of the school or o poses a threat to another pupil or member of the public or o could adversely affect the reputation of the school.

Students with Special Educational needs

The school recognises its duties under the Equality Act 2010 to ensure that a student's SEND is considered when considering how discipline issues are dealt with.

The Disability Discrimination Act 1995 and the SEN duties in the Education Act 1996 (both of which were amended by the SEN and Disability Act 2001), together with the Disability Discrimination Act 2005 (which also amended the Disability Discrimination Act 1995), provide the statutory framework that underpins equality of opportunity for pupils with SEN or disabilities in accessing school education.

Disabled pupils are those who have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. This broad definition encompasses an estimated 7% of the child population and includes hidden disabilities such as dyslexia, autism and speech and language impairments; sensory and physical impairments; and medical conditions such as diabetes, epilepsy or disfigurement. Some pupils with more complex behavioural, emotional or social difficulties (BESD) may also fall under the definition of disabled. The definition of disability includes conduct disorders such as oppositional defiance disorder (ODD); hyperkinetic disorders such as attention deficit disorder or attention deficit hyperactivity disorder (ADD/ADHD); and syndromes such as Tourette's and other mental health disorders. Such disorders do not have to have been officially diagnosed in order for a pupil to be classified as disabled: the impairment simply needs to exist.

There is a significant overlap between those who have a disability and those who have SEN. The definition of SEN includes many but not all disabled children: disabled children have SEN if they have learning difficulties which call for special educational provision to be made for them. The definition of 'learning difficulty' under the Education Act 1996 includes a disability which either prevents or hinders a child from making use of educational facilities of a kind generally available in the area.

Under the Education Act 1996, as amended by the SEN and Disability Act 2001, schools must make special educational provision for pupils whose behaviour-related learning difficulties call for special educational provision to be made for them. Local authorities also have a duty under the Act to, where necessary, assess a child's SEN and draw up a SEN 'EHCP' setting out the extra provision the child requires to meet his or her SEN. Schools can request an assessment for a child.

The Disability Discrimination Act 1995 (as amended) requires maintained schools and other public authorities, when they are carrying out their duties, to have regard to the need to:

- promote equality of opportunity between disabled people and other people;
- eliminate discrimination that is unlawful under the Act;
- eliminate harassment of disabled people that is related to their disability;
- promote positive attitudes towards disabled people;
- encourage participation by disabled people in public life;
- take steps to meet disabled people's needs, even if this requires more favourable treatment.

A school is discriminating unlawfully against disabled pupils if:

- it treats a disabled pupil or prospective pupil less favourably than another for a reason related to their disability and without justification; or
- it fails, without justification, to take reasonable steps to avoid placing disabled pupils at a substantial disadvantage. This is often known as the 'reasonable adjustments' duty.

Key aspects of improving the quality of student behaviour

- 1) A consistent approach to behaviour management
- 2) Strong school leadership
- 3) Classroom management
- 4) Rewards and sanctions
- 5) Behaviour strategies and the teaching of good behaviour
- 6) Staff development and support
- 7) Pupil support systems
- 8) Liaison with parents and other agencies
- 9) Managing pupil transition
- 10) Organisation and facilities

Praise points

The following points will be given to recognise good behaviour in school.

P1: House point

P2: Double house point

P3: Praise phone call teacher

P4: Praise phone call HOY

P5: Postcard home (sent out on ParentMail each week)

P6: Praise phone call SLT

P7: Certificate in assembly

P8: Representing the school

P9: Student of the term (also displayed on a school noticeboard)

P10: Headteacher award (for exceptional individual acts)

Rewards Assemblies

Rewards assemblies will be held each half-term to formally recognise students who have done well. Categories of recognition are:

- 100% attendance
- Improved attendance/punctuality
- Top achievement
- Best effort in subject areas
- Number of praise points received
- Individual achievements
- Sports achievements

Following these assemblies, a target group of students will be invited on a rewards trip out of school again to formally recognise their achievements. These trips, and the rewards system will be regularly reviewed by the student council.