

English Martyrs Catholic Voluntary Academy  
Behaviour and Discipline Policy



Adopted: September 2021

Review: July 2023



“ We grow and learn with the gifts we have been given, following in the footsteps of Jesus “

Approved by: Head  
teacher - and Chair  
of Governors

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## 1. Ethos

This policy reflects the idea that God is central to all learning.

“Catholics believe that Religious Education is not one subject amongst many, but the foundation of the entire education process. The beliefs and values it communicates should inspire and unify every aspect of school life”. (Bishops Conference of England and Wales).

In our school we have a positive approach to behaviour – we recognise and celebrate good behaviour. Forgiveness is at the centre of our faith and means that everyone is given the opportunity to make a fresh start. In addition this policy upholds our desire to ensure that every child has the support they need to achieve their potential in a safe, healthy environment. We understand the strong link between emotional well being and good behaviour. We work hard to ensure that child support systems are in place to ensure that all children have every opportunity to achieve emotional well being, learn well, develop high self esteem and therefore behave well.

We believe that good behaviour is essential to ensuring that children can learn well in a happy, secure and caring environment. We consistently expect a high standard of behaviour from children and expect all adults to be excellent role models for our children.

Virtues : - We have adopted 10 virtues ( Love, Faith, Forgiveness, Courage, Patience, Kindness, Confidence, Resilience, Respect and Love of learning ) which we embed in all we do at school. These virtues are discussed with the children and as adults we role model the virtues showing the children how they can use these to live out our school Mission statement. These virtues are central to our behaviour policy.

- We will ensure our responsibilities are met:
- Procedures are used to prevent and respond to behaviour incidents
- The Head Teacher and School Leaders oversee the management of any behaviour incidents and monitor the needs of both victim and perpetrator, over time.
- Procedures are reviewed annually.  
English Martyrs procedures :
- We record all serious incidents in a central behaviour log when a child has been issued a red card and parents are notified via letter.

## 2. Aims

The main aims of this policy are:

- To ensure that all adults and children know what is expected of them and how to behave appropriately
- To promote good behaviour, self discipline and respect
- To foster the necessary behaviour and social skills to promote effective learning
- To ensure that children complete assigned work
- To enable children to feel safe and confident.

This policy applies to all members of our school community.

## 3. Expected Behaviours

The following are examples of behaviours that are expected of all members of our school community:

- To treat all adults and children with respect
- To speak politely and to listen respectfully to adults and each other
- To move quietly and responsibly around the school and the school site with regard to other people
- To treat other people's possessions with care
- To share equipment and resources with others
- To be honest
- To show respect for the classroom and whole school environment
- To keep their own space and possessions tidy

- To be helpful and willing to help others when asked
- To show kindness and consideration to others
- To work as hard as they can in all areas of the curriculum
- To support others who need their help
- To be responsible for their own behaviour whether or not there is an adult close by.

#### **4. Unacceptable Behaviours**

Examples of behaviours which are unacceptable include:

- Lack of care or respect for other people
- Affecting the learning of themselves and others
- Disregarding requests or instructions from supervising adults
- Speaking when you should be listening
- Dangerous play or playing in unauthorised areas
- Verbal abuse of any sort including name calling
- Physical violence/fighting of any sort
- Bullying or cruelty/ intimidation including cyber bullying and homophobic bullying (see our Anti Bullying Policy)
- Racism in any form
- Using inappropriate or bad language
- Being inside the building at break times without permission
- Not being truthful
- Acts likely to harm others or put someone's health or safety at risk
- Lack of respect for school property or others' belongings
- Stealing
- Poor standards of behaviour when moving around school or in the wider community

All incidents of poor behaviour are viewed seriously and will be dealt with in line with the policy, this is not an exhaustive list.

#### **5. The Teaching of Good Behaviour and Use of Strategies to Ensure Good Behaviour**

Our ethos upholds Christian principles.

- We have consistent, high expectations of good behaviour.
- All staff endeavour to treat everyone fairly and equally, listening to all children when there has been an incident.

- Regular assemblies about our school virtues help the children understand the importance of respect for all and ways of keeping everyone safe and happy.
- Collective worship, RE lessons and PSHE activities as part of our RSE curriculum particularly help children to understand their own emotions and behaviours and the effect of these on other people.

Ongoing strategies which are used by all staff to encourage good behaviour:

- Good behaviours are verbally praised frequently by members of staff.
- Whole school reward system eg house points.
- Whole school modelling using route to resilience positive character vocabulary and our school virtues.
- Virtue of the week in our celebration assemblies gives our children an understanding and clear examples of how to behave and how to grow these virtues as they progress through our school.
- Individual class reward systems such as raffle tickets are in place to recognise and reward good behaviour.
- Children can be sent to another class or to a senior member of staff for praise for good behaviour.
- Expected behaviours are proactively taught in lessons and reinforced by adults on a regular basis.
- Class teachers involve the children in establishing rules for behaviour within the classroom at the beginning of the year. These rules are phrased in positive terms, “We will..., we always...” and they are displayed prominently in the classroom so that they are a visual reminder for children.

### **Liaison with Parents/Carers and Other Agencies**

Parents/carers play a vital role in the education and care of their children. They can assist greatly in promoting good behaviour.

We expect parents and carers:

- To enable their child to be punctual and have as high an attendance as possible.
- To emphasise to their children the importance of appropriate sociable behaviour.
- To have an understanding of the school virtues and discuss these with their children.
- Not to encourage inappropriate behaviour or physical violence in or around school at any time.

## **6. Procedures if Behaviour is Unacceptable**

When managing poor attitudes and behaviour adults should make sure that the child understands what he/she is doing wrong and why it is wrong. Action should be taken when clearly understood class or school rules are broken.

### **Possible actions for minor misbehaviour :**

- Adults may speak to the child about their behaviour and its consequences / the effect their behaviour has on others. Give the child an opportunity to explain and reflect and to focus on what they should be doing. This is called a 'Friendly warning'.
- If the behaviour continues they receive another verbal warning,
- Children have 2 warnings before being issued a yellow card, they then have to miss the next break time or an appropriate section of the lunchtime.

### **Possible actions for more serious and/or persistent misbehaviour:**

- At EM more serious or persistent behaviour will result in a red card. This is passed on to senior leadership and the child must report to a member of a senior leadership team where the incident is discussed and the child completes a reflection sheet.
- Parents are informed via letter.
- The incident is logged in the behaviour file in the Head teacher's office.
- There may be loss of privilege, such as participation in school trips, after school clubs, opportunities to represent the school at sporting or other opportunities (e.g. school council).

### **Possible actions for very serious and continuing misbehaviour**

These are behaviours which involve racism, bullying of any sort, physical violence, threatening behaviour or disruption of their learning or the learning of others.

- Together with the class teacher and the Head or member of the SLT there will be a discussion with the individual child to clarify the difficulties and give the child an opportunity to discuss the situation.
- Parents will be invited to school to meet with the Head or in her absence a member of the senior leadership team. This meeting may result in a written contract or agreement between the Head Teacher, the parent and the child specifying agreed behaviour target with a review date set.
- If the child continues to misbehave and the written contract or agreement is broken, parents will be invited to attend a meeting

at school with the Head Teacher where the eventual option of using exclusion may be discussed.

- In cases of extreme, serious or continuing misbehaviour an immediate exclusion may be used.
- Any accusation of misconduct of a member of staff will always be taken seriously and will be investigated thoroughly and dealt with in line our Complaints Policy and Safeguarding Policy. However, children who are found to have made untrue accusations against school staff will also be dealt with seriously. The Head Teacher will decide on an appropriate course of action depending on the child's age and the circumstances of the accusation. (This includes incidents which may have taken place off the school premises, such as inappropriate use of texting and social networking websites).

## **7 Fixed Term and Permanent Exclusions**

We do not wish to exclude any child from school, but sometimes this may be necessary.

These are some of the incidents that can lead to a fixed term or permanent exclusion : damage to school property, aggressive and or physical behaviour towards themselves other children or adults working in the school, a safety risk for themselves or others, possession of a weapon in school and the use of drugs or alcohol during the school day. This is not an exhaustive list.

### **Reference to 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](#). ( Sept 2017 )

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 headteacher, or members of the SLT ( if Head is absent for an extended period of time ), can exclude a pupil from school. A permanent exclusion will be taken as a last resort.

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 headteacher 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)

### **The Headteacher**

#### **Informing parents**

The headteacher 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
- The headteacher 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 the Head teacher excludes a child, he informs the parents or carers immediately, giving reasons for the exclusion. At the same time, the Head teacher makes it clear to the parents or carers that they can, if they wish, appeal against the decision to the Governing Body. The school informs the parents or carers how to make any such appeal.

- The Head teacher informs the LA and the Governing Body about any permanent exclusion, and about any fixed term exclusions beyond five days in any one term.
- The Governing Body itself cannot either exclude a child or extend the exclusion period made by the Head teacher.

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 Head teacher may exclude a child for one or more fixed periods, for up to 45 days in any one school year. In extreme and exceptional circumstances, the Head teacher may exclude a child permanently. It is also possible for the Head teacher to convert a fixed-term exclusion into a permanent exclusion, if the circumstances warrant this.

### **Informing the governing board and local authority**

The headteacher 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 Headteacher will also immediately inform the pupil's 'home authority' of the exclusion and the reason(s) for it without delay.

### **The governing board**

Responsibilities regarding exclusions is delegated to the disciplinary committee of the governing board consisting of at least 3 governors.

The disciplinary committee has a duty to consider the reinstatement of an excluded pupil . When the committee meets to consider an exclusion, they consider the circumstances under which the child was excluded, consider any representation by parents/carers and the LA, and consider whether the child should be reinstated.

If the Governors' appeals panel decides that a child should be reinstated, the Head The committee will consider the reinstatement of an excluded pupil within 15 school days of receiving the notice of the exclusion if:

The exclusion is permanent

It is a fixed-term exclusion which would bring the pupil's total number of school days of exclusion to more than 15 in a term

It would result in a pupil missing a public examination

If requested to do so by parents, the committee will consider the reinstatement of an excluded pupil within 50 school days of receiving notice of the exclusion if the pupil would be excluded from school for more than 5 school days, but less than 15, in a single term. Teacher must comply with this.

The committee can either:

- Decline to reinstate the pupil, or
- Direct the reinstatement of the pupil immediately, or on a particular date

In reaching a decision, the committee will consider whether the exclusion was lawful, reasonable and procedurally fair and whether the headteacher followed their legal duties. They will decide whether or not a fact is true 'on the balance of probabilities', which differs from the criminal standard of 'beyond reasonable doubt', as well as any evidence that was presented in relation to the decision to exclude.

Minutes will be taken of the meeting, and a record of evidence considered kept. The outcome will also be recorded on the pupil's educational record.

The committee will notify, in writing, the headteacher, parents and the LA of its decision, along with reasons for its decision, without delay.

Where an exclusion is permanent the decision will also include the following:

- The fact that it is permanent
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel, and:
  - The date by which an application for an independent review must be made
  - The name and address to whom an application for a review should be submitted That any application should set out the grounds on which it is being made and that, where appropriate, reference to how the pupil's SEN are considered to be relevant to the exclusion
  - That, regardless of whether the excluded pupil has recognised SEN, parents have a right to require the trust to appoint an SEN expert to attend the review
  - Details of the role of the SEN expert and that there would be no cost to parents for this appointment
  - That parents must make clear if they wish for an SEN expert to be appointed in any application for a review

- That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review

➤ That if parents believe that the exclusion has occurred as a result of discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. A claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place.

### **An independent review**

If parents apply for an independent review, the trust 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 committee 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 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 a member/director of the academy trust, or governing board of the excluding school
- Are the headteacher of the excluding school, or have held this position in the last 5 years

- Are an employee of the academy trust, or the governing board, of the excluding school (unless they are employed as a headteacher at another school)
- Have, or at any time have had, any connection with the LA/academy trust, school, 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
- A clerk will be appointed to the panel.

The independent panel will decide one of the following:

- Uphold the governing board's decision
- Recommend that the governing board reconsiders reinstatement
- Quash the governing board's decision and direct that they reconsider reinstatement (only when the decision is judged to be flawed)

The panel's decision can be decided by a majority vote. In the case of a tied decision, the chair has the casting vote.

### **Vulnerable children to include looked after children / Previously looked after children and children with an EHCP.**

In line with the statutory guidance published in February 2018 (DfE Designated teacher for looked-after and previously looked-after children Statutory guidance for local-authority-maintained schools carrying out duties for looked-after and previously looked-after children. 28th February 2018). Before behaviours reach this point we will have made every effort to avoid excluding a looked after child, in recognition of the increased risk this poses in terms of them quickly disengaging from the school, due to their early experience of broken attachments and loss. We will have discussed the rationale for exclusion at length with the assigned Education Adviser from the Virtual School. If there is no option other than exclusion we will make every attempt to reduce the number of days of the exclusion.

Children with an Educational Health plan because of their special educational needs or disability should have exclusion as a behavior management action as a last possible resort ( regulation 4 ( 1 ) ( c ) of the equalities act 2010 )

### **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.

## **8 Use of reasonable force – refer to Government document use of reasonable force July 2013.**

What is reasonable force?

- It covers a broad range of actions that involve a degree of physical contact with pupils.
- Force is usually used either to control or restrain e.g. guiding a pupil to safety by the arm or blocking the pathway between two pupils involved in a physical fight.
- Reasonable means using no more force than is required.
- School staff should always act to avoid injury to a pupil but this may not always be possible.

Who can use reasonable force?

- All members of staff have a legal power to use reasonable force.

School can use reasonable force in the following circumstances:

- To remove disruptive children from the playground or classroom.
- To prevent a pupil from disrupting others.
- To prevent a pupil from leaving the classroom where they may become unsafe or lead to other pupils becoming unsafe.
- To stopping a fight in the playground or preventing a pupil from attacking another pupil or member of staff.
- To restrain a pupil at harming themselves from physical outbursts.

Parents will be informed if reasonable force has been used as part of a serious incident.

## **9. Behaviour Strategies for children with Special Educational Needs**

Special considerations need to be made for children with special needs. If the behaviour itself is a direct result of the special educational need reasonable adjustments will be made to try to prevent or manage challenging behaviour. Positive reinforcement is essential. Sometimes the yellow and red card system is not appropriate for a child and this must be discussed with all staff. The SENDCO or another member of the SLT will discuss reviewed strategies when this is the case.

Suggested strategies may include:

- The use of clear signs/symbols to help them manage and monitor their own progress.

A behaviour plan with specific targets can be used alongside a reward system which is specific to the child.

- Giving clear warnings.
- Appropriate time to discuss the reasons for and consequences of their actions using social stories or concept cartoons.
- Use of calming strategies eg safe space, calm box.
- All of the above strategies should be implemented with support and input from the Special Educational Needs Co-coordinator.

We acknowledge the school's legal duties under the Equality Act 2010, in respect of safeguarding and in respect of pupils with special educational needs and disabilities. (SEND).

- To be open to the suggestion that their own child could be involved in poor behaviour and to work positively with school to change behaviour.
- In the event that sanctions are given, to support these and make clear their disapproval of poor behaviour.

When appropriate we will work with parents to engage with outside agencies to support the improvement of behaviour.

## **10. Role of staff/ Staff Development and Support**

Teachers have a statutory authority to discipline children for misbehaviour which occurs in school and, in some circumstances, outside of school. As part of the route to resilience programme all school staff are committed to using the associated vocabulary as part of positive behaviour management, as well as promoting and embedding the school virtues.

- Teachers have a statutory authority to discipline children whose behaviour is unacceptable, who break the school rules or who fail to follow a reasonable instruction .
- The power to discipline applies to all paid staff with responsibility for children, unless the Head teacher says otherwise.
- Teachers can discipline children at any time the child is in school or elsewhere under the charge of a teacher, including on school visits.
- Teachers can confiscate children's property.

All Staff have a duty, following any behaviour that is of more serious concern to them to report it to the Head or member of the SLT. All staff have a responsibility to exercise due care and supervision in their classroom and around the school. All adults have a responsibility to be a good role model to children.

Should any member of Staff, Parent or Governor feel they need further advice, resources and /or strategies to support behaviour improvement please speak to the class teacher, member of the SLT or Head Teacher.

## **11. The Role of Governors**

- The governing Body must ensure that the school has a strong behaviour policy to support staff in managing behaviour.
- Governing bodies have a duty under section 175 of the Education Act 2002 requiring them to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children.
- Governors have a role in monitoring the Behaviour Policy and its implementation in school.
- Governors make the ultimate decision on a permanent exclusion.

## **12. Monitoring and Evaluation Procedures**

In order to assess the effectiveness of our behaviour management strategies, evaluation procedures are in place.

We use the following standards as a means of reviewing behaviour:

- Incidents of bullying, racism or serious misbehaviour are reported in the Head teacher's report to governors.
- The SLT and Governors regularly make learning walks some of which have a specific focus on behaviour.

This policy is available to Governors, staff, parents and children on the school website.

Paper copies are available from the school offices upon request.