



Longsands Academy

Positive Behaviour Management Policy 2022-23

This policy will be reviewed in July 2023

Statement of Principles and Outline of Practice on Behaviour and Discipline

(Based on guidance for Governing Bodies published by the Department for Education in November 2011, incorporating amendments in the Education Act 2011 to the provisions on the Education and Inspections Act 2006, the Education Act of 2002, the Schools Standards and Framework Act of 1998 and the Independent Schools Standards regulations 2010 for Academies and Free Schools).

Context

In accordance with statutory requirements, the Trust Board of Astrea Academy Trust has formulated this policy to support the maintenance of good order within Longsands Academy and for those students educated at alternative provision. The Principal and their respective Senior Leadership team are responsible for deciding on the standards of behaviour expected, setting the rules and determining the rewards and sanctions systems.

This policy incorporates guidance given to Principals by the Trust Board on particular matters of implementation. The Trust Board has authorised the Principals to issue further position statements, where necessary, which clarify the Trust's response to particular situations.

Principals' Statement on Behaviour and Discipline

Academy Discipline

The Trust Board, Principals and staff of the Trust are dedicated to upholding the high standards of student conduct which are essential if students are to learn effectively and fulfil their potential. The partnership between staff, parents/carers, students and the wider community is of central importance. This policy seeks to clarify the position of staff in terms of what actions are appropriate to maintain effective discipline and to uphold the standards that underpin the Trust. These include the powers to search, to use reasonable force and to discipline students for misbehaviour outside school.

The **Statement of Purpose, Values and Outcomes** of Astrea Academy Trust expresses our commitment to securing and upholding the best possible experience, learning and outcomes for each young person for whom we have responsibility, aiming to encourage students to:

- be safe and healthy;
- give and receive respect as an individual;
- enjoy and achieve in school and beyond;
- develop the confidence, skills and attitudes necessary for economic well-being;
- understand their rights and responsibilities as citizens and the importance of making a positive contribution to society;
- develop moral awareness, cultural understanding and appreciation of diversity.

The Trust believes that the *Statement of Purpose, Values and Outcomes* may be most effectively supported by:

- setting clear expectations of student behaviour;
- encouraging students to take responsibility for their own behaviour;
- encouraging staff to adopt a fair and consistent approach when dealing with inappropriate student behaviour;
- providing a positive learning environment, with lessons which engage and motivate all students;
- promoting effective reward systems which both encourage good behaviour and recognise improvement in attitude to learning shown by students of all ages;
- encouraging all members of the Trust to demonstrate respect for each other and for themselves;
- effective communication with parents.

Students may demonstrate their understanding of the Academies' *Purpose, Values and Outcomes* by being able to:

- understand the need for appropriate structures to support positive behaviour;
- recognise what behaviour is or is not appropriate in different contexts;
- accept when their behaviour is inappropriate and to take steps to remedy it;
- recognise the purpose of rewards and sanctions in maintaining positive behaviour patterns;
- understand that their behaviour has consequences for both themselves and others.

Partnership with Parents/Carers

Effective Home-Academy liaison is one of the best means of ensuring that each individual student can work happily and successfully and that the Academy as a whole can function well. The principles of this are embodied in the *Home-School Agreement* which is published in the parent/carer information booklet. Form Tutors and the Student Services team work together with parents/carers, for example in the formulation of PSPs (Pastoral Support Plan). Day-to-day communication between parents/carers and the Academy is facilitated by the availability of email and text messaging, the MCAS App and Doodle (homework platform).

It should be noted, however, that the *Education and Inspections Act 2006* makes it clear that the right to regulate students' conduct and impose sanctions does not depend on individual parental permission. The right derives from being a member of the Academy staff or being an authorised volunteer on Academy business such as trips and visits, and may extend to students' behaviour beyond the Academy itself. Parents/Carers also have a duty to encourage their children's good behaviour at school.

Reward Systems

The Trust recognises that good behaviour contributes positively to the learning and teaching environment and to the well-being of both students and staff. It endorses the use of informal praise and the comprehensive use of formal reward systems, tailored appropriately to students in different year groups in the Academy, for example the use of House points, celebratory assemblies, reward trips and our Annual Awards Evening. The reward systems will be used as often as possible to reinforce positive behaviour through students demonstrating 'Be Kind, Work Hard, Achieve More'.

Rewarding good behaviour is a vital and integral aspect of behaviour management strategies in the Academy, but occasions will arise where less desirable behaviour must be dealt with, using warnings and sanctions appropriate to the occasion; this may include restorative approaches for disruptive and challenging behaviour where it is considered appropriate. It is a statutory requirement that the range of sanctions should be clearly outlined in this policy; despite the comparative brevity of the above section on rewards, the importance of reinforcing good behaviour should be emphasised.

The use of rewards and sanctions is monitored in Bromcom (the electronic Management Information System in use in the Academy). Our Behaviour Manager, Student Services Team, Form Tutors, Heads of Department and Heads of Year in the Academy are active in monitoring, supporting and managing behaviour.

Sanctions

There is an expectation that parents/carers who have accepted a place for their child/ren at the Academy will uphold the Trust's Behaviour Management Policy and will encourage their child/ren to adopt positive and considerate behaviour, both on and off the premises. Details of our behaviour expectations can be found in the parent/carer booklet and also the student handbook. However, the following list gives some guidance around expectations:

- Follow staff instructions first time and without questions. Students should follow any instruction given by a member of staff in lessons and around the academy.
- Be punctual in the morning and to all lessons with a full set of equipment.
- Always have a polite and positive attitude towards staff and peers. Students should display a polite and positive attitude in their lessons and around the academy.
- Students are expected to complete all pieces of homework set by their subject teachers each week.
- Speak only with the teacher's permission during lessons. Students should follow the teacher's instructions in relation to speaking in class which may vary depending on the focus of the lesson.
- Endeavour to speak clearly, correctly and in full sentences. Students should speak clearly and correctly at all times, and will be encouraged to do so by staff.

- Walk calmly and quietly around the building; do not have inappropriate physical contact with other students. Students are expected to have regard for the safety of themselves and others whilst moving around the academy building, throughout the day, including break and lunch times.
- Respect the building – never drop or leave litter. Students are expected to treat the academy building and its contents with respect.

The *Education and Inspections Act 2006* gives any member of staff in lawful control of students the right to regulate their conduct and to impose sanctions. If a student misbehaves, breaks a school rule or fails to follow a reasonable instruction, the teacher can impose a punishment. This power may be extended to volunteers in charge of children. Where reasonable, this power extends to the management of students' conduct outside of school, for example on a school trip. The purpose of sanctions is to express the disapproval of the Academies' communities towards unacceptable behaviour and to deter students from adopting similar types of conduct.

The sanctions will:

- be decided on the Academy premises or while the student is under the charge of the member of staff;
- be *reasonable*, taking into account individual student circumstances such as age, disability, Special Educational Needs, and human rights, in line with the general duty to eliminate discrimination under section 149 of the *Equality Act 2010*.

Corporal punishment is illegal in all circumstances.

The Principal limits the power to apply particular punishments to certain staff e.g. authorisation for imposing a period of internal exclusion is delegated to members of the SLT (Senior Leadership team), Heads of Year and the Behaviour Manager.

The Safeguarding Policy is followed if the behaviour under review gives cause to suspect that a child is suffering, or is likely to suffer, significant harm; in the case of persistent disruptive behaviour, consideration is given to whether the student's behaviour may be the result of unmet educational or other needs, meriting a multi-agency assessment.

A variety of sanctions are available for use by Trust staff which include use of the C1, C2, C3 consequence system, detentions and for more serious matters, internal and external exclusion.

Detentions

Teachers have a specific legal power to impose detention on pupils aged under 18. The principal has authorised all paid employees to issue detentions along with supply teachers and trainee teachers.

The Education Act of 2011 removed the obligation to give parents/carers 24 hours' notice of an afterschool detention, so that *same-day after-school detentions* may legitimately be imposed. In the interests of student safety, however, we send out an email communication during lunchtime to inform parents/carers that the detention has

been set, so that appropriate arrangements may be made to ensure that the student is able to get home safely afterwards.

Detentions set during Period 5 will be carried over to the next day to ensure that parents/carers have enough time to make arrangements for their child/ren to be collected if necessary.

Fixed Term Exclusions

The decision to exclude a child from the Academy lies with the Principal (or Vice Principal in the Principal's absence). A student can only be excluded for a disciplinary reason (e.g. because their behaviour violates the school's behaviour policy). They cannot, for example, exclude a student for academic performance/ability, or simply because they have additional needs or a disability that the school feels it is unable to meet. A student can be excluded for behaviour outside of school, or for repeatedly disobeying academic instructions.

We will take reasonable steps to set work for students during the first five days of a fixed period exclusion. From the sixth day of an exclusion, suitable full-time education must be arranged for students of compulsory school age (primary and secondary school age), except for Year 11 students (final year of secondary school) whose final exams have passed.

For the first five school days of any exclusion, parents/carers must ensure that their child/ren of compulsory school age is not in a public place during school hours without very good reason. Parents/Carers must also ensure that their child/ren attends any new full-time education provided from the sixth day of exclusion (unless they have arranged suitable alternative education themselves).

Particular Issues

The Trust may from time to time offer guidance to the Principal on particular issues. Currently, this advice includes:

Allegations against staff by a student(s)

All allegations will be fully investigated in line with the Trust complaints procedure. If an allegation against a member of staff is proven to be unfounded and malicious, then the Trust authorises the use of significant sanctions such as fixed term or permanent exclusion.

Bullying

This is dealt with more fully in the Trust's *Preventing and Tackling Bullying Policy*, which sets out in detail the procedures followed in dealing with incidents involving bullying.

Misuse of Drugs

The Trust has issued specific guidance to Principals on this issue. Consideration of the particular circumstances of each case will be undertaken in the light of general expectation of:

- possession or use on site and/or being under the influence of drugs (including school trips and visits): **fixed term exclusion** (except for repeated offences);
- supplying drugs to others: **fixed term or permanent exclusion**;

- selling drugs: **permanent exclusion**.

Uniform and Appearance

The Trust has authorised the Principal to rule on issues not explicitly covered by regulations on uniform. In particular, the Trust would expect intervention to occur when hairstyle, clothing or any other factor affecting a student's appearance does not meet expectations. Further details regarding uniform can be found in the Parent / Carer handbook.

The power to use reasonable force or make other physical contact with students

No member of staff has the right to punish a student using physical force. However, this does not mean that staff cannot use reasonable force to control or restrain a student when circumstances demand it. In accordance with the *Education and Inspections Act 2006* all members of Academy staff have been authorised by the Principal to use such force as is reasonable in the circumstances for the purpose of preventing a student from doing (or continuing to do) any of the following:

- committing an offence;
- causing personal injury to or damage to property of any person (including the student him/herself);
- engaging in any behaviour prejudicial to the maintenance of good order and discipline.

This authorisation also applies to volunteers accompanying a school trip or visit, who have been given responsibility for the supervision of students. **The above should not be confused with corporal punishment, which is not allowed in law.**

The most obvious examples are when a teacher or member of support staff intervenes to break up or prevent a fight or when a member of staff intervenes to prevent a student from causing injury to him/herself or to others.

Further information on the use of force is available in the related policy which can be found in Appendix 1

The Power to Confiscate or Search

School staff have the right to confiscate articles of students' property. Such items include: mobile 'phones, personal media players when used or worn inappropriately, most notably in lessons; chewing gum; cigarettes or other smoking materials; jewellery, any dangerous items including penknives, or any other item which is not permitted in school.

Where appropriate, items will be returned at the end of the school day. However, other arrangements may be made or imposed according to particular circumstances, e.g. times when an individual or all students have already been warned about items that could be confiscated. School staff can search students, *with their consent*, for any item which is banned by the school rules. Mobile phones,

other devices with internet connectivity (e.g. smart watches) and ear/head phones will be confiscated until the end of the following day if they are used seen or heard during the school day and up to 4pm within the green fence line (mobile phones will be returned overnight and must be handed in again the following morning). They may be used outside the green perimeter fence after the end of the school day or within the premises following the completion of an extra-curricular activity after 4pm.

The Principal and staff authorised by him have the right to search a student *without their consent* for knives, other offensive weapons, alcohol, illegal drugs and stolen items and may use reasonable force if necessary – where they have reasonable suspicion that a prohibited item is concealed. The Principal has stipulated that any such searches must be carried out in the presence of at least two members of staff, including one of the same gender as the student and one who is a member of the Senior Leadership Team or Student Services team. In some circumstances, the police will be asked to give assistance. However, the search may proceed without the presence of the police and in accordance with the *Violent Crime Reduction Act 2006*. Such events are extremely rare, and, in practice, the assistance of police is usually requested. Nevertheless, the legal powers under the *Education and Inspections Act 2006* and *Violent Crime Reduction Act 2006* should be noted.

Weapons and knives will be handed over to the police.

At Longsands Academy, the safety and wellbeing of every student is an absolute top priority, and we take great care to ensure that our academies are safe and enjoyable environments for everyone. We, therefore, have a robust policy of immediate exclusion of any child who brings offensive weapons, including knives, into school; this is highly likely to be permanent.

Consideration will be given to all of the circumstances, including motivation and intent, surrounding a breach of the behaviour policy

The power to discipline beyond the Academy gates

Academy disciplinary measures may legitimately be applied in response to any non-criminal poor behaviour and bullying which occurs off the school premises and which is witnessed by a member of staff or reported to the Academy by a member of the public, even out of school hours, especially:

- when on the way to and from school;
- when participating in work experience placements, educational visits or sporting events;
- when wearing school uniform, or being otherwise identifiable as a member of the Academy;
- if the behaviour poses a threat to another student, member of staff or member of the public (which may be a physical threat, or a threat to emotional well-being, such as abusive use of internet, text or social media), especially when there is a link to being a member of the Academy or the Trust as a whole; when the behaviour could adversely affect the reputation of the Academy.

Restorative Approaches

The Restorative Approach is to challenge those who behave inappropriately to find a solution that is meaningful and meets the needs of those harmed. It is solution focused, personal and more likely to build bridges. We use this approach to resolve situations in school whenever it is appropriate to do so.

A restorative intervention is voluntary for all those involved and will always involve a member of the student services team. Once participants have found a way forward, they agree on the best way for the harm to be repaired and what outcome would best meet their needs and ensure that the incident will not be repeated. The agreed actions form an outcome agreement which will be monitored to ensure it is successful.

Appendix 1

The Use of Positive Handling to Control or Restrain Students

Introduction

Longsands Academy is committed to securing and upholding the best possible experiences, learning and outcomes for all students in our care. The health, safety and well-being of students and staff are of prime importance.

Students are encouraged to:

- take responsibility for their own actions;
- have respect for themselves, their peers and staff;
- behave with care and consideration towards people and property;
- have a positive regard for the health, safety and well-being of self, other students, staff and visitors.

Staff recognise that creating a calm environment that minimises the risk of incidents is a desirable end in itself. Nevertheless, occasionally circumstances may arise which require physical intervention by members of staff in order to defuse a situation or to avoid possible injury. The purpose of this policy is to provide guidance for the *exceptional* occasions when the use of positive handling by staff to control or restrain students may become advisable.

The use of positive handling covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with students.

Principles

Positive handling is only to be used as a *last resort* or when circumstances are such that immediate physical intervention is *necessary*. Specifically, *positive handling* is used either to

*control*¹ or to *restrain*². It can range from guiding a student to safety by the arm, through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.

In all cases, the objective should be to do one of the following:

- maintain the safety and well-being of students and/or staff;
- prevent serious breaches of school discipline;
- prevent serious damage to property;
- prevent disorder.

Authorisation

No member of staff has the right to *punish* a student using positive handling techniques, but all members of Academy staff who are authorised by the Principal to have control or charge of students automatically have the statutory power to use positive handling, in accordance with the above principles. Authorised staff include:

- teachers, supply teachers;
- cover supervisors, teaching assistants and support staff;
- midday supervisors;
- voluntary helpers on trips and visits;
- other adults who are legitimately involved in working directly with students.

The positive handling used must be the minimum necessary and controlled.

Training

Where it is known that a student may, on occasion, require physical intervention, appropriate training will be provided for relevant staff by accredited trainers.

In such cases, risk assessments will be undertaken. Where possible, any physical intervention techniques to be employed will be agreed with the student, his/her parent/carer and/or external agencies through the use of a plan. Any concerns or disputes may be referred to external agencies as appropriate.

Relevant Circumstances

The term positive handling covers a range of actions which may involve a degree of physical contact with students. Specifically, positive handling may be used to prevent pupils/students hurting themselves or others, from damaging property, or from causing disorder.

¹ *Control* means either passive physical contact, such as standing between students or blocking a student's path, or active physical contact such as leading a pupil by the arm out of a classroom.

² *Restrain* means to hold back physically or to bring a student under control. It is typically used in more extreme circumstances, for example when two students are fighting and refuse to separate without physical intervention.

There is no legal definition of when it is reasonable to use positive handling. The reasonableness or otherwise of any action will always depend on the precise circumstances of the individual case. The action taken needs to be in proportion to the consequences it is intended to prevent. The degree of action used should be the minimum needed to achieve the desired result. The decision on whether or not to intervene physically is down to the professional judgement of the staff member concerned and should always depend on individual circumstances. Trivial misdemeanours do not justify the use of positive handling.

Examples of situations which particularly call for judgements of this kind include:

- to prevent a student from attacking a member of staff or another student;
- to stop a fight which could result in injury to other students or to themselves;
- to restrain a student at risk of harming themselves through physical outbursts;
- to stop a student from committing, or continuing to commit, deliberate damage to property;
- to prevent a student from behaving in a dangerous way which could cause injury or damage by accident, rough play or misuse of dangerous objects or materials e.g. reckless behaviour in a science laboratory or a technology workshop;
- to remove a disruptive student from the classroom where they have refused to follow an instruction to leave the room;
- to prevent a student from leaving the room where this would be a risk to their, or another's safety.

In the above examples, the use of positive handling would be reasonable and lawful, but wherever possible alternative action should be used – for example calling for assistance from senior colleagues.

Staff should also take into account the particular needs of students with known behavioural and/or special needs (*Equality Act 2010*) which may have contributed to the particular context of the incident and could be directly relevant in the choice of methods of handling an incident.

Positive Handling

All members of staff are regularly updated regarding government guidance regarding the use of Positive Handling, Physical Intervention and Duty of Care. Particular members of staff have been specifically trained to de-escalate situations where a student is displaying dysregulated behaviour, they are also trained in using reasonable force where necessary.

Members of staff have the power to use reasonable force to prevent students committing an offence, injuring themselves or others, or damaging property, and to maintain good order and discipline in the classroom. However, staff will always consider the following when using reasonable force: is it reasonable, proportionate and necessary? The actions of staff will always be in the best interest of the student and are in line with Government guidelines on the Use of Reasonable Force. Under no circumstances will physical force or restraint be used as a form of punishment.

Parents/carers will always be informed following an incident where positive handling has been used. All incidents where positive handling has been used will be recorded and positive handling plans written.

As far as possible, positive handling should not be used until another responsible adult is present to support, observe, or call for further assistance. Should circumstances warrant it, the assistance of the Police will be requested.

Infrequency

The use of positive handling as set out by this document should be regarded as an extremely rare occurrence.

Recording Incidents

Whenever positive handling has been used, the member of staff **must** immediately report the incident, preferably to a member of the SLT, or to Head of Department or Head of Year if SLT are not available. The circumstances must be put in writing and copied to the Principal and the member of staff who will be liaising with parents.

A signed and dated account with witness details (staff and/or students) should be completed in the Physical Intervention Record Book as soon as possible after any action taken under this policy⁴.

Appropriate advice, guidance and other support will be made available to the students and staff involved. This may involve informal discussion, debrief and follow-up or further intervention such as external counselling or the use of restorative techniques. Where possible, any action that could be taken to prevent recurrence will be identified and taken.

Staff may well find it useful to discuss the incident with a senior colleague and report it to their professional association, which may advise on the completion of the report. The member of staff should keep a copy of the document.

Depending on the circumstances, the CEO or Principal may find it necessary to carry out a full investigation to determine whether or not the action was appropriate. Suspension will not be an automatic response when a member of staff has been accused of using excessive force. The Trust should consider whether a staff member has acted within the law when reaching a decision on whether or not to take disciplinary action against the teacher, and appropriate support should be provided to any member of staff who is subject to a formal allegation following a use of force incident.

Complaints

Complaints by parents/carers or students will be investigated following the Trust Complaints Procedure if reported to the Academy. All staff should be aware, however, that a parent or student may complain directly to the Police or Social Services and this could lead to an investigation over which the Trust has no control.

Physical Contact with Students in Other Circumstances

It is not illegal to touch a student. There are times when other forms of physical contact are appropriate or, indeed, necessary. Certain activities in PE or Music, for instance, may require physical contact as will giving First Aid treatment.

Students in distress may also benefit from physical contact but, whenever possible, this should be avoided. Some students may find any form of physical contact unwelcome.

The guidance that staff should have in mind is: if physical contact can be avoided, it should be.

⁴ The full details of the information required are:

- the name(s) and the job title(s) of the member(s) of staff who used reasonable force;
- the name(s) of the student(s) involved; when and where the incident took place;
- names of staff and/or students who witnessed the incident;
- the reason the force was necessary;
- the progress of the incident. Include details of :
 - student behaviour leading up to the incident
 - any attempts to resolve the situation
 - what was said by staff and students
 - the degree of force used
 - how it was applied
 - how long it was used for
- the student's response and the eventual outcome;
- details of any injury suffered by staff or students;
- details of any damage to property;
- details of any medical treatment required (an accident form should be completed);
- details of any follow-up. Including contact with the parents or carers of the student(s) involved;
- any other relevant details e.g. the involvement of any other agency e.g. the Police.

References

The principal reference for this policy is the Department for Education guidance entitled *Use of Reasonable Force – advice for Headteachers, staff and governing bodies (July 2013)* <http://www.education.gov.uk>