



## MICKLEOVER PRIMARY SCHOOL

**Name of Policy:** Behaviour Policy

**Date of Policy:** January 2020

**Member of Staff responsible:** A Jones

**Review date:** January 2021

**Signature:** \_\_\_\_\_ **Chair of Governors**

**Date Approved:** \_\_\_\_\_

### At Mickleover Primary School

**We are:**

**Motivated to learn**

**Proud of our achievements**

**Successful and skilled for life**



## BEHAVIOUR POLICY

### AIMS AND EXPECTATIONS

Mickleover Primary School aims to promote an attitude of mutual respect and care for others built on an understanding of everyone's worth as an individual. This policy is for the information of staff, governors, parents and all those concerned with the welfare of children at Mickleover Primary School.

We are committed to providing high quality education. This means promoting positive attitudes and behaviour so that pupils become responsible for their own actions and increasingly independent members of the school community.

The primary aim of our behaviour policy is to promote good behaviour. We have school rules and the staff do not ignore unacceptable behaviour, but having high expectations, being good role models and rewarding pupils enables us to promote positive behaviour. This policy is designed to promote good behaviour rather than merely deter anti-social behaviour.

### British Values and Behaviour

Our school reflects British Values in all we do.

We encourage our children to be creative, unique, open-minded and independent individuals, respectful of themselves and of others in our school, our local community and the wider world. We aim to nurture our children on their journey through life so they can grow into safe, caring, democratic, responsible and tolerant adults who make a positive difference to British Society and to the world.

#### Democracy

We provide pupils with a broad general knowledge of, and promote respect for, public institutions and services by discussing these whenever appropriate in curriculum work. We model how perceived injustice can be peacefully challenged through our interactions with pupils and the schools' behaviour system.

#### The Rule of Law

We ensure school rules and expectations are clear and fair by discussing these with pupils and establishing classroom rules with pupils themselves. We help pupils to distinguish right from wrong during everyday interactions and Collective Worship and we focus on fairness and justice to resolve any conflict as part of sanctions and our approach to behaviour.

Help pupils to understand that living under the rule of law protects individuals including the vulnerable in society.

#### Individual Liberty

We support pupils to develop their self-knowledge, self-esteem and self-confidence through every aspect of teaching and learning in school. Pupils take responsibility for their behaviour, as well as knowing their wider rights and responsibilities. We implement a strong anti-bullying culture and actively challenge stereotypes.



## Respect and Tolerance

We promote respect for individual differences and help pupils to acquire an understanding of, and respect for, their own and other cultures and ways of life.

We challenge prejudicial or discriminatory behaviour.

We develop critical personal thinking skills throughout our curricular work. This includes discussion on the differences between people, including; faith, ethnicity, disability, gender or sexuality, and different family situations.

Positive behaviour management uses rewards and sanctions to achieve an ethos of kindness and co-operation through the acknowledgement of the school promises (see below) and high expectations that these are upheld.

The school rules are based on the following six promises, agreed by the staff and children.

- **We treat others as we would like to be treated.**



- **We move around school sensibly and quietly.**



- **We listen to others.**



- **We are honest, polite and *Kind* to everyone.**



- **We look after our school and everything in it.**



- **We do our best at work and play.**





## **ROLES AND RESPONSIBILITIES IN PROMOTING POSITIVE BEHAVIOUR**

The Headteacher will:

- Implement the school behaviour policy consistently throughout the school by setting the standards of behaviour and supporting staff in the implementation of the policy.
- Keep records of all reported serious incidents of misbehaviour.
- Report to Governors, when requested, on the effectiveness of the policy.
- Ensure the health, safety and welfare of all children in the school.
- Report to/meet with parents/carers when necessary
- Be aware of and understand his/her rights and responsibilities

The Headteacher has the responsibility for giving fixed-term suspensions to individual children for serious acts of misbehaviour. The Headteacher may permanently exclude a child for repeated, or very serious, acts of anti-social behaviour. This action is only taken after the school governors have been notified.

### **All Staff will:**

- Give opportunities to develop interpersonal and social skills
- Offer a curriculum that enables pupils to engage
- Give the opportunity to work in groups
- Make sure that pupils listen and are listened to and value others
- Help pupils to gain the ability to make choices about their behaviour
- Help pupils to be confident about their learning and enjoy it
- Help pupils understand their rights and responsibilities as citizens in our society.
- Be a positive role model
- Reward/praise positive behaviour
- Use the behaviour log when necessary
- Ensure the pupils in their class know the class and school rules
- Inform parents about their child's welfare or behaviour and, where necessary, work alongside parents
- Be aware of and understand their rights and responsibilities

### **Pupils will:**

- Respect and care for others
- Listen to others
- Learn/work co-operatively
- Obey the school rules
- Resolve disputes positively
- Value and take responsibility of the environment
- When necessary carry out self-monitoring
- Be aware of and understand their rights and responsibilities
- Be aware of their own emotions and actions and take responsibility for these

### **Parents, Carers and Families will:**

- Support the school when reasonable sanctions to punish a child have been used
- Promote positive behaviour at home in order to have continuity between home/school
- Initially contact the class teacher if they have concerns about the way their child has been treated. If concerns remain, contact the Headteacher then if necessary the school governors.
- Initially contact the class teacher if they feel their child's behaviour, in or out of school, is impacting on the child's emotional well-being.
- Be aware of and understand their rights and responsibilities



### **The Governing Body will:**

- Support the school in the implementation of the policy
- Give advice, when necessary, to the Headteacher about disciplinary issues so that he/she can take the advice into account when making decisions about behaviour issues
- Review the effectiveness of the policy

### **REWARDS AND SANCTIONS**

We praise and reward the children for good behaviour in a variety of ways:-

- Praise by adults
- Team Points
- Outstanding Team Member Award
- Bronze, Silver and Gold Awards
- Headteacher's Gold Book
- Individual class rewards, such as stickers, certificates, praise notes, prizes, pot of gold.
- Writer's Award (each half term)

It is important that we apply sanctions consistently and appropriately to each individual situation.

If children choose not to follow the rules there is an agreed list of graduated sanctions that can be applied by the adult working with them. Should the situation prove serious enough the process will be bypassed at the Headteacher's discretion.

All members of staff are aware of the regulations regarding the use of force by teachers, as set in DfE publication 'Use of reasonable force – Advice for headteachers, staff and governing bodies,' July 2013, reviewed July 2015: Teachers in our school do not hit, push or slap children. Staff only intervene physically to restrain children or to prevent injury to a child, or if a child is in danger of hurting her/himself. The actions that we take are in line with government guidelines on the restraint of children. See Appendices 1 and 2.

### **WITHIN THE CLASSROOM (USING TRAFFIC LIGHT SYSTEM)**

All children to start each day 'on the right track'

If the children break a school/classroom rule:

1. Verbal warning.
2. **GREEN** – warning
3. **AMBER** –miss a playtime
4. **RED** – send to Headteacher/note in diary to parents

For repeat offenders the following sanctions apply:

**Red 1** – Sent to the Headteacher, as above. Time out of classroom (time dependent on child and what they've done wrong) where possible, to work in Head's office. If not, in the corridor near to front office. Parents informed.

**Red 2** – Phone call to parents and put on report. This will mean that the child will have to report to the Headteacher at the end of each morning and afternoon for a specified period of time and their behaviour monitored.



**Red 3** – Parents asked to come in to school for meeting with class teacher, Head and Learning Mentor and discuss the consequences from that point.

Continuation of negative behaviour will lead to fixed-term exclusion. The ultimate sanction is permanent exclusion. The school will adhere to Derby City Council Pupil Exclusion Procedures (See Appendix A)

## **CHILDREN GET A FRESH START EACH HALF TERM**

### **PLAYTIMES AND ASSEMBLIES**

1. The supervising adult will give a verbal reminder of the rule/s being broken.
2. If the child chooses to break the rule/s again a laminated traffic light is given out for the child to take back to class and go on the traffic light system within class.
3. Persistent offenders will be removed from the rest of the children until the end of the session.
4. KS2 children should lead by example and when lining up and coming in to assembly they will automatically be put on green (without warning) should they break any rules.

### **LUNCHTIMES (to be printed on individual cards)**

1. The supervising adult will give a verbal reminder of the rule/s being broken.
2. If the child chooses to break the rule/s again a verbal warning is given by the Play Leader
3. If the child continues to break the rule they will be issued a yellow card by the Play Leader
4. Subsequent misdemeanours will result in a red card.
5. Play Leader to inform class teacher.

Children with a red card will miss their next lunchtime.

Any two yellow cards within a week will result in an automatic red card.

Any behaviour that threatens or endangers other children will necessitate those children being removed to safety whilst members of staff deal with the situation appropriately.

Bullying is a form of negative behaviour and the school will not tolerate bullying of any kind. Where bullying does take place we will not 'turn a blind eye' to the problem but will take active steps to eliminate and prevent its occurrence in the future. See our separate Anti-Bullying Policy.

We encourage parents to support their children's behaviour in school and attached is our Home/School agreement that confirms our approach to behaviour and discipline. We also have a guide for parents to help dealing with all forms of bullying including cyberbullying.

### **MONITORING, EVALUATION AND REVIEW**

This policy will be promoted and implemented throughout the school. The school will review this policy every two years and assess its implementation and effectiveness.



## Equality Act 2010

Legislation relating to equality and discrimination is laid out in the Equality Act 2010.

Mickleover Primary School will take steps to advance equality of opportunity, foster good relations and eliminate discrimination or harassment across all the protected characteristics (age, race, gender reassignment, disability, marriage and civil partnership, religion and belief, pregnancy and maternity, gender, sexual orientation) within the school community as set out in our Equality Policy.

This means:

- We will take reasonable and necessary steps to meet pupils' needs by using a variety of approaches and planning reasonable adjustments for disabled pupils, enabling our pupils to take as full a part as possible in all the activities of the school.

We will make reasonable adjustments to ensure the school environment and its activities are as accessible and welcoming as possible for pupils, staff and visitors to the school. We are also committed to ensuring staff with a disability have equality of opportunity.

- We will actively encourage positive attitudes towards pupils and staff and expect everyone to treat others with dignity and respect.

- We will regularly consider the ways in which the taught and wider curricula will help to promote awareness of the rights of individuals and develop the skills of participation and responsible action.

- We will regularly consider the ways in which our teaching and the curriculum provision will support high standards of attainment, promote common values, and help students understand and value the diversity that surrounds them, and challenge prejudice and stereotyping.

## MONITORING ARRANGEMENTS

This policy will be evaluated and updated every year by the whole school. The views of pupils and staff will be used to make changes and improvements to the policy on an ongoing basis and areas for development will be highlighted in the School's Development Plan.

## THIS POLICY IS LINKED TO THE FOLLOWING POLICIES:

Safeguarding Policy

E-safety Policy

Anti-bullying and Child-Friendly Anti-bullying policy 2019.

PSHE Policy

Child protection policy

Equality Policy

Child-friendly version of the Behaviour Policy written by Infant and Junior School Councils 2016 (updated 2019)



### **Appendix 1 - The Use of Reasonable Force**

The school follows the advice contained in the DfE publication 'Use of reasonable force – Advice for headteachers, staff and governing bodies,' July 2013, reviewed July 2015:

In order to maintain the safety and welfare of our pupils, it may be necessary to use reasonable force on a pupil, as permitted by law. This is only to be used when all possible options for giving the child time/space to regain self-control have been exhausted. This can mean either passive contact (standing between two pupils or blocking a pupil's path) or active physical contact (leading a pupil by the hand or arm, ushering a pupil away by placing a hand in the centre of the back). All members of school staff have a legal power to use reasonable force. This power also applies to people whom the Head teacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying pupils on a school organised visit. Any use of force by staff will be reasonable, lawful and proportionate to the circumstances of the incident and the seriousness of the behaviour (or the consequences it is intended to prevent).

Reasonable force will be used only when immediately necessary and for the minimum time necessary to achieve the desired result and in order to prevent a pupil from doing or continuing to do any of the following:

- injuring themselves or others
- causing damage to property, including their own
- engaging in any behaviour prejudicial to good order and discipline at the school or among any of its pupils, whether that behaviour occurs in a classroom or elsewhere.
- committing a criminal offence.

Force will never be used as a punishment. Whether it is reasonable to use force and to what degree, also depends on the age and understanding of the pupil and whether they have Special Educational Needs or disabilities. Medical advice will always be sought about the safest way to hold pupils with specific health needs, special educational needs and disabilities. All staff including teaching assistants, lunchtime supervisors, admin staff and the site management have the right to defend themselves from attack, providing they do not use a disproportionate degree of force to do so. Similarly in an emergency, if for example, a pupil was at immediate risk of injury or at the point of inflicting injury on someone else, any member of staff is entitled to intervene. A volunteer helping in school would not be expected to work with a child who is known to need physical restraint as indicated in their Behaviour Management Plan.

### **Appendix 2 - Bringing inappropriate items into school**

The school will take very seriously the bringing onto the premises of inappropriate items, such as alcohol, tobacco, knives or replica weapons. The parents or guardians of any child involved will always be notified immediately. Any child who deliberately brings such items into school may be subject to a fixed-term exclusion. If the offence is repeated, the child will be at risk of permanent exclusion. A referral will be made to and the police may become involved. If any child is found to be suffering from the effects of tobacco, alcohol or other substances, appropriate action will be taken including making a referral. It is forbidden for anyone, adult or child, to bring onto the school premises illegal drugs. Any child who is found to have brought to school any type of illegal substance will be at risk of fixed-term exclusion. The child will not be readmitted to the school until a parent or guardian of the child has visited the school and discussed the seriousness of the incident with the Head teacher. If a child is found to have deliberately brought illegal items into school, and is found to be distributing these to other pupils, the child will be at risk of permanent exclusion. A referral will be made to and the police may become involved.





## Appendix A

### Derby City Council – Pupil Exclusion Procedures

#### INFORMING PARENTS

Parents should be notified immediately, by telephone if possible, followed by a letter within one school day.

For children in public care, the social worker should be notified as well as all those with parental responsibility.

For pupils living outside the Derby City LEA area, the home LEA should be notified if the exclusion is permanent.

Letters about either fixed period, which include lunchtime exclusions counting as one half of a school day, or permanent exclusions must state:

- for a fixed period exclusion -the precise period of the exclusion
  - for a permanent exclusion – the fact that it is a permanent exclusion
- the reasons for the exclusion
- the parent’s right to make representations about the exclusion to the governing body
  - who parents should contact if they wish to do so (this will usually be the Clerk to the Governors)

The following should also be included:

- the latest date by which the governing body must meet (for exclusions of over five days in one term) but see model letter 2 for exclusions of over 5 but no more than 15 days – only if parents request a meeting
- the parents’ right to see and have a copy of their child’s school record
- for **fixed period** exclusions, the date and time for the return to school – for exclusions of over 15 days the LEA also requests a report at least 5 school days before the governing body meets in order to provide advice to the governors. Parents should also be sent a copy of this report.
- for **lunchtime** exclusions, the number of lunchtimes for which the pupil is being excluded and the arrangements for providing a free school meal for entitled pupils.
- For fixed term exclusions information about who parents can appeal to if they feel disability discrimination has occurred – see model letters 1,2 and 3
- for **permanent** exclusions, the date the exclusion takes effect and any relevant previous history. (Since the previous history is likely to prevent the letter being sent within one school day this should be sent in a prompt follow up document (Headteacher’s report) to be received by the parent and the LEA at least 5 school days before the governing body meeting)
- The arrangements for setting and marking work for exclusions of more than one day
- that advice on the exclusions process is available from the Education Service, contact Chris Orme, telephone 715983 or from the Advisory Centre for Education, helpline 020 7704 9822.



Where the parents of an excluded pupil do not speak or have a good understanding of English, correspondence and documentation relating to the exclusion should be translated into their mother tongue. In such cases the school and/or the LEA should arrange for an interpreter to be present at any meetings with the parent about the exclusion. We would normally expect the school to make these arrangements. In cases of difficulty please contact the Access Service. Also the parents should be invited to advise the school if they have a disability or special needs which would affect their ability to attend any meeting.

The appropriate model letters, numbered 1-4, can be found on the Derby City Website and should be used.

All exclusion cases should be treated in the strictest confidence.

If a fixed period exclusion is extended or is changed to a permanent one, a fresh letter must be sent.

### **INFORMING THE GOVERNING BODY AND THE LEA**

The Headteacher must notify the governing body and the LEA within one school day of:

- all permanent exclusions
- all exclusions which result in the pupil missing more than five school days in aggregate in any one term
- all lunchtime exclusions which result in the pupil missing more than 10 lunchtimes in any one term
- all exclusions which deny pupils the chance to take a public examination.

The LEA's notification should be on Form EX- 04 or a form containing the same information.(see Derby City Website) **NB** All the information **must** be given including the unique pupil number. Fixed period or lunchtime exclusions for the equivalent of five days or less in any one term **must** be reported to the governing body and the LEA once per term. However, the LEA prefers to receive details of these exclusions within one school day in the same way as longer exclusions since it is required for monitoring and improving practice. In any case the same detailed information on Form EX –04 is required for DFES return purposes.

### **THE DISCIPLINE COMMITTEE**

A discipline committee is no longer statutory but is recommended. A Discipline Committee is made up of three or five governors, not including the Headteacher, who can be drawn from a nominated pool. It can run with four governors, in which case the Chair has a casting vote. The members should not have any personal interest, which could rule out parent governors whose child is taught with the pupil under consideration or a member of staff who has been involved with the pupil. Committee meetings must be clerked. Neither the Headteacher nor a governor may act as clerk.



## ARRANGEMENTS FOR MEETINGS

For **exclusions of 5 days or less (including lunchtimes)**, there is no requirement for a meeting. However, if the parent makes representations the governing body must consider these. If any exclusion would result in the pupil missing a public examination, the governing body should try to meet before the date of the examination. If, exceptionally, it is not practical for the governing body to meet before the time when the pupil is due to take the public examination, the Chair of Governors - using his or her powers to act in an emergency - may consider the exclusion and decide whether or not to reinstate the pupil (these are the only circumstances in which the Chair of Governors can alone review an exclusion). In such cases the parent has the right to make oral representations to the governing body or, as the case may be, the Chair. If possible, the Chair should have the advice of the Clerk and an LEA Officer.

In some cases, depending on the nature and seriousness of the exclusion, the governing body may exercise its discretion to allow an excluded pupil on the premises for the sole purpose of taking a public examination. There is no automatic right for any excluded pupil to take a public examination on the excluding school's premises - this is entirely at the governor's discretion.

The following meetings **must** be arranged within this timescale:

- for **individual or aggregated exclusions of between over five and 15 school days in a term (including lunchtimes)**, if the parent requests a meeting. The meeting must be held within six and 50 school days of the governing body receiving notice of the exclusion.
- for **permanent exclusions and individual or aggregated exclusions of over 15 school days in a term ( including lunchtimes)**, a meeting must be held within six and 15 school days of the governing body receiving notice of the exclusion.

The clerk or chair:

- **must** invite the parent, Headteacher and the LEA to the meeting, where possible at a time convenient to all. For children in public care the social worker should be invited as well as all those with parental responsibility. The LEA representative will normally fit in with your arrangements provided that sufficient notice is given. Parents may be accompanied by a friend or legal representative. The excluded pupil may attend if the parent wishes and there are no strong reasons to refuse
- **should** ask for any written statements, including witness statements, in advance of the meeting
- **should** circulate in advance any written statements and a list of those who will be present to all parties attending the meeting.

## PROCEDURE AT THE MEETING

If the pupil is back at school before the governing body meet, the governors must consider whether the Headteacher's decision to exclude was justified based on the evidence. The outcome of their review should be added to the pupil's record.

If the pupil is excluded for a fixed period and is still out of school when the meeting takes place or is permanently excluded, the governing body should decide whether to direct reinstatement.



In reaching a decision the governing body should:

- consider any representations made by the parent, the pupil and the LEA
- whether the Headteacher has complied with the exclusion procedure and has had regard to the Secretary of State's guidance before deciding to exclude the pupil. The procedure and guidance are contained in the document "Improving Behaviour and Attendance: guidance on exclusion from schools and PRUs 20/01/03 and revised in October 2004 see [www.teachernet.gov.uk/management/workingwithothers/safeschools/exclusion](http://www.teachernet.gov.uk/management/workingwithothers/safeschools/exclusion) together with the parts of the DFES Circular 10/99 which have not been replaced by the more recent guidance. ( Chapter 6 and Annex D have been replaced)

## **AFTER THE DECISION**

The governing body should notify the parent, the Headteacher and the LEA of the decision in writing **within one school day**, giving reasons. The governing body may not attach conditions to a reinstatement.

Where a permanent exclusion is confirmed, the letter should also include:

- the reasons for the decision
- the parent's right to appeal to an independent appeal panel by writing to Michael Foote, Clerk to the Independent Appeal Committee, Derby City Council, The Council House, Corporation Street, Derby DE1 2FS
- that any letter requesting an appeal should give the grounds for the appeal which may include a reference to any disability discrimination claim that the parent may wish to make
- the date by which the parent can lodge an appeal, which will be 15 school days from the date the parent receives notice. This date is taken to be: the second school day after the date of posting the letter by first class post
- that the parent should advise Michael Foote if they have a disability or special needs which would affect their ability to attend the hearing and/or that they would find it helpful to have an interpreter present.

The LEA should be informed of this date, as it also has a duty to write to parents about their right of appeal – contact Admissions on 716940.

Model letter 5 (on Derby City website) incorporates all necessary information

A note of the governing body's views on the exclusion should be placed on the pupil's record along with copies of relevant papers.

## **ARRANGEMENTS FOR AN APPEAL HEARING**

The Director of Corporate Services will arrange appeal hearings. The panel must meet within 15 school days of the date the parent lodges an appeal.

However, the panel may decide to adjourn the hearing, if necessary. Hearings will be arranged, as far as is practicable, so that all parties are able to attend.

Those entitled to attend are:

- the parent, who may bring a friend or representative
- the pupil, if they and their parents wish it
- the Headteacher, who may make oral representations



## Mickleover Primary School Behaviour Policy

---

- a nominated governor, who may make oral representations
- a nominated LEA officer, who may make oral representations
- a legal or other representative of the governing body
- any alleged victim or his/her representative
- a member of the Council on Tribunals – as observer

The Headteacher, governing body and LEA may also make written representations. An alleged victim can have a “voice” at the hearing, either in person, through a representative or by submitting a written statement.

The decision of the panel is final and binding on all parties.