



Behaviour, Anti-Bullying and Exclusions Policy

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Introduction

The Spring Trust Board of Trustees has agreed to this Policy and as such, it applies to all schools within the Trust. All policies, procedures, practices and systems are regularly reviewed to reflect the Trust's anti-racist stance and commitment to equality.

This policy encompasses deeper thinking and understanding based on current research of neuroscience, child development and how children behave based on their emotional responses. The policy aims to provide guidance for staff in order to promote positive behaviour and will ensure a consistent approach across all schools. The policy aims to outline our approaches to the management of behaviour resulting from children's emotional responses. The policy draws upon the findings of Tom Bennett's independent review on behaviour in schools and strategies to support effective cultures (2020)

'Too often we forget that discipline really means to teach, not to punish. A disciple is a student, not a recipient of behavioural consequences.' Dr. Dan J. Siegel.

Behaviour in Spring Trust schools is driven by the intent to ensure consistent excellence in conduct, instruction and outcomes. The policy acknowledges each school's legal duties under the Equality Act 2010, including in respect of safeguarding and in respect of children with special educational needs. This policy is to be read alongside other relevant policies, including the Attendance Policy and the Child Protection & Safeguarding Policy. It is the expectation that Spring schools develop all pupils' personal and academic conduct to ensure the highest levels of self-control, self-discipline and self-reliance at all times both inside and outside of school. This will be encouraged through rewards for excellent conduct and sanctions for conduct that falls below the high expectations of the Trust (these rewards and sanctions are documented for the school in Appendix B).

Behaviour approaches within Spring Trust are motivated by the needs of the pupils within individual schools and their context, therefore, discrete, singular and distinct but are always delivered with consistency and fairness. Nonetheless, any approach is expected to enable pupils to engage with all sections of society and community academically, intellectually and socially and to ensure that the standard is achieved and that pupils are on track to attain this standard by the end of KS2. Behaviour that undermines this is unacceptable.

- All staff will receive training in the delivery of the behaviour policy
- All pupils will receive appropriate support to achieve the highest expectations of behaviour
- Parents, carers and agencies will receive appropriate communication and liaison regarding pupils' behaviour to ensure the highest standards are attained and maintained.

Each school has an individual flow-chart that details the resultant outcomes for inappropriate behaviour. See Appendix C for the school's flow-chart and expectations.

Our Ethos

Educating and investing in children and encouraging them to grow up to lead safe, happy, healthy and successful lives, is at the heart of what we do in Spring Trust schools. We recognise that a pupil's happiness and well-being are the foundation for their success and that it is essential to nurture not just the academic progress of the child, but to look after and care for the 'whole person'. We encourage children to learn about health and well-being and the importance of looking after our social, emotional and mental health as well as our physical health. We want our children to develop a set of values that will stand them in good stead now and in later life.

These include a sense of community and responsibility. Children are encouraged to be kind and considerate, and to have respect and show tolerance for all. The promotion of British values and an understanding of the spiritual, moral, social and cultural aspects of learning is at the heart of what we do. We take every opportunity to teach strategies for building social skills, resilience and raising self-esteem.

In the Spring Trust, these are seen as vital steps in preparing our pupils for the opportunities, responsibilities and experiences of life. Our children develop a range of strategies which enable them to manage their emotions and self-regulate their behaviour.

In each of our schools, children and staff follow clear routines throughout the day and children understand and know expectations.

Our Aims

In Spring Trust schools, we aim for our children to achieve their academic potential and lead independent lives preparing them for the next phase of their education. We enable this by building mutually respectful relationships with them and showing them how to have respectful relationships with each other and with other people. This helps them to reflect and take responsibility for themselves, and is a form of discipline that is constant, immediate and consistent. Our personal, social and health education (PSHE) programme complements our teaching on relationships, self-regulation and understanding emotional and social needs of our own and others.

Our schools are ambitious and we strive for the highest standards of teaching, learning and behaviour in an environment where all children and staff are valued as individuals and their efforts are respected and celebrated. Our aims are to work together as a team to:

- a) Promote high standards of teaching, learning and behaviour
- b) Ensure that we enable pupils to be the best they can be irrespective of race, gender, sexual orientation or physical/mental disability
- c) Provide a happy, supportive and safe environment. We want children to display positive learning behaviours that contribute to excellent achievement and reflect pride in themselves and their school.

We understand that children will need different levels of support and time to develop and maintain positive learning behaviours in school. We recognise that the quality of teaching and learning in each lesson directly affects the behaviour of children so staff are expected to be familiar with the Trust's Learning and Teaching pedagogy and work within this framework. Managing behaviour is not just about responding to inappropriate behaviour. It is firstly, about creating the conditions that encourage positive behaviour, recognising and celebrating this.

1. Policy Implementation: Roles and Responsibilities

The school communities (staff, pupils and parents) are responsible for reinforcing positive behaviour and should be clear of the high standards of behaviour expected at all times.

Pupils	<p>Expected to take responsibility for their own behaviour, and follow the school behaviour expectations at all times. We expect pupils to:</p> <ul style="list-style-type: none"> ● Behave properly at all times; ● Treat other people with respect; ● Speak politely to other people; ● Have self-confidence and high self-esteem; ● Aim for 100% attendance and punctuality; ● Take care of all equipment and buildings;
All staff	<p>Each member of staff has a responsibility to:</p> <ul style="list-style-type: none"> ● Care for pupils in their class and teaching groups; ● Ensure that there is a fair and consistent approach towards dealing with discipline; ● Implement school rules on uniform and behaviour; ● Ensure equality of opportunities for all; ● Report progress, achievements and concerns to parents; ● Meet parents to ensure the best possible education and welfare; ● Challenge pupils to achieve higher standards academically and to develop greater involvement in extracurricular activities within the school and the wider community. ● Be responsible for ensuring the policy is implemented in a fair and consistent manner. ● Be positive and remember behaviour has to be taught - not assumed ● Show respect to pupils in how they communicate.
Parents	<p>Our staff will ensure parents are regularly informed of academic progress and any behavioural issues causing concern for each pupil. For the best outcomes a positive partnership between home and school is essential. We expect parents:</p> <ul style="list-style-type: none"> ● To ensure their child attends regularly and punctually as required by law; ● To ensure their child is sent to the school prepared for the school day with all necessary books and equipment and correctly dressed in full school uniform;

	<ul style="list-style-type: none"> ● To support the school rules, especially uniform rules, and the Behaviour Policy and reinforce sanctions given by the school for misbehaviour; ● To keep the school informed of anything which they believe might affect their child's progress in school especially absence, illness or a change of family situation; ● To take an interest in their child's school work; ● To attend parents' evening to meet their child's teachers; ● Not to take holidays in term time; ● Where possible, to provide a quiet place at home to encourage completion of homework; ● To ensure their child gets adequate sleep before a school day; ● Work in partnership with the school to maintain excellent standards of behaviour and inform the school about any changes at home that could impact learning or behaviour in school; ● Act as role models in every interaction. ● Follow social media guidelines so that children are kept safe.
Members of the leadership team	<ul style="list-style-type: none"> ● Responsible for training staff (including volunteers) in the implementation of the policy; ● Quality assuring the application of the policy in all areas of the school; ● Tracking and monitoring rewards and consequences on Arbor, and devising and implementing strategies to improve behaviour where required.
Head Teacher	<ul style="list-style-type: none"> ● Responsible for the implementation and day-to-day management of the policy and procedures consistently throughout the school and to support the staff to meet this objective; ● Impose a variety of sanctions for unacceptable behaviour including suspensions and permanent exclusions; ● Lead the SLT to support positive behaviour around school and be proactive in planning to mitigate where there is known risk; ● Ensure that SLT have a visible and proactive presence at key transitions throughout the day, on the gate at the start and end of the day, at break and at lunch.
Trustees	<ul style="list-style-type: none"> ● Responsible for ensuring the Behaviour Policy is in place, meets all statutory requirements, and is clearly communicated to all stakeholders.

2. An approach to behaviour used in Spring Trust schools

The Trust aims to provide safe, secure, supportive environments where pupils can learn and teachers can teach. There is a direct link between the way young people learn and their behaviour. It is the job of staff at all levels to help and encourage pupils' understanding of socially acceptable and appropriate behaviour.

Staff

In order to encourage and promote good behaviour amongst pupils, staff will:

- Model exemplary behaviour
- Treat all children and adults with respect
- Speak politely to each other
- Build pupil confidence and self-esteem through positive reinforcement
- Avoid using sarcastic language
- Recognise pupil effort and achievements on a regular basis and celebrate success
- Keep parents informed about success, efforts and achievements
- Challenge unacceptable behaviour
- Work in partnership with parents through regular contact to help improve behaviour.

Rules for uniform

Rules around this are very clear and are explained in detail before and when pupils join the school. Uniform is not optional and it is expected that parents support this. When there are valid reasons for a pupil not being able to comply for a short period of time, parents are expected to confirm the reasons for this in writing, and to rectify the situation in the shortest period of time possible. Pupils who are not in full uniform will be offered spare items to wear. We are mindful not to penalise pupils from disadvantaged backgrounds, recognising that some circumstances may be beyond their control.

Rewards and Sanctions

The successful management of behaviour and rewards is central to the Trust's ethos of providing an environment within which children and adults can develop good relationships, showing care, respect and consideration for each other within the school and the community. Our approaches to rewards are set out in Appendix B and C. They encourage and reward pupils who apply themselves and behave in a commendable way to support the ethos of the Trust as role models and to develop their own potential.

When expectations are not met

- 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)
- The power also applies to all paid staff (unless the Head Teacher says otherwise) with responsibility for pupils, such as Teaching Assistants
- Teachers can discipline pupils at any time the pupil is in the school or elsewhere under the charge of a teacher, including on educational visits
- Teachers can also discipline pupils in certain circumstances when a pupil's misbehaviour occurs outside of school
- Teachers can confiscate pupils' property; The imposition of the sanction must not breach any other legislation (for example, the Special Education Need Code of Conduct or the Equality Act 2010).

Unacceptable behaviour

Examples of unacceptable pupil behaviour and/or failure to comply with school rules (this list is neither exhaustive or defines every possible type of unacceptable behaviour and is not in any particular order of importance / priority):

- Disrupting the learning of others
- Rude or inappropriate language
- Acts of aggression or any kind of physical violence
- Bullying or intimidation (verbal, physical, sexual or electronic)
- Racist, sexist or homophobic comments
- Vandalism
- Punctuality to school and to lessons
- Leaving school premises during school hours without permission
- Sexual misconduct
- Making false malicious accusations against teachers, members of staff or volunteers
- Inciting others into inappropriate behaviour
- Data security breaches
- Carrying or smoking cigarettes or e-cigarettes.

Members of staff

If unacceptable behaviour occurs, members of staff will:

- Challenge the behaviour
- Tell the child what we find unacceptable and why
- Explain how they could have behaved differently, modelling what they could have done or said
- If the poor behaviour is repeated, or if it is judged to be serious, the teacher is likely to escalate the incident to more senior staff in the school.

Sanctions

When poor behaviour is identified, sanctions should be implemented consistently and fairly in line with the Behaviour Policy. These will be proportionate and fair responses that may vary according to the age of the pupils, and any other special circumstances that affect the pupil, including Special Educational Needs, disability, or religious requirements. Sanctions which the school may choose to implement are listed below (this list is neither exhaustive or defines every possible type of sanction employed) and can include:

- A verbal reprimand
- Extra work or repeating unsatisfactory work until it meets the required standard
- Loss of privileges – for instance the loss of a prized responsibility or not being able to participate in a non-uniform day
- Missing lunch or break time
- School based community service or imposition of a task such as picking up litter, weeding school grounds, tidying a classroom, helping clear up the dining hall after meal times or removing graffiti
- Regular reporting including early morning reporting, scheduled uniform and other behaviour checks or being placed “on report” for behaviour monitoring
- In more extreme cases schools may use suspension (formerly fixed term exclusion) or permanent exclusion.

3. Suspension and Exclusion

Suspensions (formerly Fixed Term Exclusions) and Permanent Exclusions

The Head Teacher has the power to impose a suspension or permanent exclusion from the school. The Head Teacher will make this decision in line with this policy and taking into account all the circumstances, the evidence available and the need to balance the interests of the pupil against those of the Trust.

The Head Teacher will have regard to the latest statutory guidance for exclusion issued by the Department for Education.

Suspensions are also imposed for serious misdemeanours but are not of the severity to warrant a permanent exclusion. Suspensions are not viewed lightly by the school and should not be viewed lightly by pupils or parents. A pupil accumulating numerous suspensions runs the risk of being permanently excluded from the school in due course. Examples of behaviour which are likely to result in exclusion include, but are not limited to, the following:

- Threatening behaviour
- Bullying
- Repeated disruption to the learning process (disrespect to other pupils)
- Behaviour deemed to undermine the good order of the school
- Vandalism
- Violence
- Use of profane language
- Deliberate disobedience
- Racism
- Data security breaches.

Permanent Exclusions

In line with DfE guidance, The Head Teacher will permanently exclude a pupil:

- In response to a serious breach, or persistent breaches, of the Trust's behaviour policy by a pupil; and
- Where allowing the pupil to remain in the school would seriously harm the education or welfare of the pupil or others at the school.

Examples of serious breaches which are likely to result in permanent exclusion, but are not limited to, the following:

- Persistent and defiant behaviour. This would encompass bullying including homophobic or racist bullying;
- Behaviour which poses a significant risk to the child's own safety;
- Serious actual or threatened violence against a pupil or member of staff;
- Sexual misconduct;
- Arson;
- Supply of an illegal drug, or severe misuse of an illegal drug, which can include legal highs or medication that has not been authorised by the school;

- Bringing into the school any kind of offensive weapon for example: knife, hammer, crowbar (and not limited to those listed in the Offensive Weapons Act 2006);
- Engaging in any radicalisation or taking part in any terrorist related activity.

Malicious allegations

Malicious allegations against staff are very serious, and we reserve the right to impose any sanction up to and including a permanent exclusion. When a pupil is found to have made a malicious allegation (i.e. one that is indecent or grossly offensive, a threat or false and known or believed to be false by the pupil) a sanction will be imposed. In addition, where the pupil remains in the school, he or she is likely to be required to undertake some supportive and educational work. In some circumstances it may be appropriate for the child to take part in a process of restorative justice or mediation with the member of staff in order for all parties to be able to move forward. We would expect parents to support this.

Pupils' conduct outside the school gates – teachers' powers

Pupils at the Spring Trust have a responsibility to act in an appropriate manner outside of school hours particularly on the journey to and from school. Standards of behaviour outside of school should be just as high as those expected inside of the school and we are legally entitled to discipline pupils for inappropriate behaviour occurring outside the school premises.

Subject to the Behaviour Policy, teachers may discipline pupils for misbehaviour when the pupil is:

- Taking part in any school-organised or school -related activity; or
- Travelling to or from the school; or
- Wearing school uniform; or
- In some other way identifiable as a pupil at the school ; or
- Misbehaviour at any time, whether or not the conditions above apply, that:
 - could have repercussions for the orderly running of the school ; or
 - poses a threat to another pupil or member of the public; or
 - could adversely affect the reputation of the school/Trust.

Any inappropriate behaviour which occurs during school-organised or school-related activities, whilst travelling to or from the school, whilst wearing school uniform or whilst in some other way identifiable as a pupil of the school/Trust is likely to incur the sanctions listed above. Additionally, any inappropriate behaviour at any other time which could have repercussions for the orderly running of the school, which poses a threat to another pupil or member of the public or which could adversely affect the reputation of the school, may result in sanctions being taken against the pupil including permanent exclusion.

4. Support Systems for Pupils

Some pupils may need extra support and help to correct their behaviour beyond the use of the sanctions mentioned in this policy. We employ a number of support strategies in these circumstances which are determined by each school. Often the support strategies are deployed alongside the sanctions mentioned in order to help the pupil improve their behaviour before more serious sanctions are necessary. They do not replace the sanction.

Restorative Justice

Our schools embrace restorative approaches which aim to build the school community and to repair and strengthen relationships within it. These approaches foster an awareness of how others have been affected by inappropriate behaviour. This is done by actively engaging participants in a process allowing participants to make amends for the harm caused.

The Zones of Regulation and Self-regulation

The Zones of Regulation are a research-based intervention to promote positive behaviour. They help children to regulate their feelings in order to control overwhelming emotions that prevent them from learning, and achieving their best. When used effectively children feel empowered and in control of their emotions. The Zones of Regulation are particularly effective for children with SEND and SEMH needs.

In order for a child to be ready for learning they need to be able to self-regulate. For most children they are able to regulate with ease. For other children they will need 'tools' to help them self-regulate.

With adult support children will learn to use their 'tools' to self-regulate.

Early Years Foundation Stage

Children in the EYFS (Nursery and Reception) ages range from 3-5. Many of our children are only just beginning to understand their own emotions and can struggle to identify or label these. They therefore need a greater amount of staff support in managing their emotions and consequently their behaviour.

We ensure all our EYFS classrooms have areas that are comfortable, calmer and quieter in order for children to remove themselves, reduce anxiety and self-soothe.

We work in the moment with the children, providing a curriculum that is personalised to their needs and therefore ensures they receive the support they need whilst minimising opportunities for negative behaviours. The staff use consistent approaches and support the children with clear expectations, for example through the use of visuals and sand timers for taking turns. We use praise in order to reinforce positive behaviours, ensuring we catch all children displaying these behaviours.

Mindfulness

Mindfulness can help children to achieve their potential and to flourish. Mindfulness practice can anchor children and help them feel grounded, safe and free to choose how they respond to a situation.

- *Well-being and mental health* - as well as helping them to recognise worry, manage difficulties and cope with exams, developing a more mindful awareness also helps children and young people to appreciate what is going well and to flourish.
- *Concentration and cognition* - mindfulness trains us to understand and direct our attention with greater awareness and skill. This may improve the capacity of children to concentrate and be less distracted, as well as their working memory and ability to plan.
- *Social and emotional learning* - mindfulness is often taught in the context of PSHE. It helps to develop a greater awareness of relationships and how to manage them (including difficult ones at home), as well as offering a richer understanding of things like self-esteem and optimism.
- *Behaviour* - mindfulness may help the young to self-regulate more effectively, manage impulsivity and reduce conflict and oppositional behaviour. It should not, however, be used as a disciplinary tool.

Emotion Coaching

Emotion Coaching is an approach that focuses on the development of emotional regulation through supportive relationships. It can benefit not only children but also parents/carers and professionals to better understand and regulate their emotions, in order to manage strong feelings and take ownership of behaviour. Emotion Coaching offers practical steps for responding to behaviour, and is linked to key attachment concepts, such as the importance of connection.

Referral to Pastoral Support Team

Our pastoral inclusion initiatives have been set up to provide additional enrichment and support beyond the PSHE curriculum for children, their families and their carers. Pupils who are internally referred to the pastoral support teams are supported through group work and if necessary, 1:1 sessions.

Referrals are made for a wide range of reasons including support with friendships, developing confidence, managing feelings and bereavement.

Intervention groups focus on social skills, self-esteem, building resilience, and managing behaviour. This is done through creative methods such as drama, art, play, group discussion and relaxation using mindfulness techniques.

Building on the recommendations from “Creating a culture” some of our schools have internal inclusion units that help to support a child’s return to mainstream lessons.

Consistent Management Plans

For children who need more intensive support and detailed strategies to regulate emotions, a plan is co-produced with adults in school and parents. Where applicable, the child can also contribute to this plan. It is a working document that should be reviewed at least half termly and should be used alongside a child's personal risk assessment.

Parental Involvement

Continual and positive contact with parents is implicit to the successful implementation of this policy. Contact should emphasise positives to build effective relationships and connections. In cases where detailed and regular communication is required, then the class teacher will ensure that the behaviour of the pupil in question will be carefully monitored in order that accurate and objective information can be conveyed to parents.

5. Bullying

- Bullying is a form of anti-social behaviour that the school considers inappropriate and unacceptable in all its forms.
- Bullying is behaviour by an individual or group repeated over time. It can take many forms, including hurting another individual or group either physically or emotionally.
- Bullying can be motivated by actual differences or perceived differences.
- Cyber-bullying via text messages or the internet
- Prejudice-based bullying against groups, for example, on grounds of special educational need, race, gender, religion and belief, sexual orientation, disability
- Physical e.g. punching, kicking, hitting, spitting at another person
- Verbal e.g. name-calling and/or offensive, discriminatory verbal abuse
- Exclusion e.g. deliberately excluding a person or encouraging another person to exclude a person from discussions/activities
- Damage to property or theft e.g. deliberately damaging someone's or taking personal belongings. Physical or verbal threats might be used to force the person to hand over their property
- Face-to-face or remote e.g. via the internet or text
- By someone known to the recipient or an unknown protagonist e.g. an anonymous email Cyber-bullying e.g. communications that intimidate, control, manipulate, put down, falsely discredit, or humiliate.

All staff are alerted to the signs of bullying and children are encouraged to tell their class teacher or other adults working in the school. This is shared in confidence with other staff. Teachers always take bullying seriously and deal firmly with such behaviour. If a child persists in bullying, the formal consequences outlined earlier in this policy, will be brought into play. The ultimate consequence of bullying could be permanent exclusion.

Parents should refer to the schools' Anti-bullying Policy for details on procedures to follow if they are concerned that their child may be involved in bullying activities.

6. Child on child abuse/sexual harassment and violence

We are committed to a Trust approach to ensure the prevention, early identification and appropriate management of child-on-child abuse within our schools and beyond. In cases where child on child abuse is identified we will follow our child protection procedures, taking a contextual approach to support all children and young people who have been affected by the situation. We recognise that child on child abuse can manifest itself in many ways such as:

- Child Sexual Exploitation
- Sexting or youth produced digital imagery
- Upskirting
- Bullying
- Radicalisation
- Abuse in intimate relationships
- Children who display sexually harmful behaviour
- Gang association and serious violence (County Lines)
- Technology can be used for bullying and other abusive behaviour

Some of these behaviours will need to be handled with reference to other policies such as the, anti-bullying policy, child protection policy and online safety policy. We are compliant with the statutory guidance on child-on-child abuse as set out in the latest version of Keeping Children Safe in Education and should be read in conjunction with the Local Safeguarding Children Board's (LSCB) Safeguarding Policy and Procedures, and any relevant Practice Guidance issued by it.

7. Reasonable Force and other restrictive interventions

The school will follow the Department of Education guidance 'Restrictive Interventions, including the use of reasonable force, in schools (effective 1st April 2026).

https://assets.publishing.service.gov.uk/media/6943dad6501cdd438f4cf5aa/Restrictive_interventions_including_use_of_reasonable_force_in_schools.pdf.

It enables teachers and other members of staff in the school, authorised by the Head Teacher, to use such force as is reasonable in the circumstances to prevent a pupil from:

- Committing an offence
- Causing personal injury to, or damage to the property of, any person (including the pupil themselves); or
- Engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or amongst its pupils, whether during a teaching session or otherwise.

What does it mean to use reasonable force, restrictive interventions or restraint

Reasonable force is a means to prevent, restrict, or subdue movement of the body, or part of the body, of a pupil. This guidance uses 'restrictive interventions' as the umbrella term to describe both physical and non-physical actions aimed to restrain pupils in different ways: a means to prevent, restrict, or subdue movement of the body, or part of the body, of a pupil. This guidance uses

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Restrictive interventions are defined as a means to prevent, restrict, or subdue movement of the body, or part of the body, of a pupil. This guidance uses ‘restrictive interventions’ as the umbrella term to describe both physical and non-physical actions aimed to restrain pupils in different ways.

Restraint is a term used in legislation referring to a non-disciplinary intervention which immobilises a pupil or limits their movement. This may or may not include direct physical contact. For example, holding a pupil’s arms to their sides or removing a pupil’s crutches would both be considered forms of restraint.

Why use restrictive interventions, reasonable force or restraints

Physical intervention should avert danger by preventing or deflecting a child’s actions, or by removing a physical object, which could be used to harm themselves or others. Physical intervention is only likely to be needed if a child appears to be unable to exercise self-control of emotions and behaviour. Incidents will be recorded by the staff member(s) involved as soon as practicable after (following the DfE guidance on how to record the incident) via our safeguarding system. Parents will be informed of any restrictive intervention as soon as practicable after the event, even if the use of restrictive interventions in certain circumstances is agreed with parents as part of a pupil’s behaviour support plan. Training on the use of reasonable force and other restrictive interventions will support designated staff in assessing when the need to use force and/or other restrictive interventions is reasonable, which may require a quick decision.

The safeguarding team will forensically analyse restraint in post-incident reviews at safeguarding meetings and will use that analysis in behaviour management planning with the aim of minimising its future use.

8. Prohibited items and searches

It is extremely rare, but it may also be necessary to undertake a search of a pupil’s possessions to check for prohibited items

Schools have the statutory power to undertake a search of a pupil or their possessions if there are reasonable grounds to believe that the pupil may be carrying a dangerous or banned substance or object, e.g. a weapon or illegal drug, or any other item which might pose a serious risk to the safety of that pupil and/or others. The specific items which can be searched for without consent are specified on page 11 of the DfE’s Behaviour and Discipline in Schools Guidance with more detailed information provided in Screening, Searching and Confiscation – advice for Heads, staff and governing bodies.

Only the Head Teacher, or a member of school staff authorised by the Head Teacher, can undertake the search of a pupil and there must be a witness (also a staff member). The person carrying out the search will, where possible, be the same sex as the pupil being searched.

The exception to this rule, where a search can be carried out on a pupil of the opposite sex and/or without a witness, will only occur where the Head Teacher/Head of School or member of the leadership team reasonably believes that there is a risk that serious harm will be caused to the person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.

Any searches of a pupil's own person or of their possessions will be carried out with due consideration for the pupil's personal dignity, health and safety, the Trust's Safeguarding and Equal Opportunities policies. There may be rare instances where a child with a specific SEND diagnosis requires a different approach. For example, the school may refrain from searching, unless in an emergency, if a child is tactile defensive or has a sensory sensitivity which means that a search may significantly escalate a situation.

Any such searches will be viewed as a last resort, when other methods of investigation and communication have failed and only if absolutely necessary, such as in extreme situations where leaving a pupil with such a suspected item could pose risks to others (or to that pupil). It is hoped that in the great majority of instances, there will be no need for a search to be carried out.

Searches without consent

The following items are banned in school and pupils may be searched for them without their consent and without the consent of their parents:

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

Physical resistance by a pupil to a search for these items can itself be subject to behavioural consequences.

Before a member of staff carries out a search without consent, the member of staff must reasonably suspect that the pupil has the prohibited item in their possession. Only staff members authorised by the Head Teacher may carry out searches without consent.

School staff can seize any prohibited item found as a result of a search and can also seize any item, however found, which they consider harmful or detrimental to school discipline. When deciding what to do with a prohibited item, the school will act in line with statutory guidance issued by the Department for Education.

Searches with consent

The school may search pupils with their consent for any item. A pupil's possessions can only be searched in the presence of the pupil and another member of staff, except where there is a risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.

Extent of search

The person conducting the search may not require the pupil to remove any clothing other than 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 but 'outer clothing' includes hats; shoes; boots; gloves and scarves. 'Possessions' means any goods over which the pupil has or appears to have control – this includes bags, lockers and desks.

Any formal complaints about searches should be made in accordance with the Trust's usual complaints policy.

Confiscation of articles

School staff have the power to confiscate property from pupils under their general right to discipline contained in S91 of the Education and Inspections Act 2006.

Disposal or retention of articles confiscated from pupils

The Spring Trust will follow the Department for Education guidance 'Screening Searching and Confiscation - advice for heads, staff and governing bodies'

(<https://www.gov.uk/government/publications/searching-screening-and-confiscation>) in deciding what to do with confiscated items.

9. Drugs

The Spring Trust operates a zero-tolerance policy on drugs for the health and safety of all staff, pupils and visitors. The school policy on drugs applies to all school and school-related activities whether on or off site. This includes the journey to and from school. The word 'drugs' used in this policy does not just mean illegal drugs. It extends to alcohol, tobacco and nicotine products, volatile substances and legal highs. The school should make this broad definition clear.

Any pupil found to be involved in a drugs-related incident will be disciplined in accordance with the school's behaviour policy. The consequence is likely to include suspension or in the most severe of cases, permanent exclusion. Dealing with illegal drugs will, except in exceptional circumstances, lead to permanent exclusion. Using illegal drugs will, except in exceptional circumstances, lead to suspension which may be permanent. This distinction between dealing and using is particularly important operationally. Sometimes, it will also be necessary to involve the police. The school will discuss this and take advice as necessary.

Confiscation of drugs

Any drugs found will be confiscated by staff who will dispose of them in accordance with guidance issued by the Department for Education.

Similarly, any drugs-related paraphernalia will be disposed of in a prudent manner.

Use of social media

Examples of prohibited use:

- Damage to the school or its reputation, even indirectly
- Use that may defame school staff or any third party

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- Use that may harass, bully or unlawfully discriminate against staff, other pupils or third parties
 - False or misleading statements
 - Use that impersonates staff, other pupils or third parties
 - Expressing opinions on the school's behalf
 - Using school logos or trademarks.

All incidents of prohibited use of social media should be reported to the class teacher or a member of the school leadership team.

In line with government guidance relating to the Prevent Duty, children must be kept safe from terrorist and extremist material and suitable filtering within school will be in place.

Exclusions - Legislation and Guidance

In applying this policy, Spring Trust Schools will adhere to current legislation, including the Equality Act 2010. Schools are obliged to have regard to the Department for Education guidance on exclusions. Section 1 makes specific reference to the Equalities Act. These duties need to be complied with when deciding whether to exclude a pupil. Schools must also ensure that their policies and practices do not discriminate against pupils by unfairly increasing their risk of exclusion. Provisions within the Equality Act allow schools to take positive action to deal with particular disadvantages, needs, or low participation affecting one group, where this can be shown to be a proportionate way of dealing with such issues.

The Head Teacher and Trustees will comply with their statutory duties in relation to SEND when administering the exclusion process. This includes having regard to the SEND Code of Practice. Exclusion/suspension relates to behaviour not only in school but also to behaviour out of school: for example, travelling to and from school, on school trips etc.

APPENDIX

Types of Suspension/Exclusion

Internal Exclusion

Where appropriate, following a serious incident or an accumulation of incidents a child will be subject to an internal exclusion for a specified time period. Parents/Carers are informed of the reasons for the internal exclusion. When on internal exclusion, the child will be sent, with relevant work, to an appropriate learning space. A child on an internal exclusion will get regular breaks and a lunch time break but not with their peers.

Suspension

A suspension will be for the shortest time necessary. A suspension may be issued for a period of time from half a day to 5 days for persistent or cumulative problems. Usually, these will be imposed when the school has offered and implemented a range of support and management strategies, however our schools reserve the right to issue suspensions too for isolated serious incidents. Examples of some of the strategies that may first be used are:

- Discussion with the pupil
- Support from the schools pastoral inclusion team
- Discussions with parents
- Sanctions (consequences) in school
- Checking on any possible provocation
- Internal exclusions
- Referral to outside support agencies

It is important to note that exclusion will not be used for minor incidents such as academic performance or lateness. A suspension may be used in response to a serious breach of school rules or policies. In such a case, the Head Teacher will investigate the incident thoroughly and consider all the evidence to support the allegation, taking account of all the school policies. The child will be encouraged to give their version of events and the Headteacher will check whether the incident may have been provoked e.g. by bullying or racial harassment.

For the first 5 days of a suspension, the school must send homework for the pupil and arrange to have this homework marked. The school is also aware of its duty to provide a strategy for reintegrating pupils that return to school following suspension, and for managing their future behaviour. If a pupil has received numerous suspensions or is approaching the legal limit of 45 school days of suspension in an academic year, the school has a duty to consider whether suspension is considered to be an effective sanction.

Permanent Exclusion

A decision to exclude a pupil permanently should be taken only in response to serious breaches of the school's behaviour policy e.g. If allowing the pupil to remain in school would seriously harm the education or welfare of the pupils or others in the school. All exclusions will be carried out in accordance with the May 2023 DfE Guidance on Suspensions and Permanent Exclusion from maintained schools, academies and pupil referral units in England including Pupil Movement. A decision to permanently exclude is a serious one and will usually be the final step if the school has

tried a range of sanctions and other strategies to improve behaviour that is consistently falling below what is expected. However, there will be exceptional circumstances where it is appropriate to permanently exclude for a first or 'one off' offence, which might include:

- Serious actual or threatened violence against another pupil or a member of staff
- Sexual abuse or assault
- Supplying an illegal drug
- Carrying an offensive weapon

When is suspension/exclusion not appropriate?

Suspension/Exclusion should not be used for:

- Minor incidents such as failure to do homework or to bring dinner money
- Poor academic performance
- Lateness
- Breaches of school uniform rules or rules on appearance, except where these are persistent and in open defiance of such rules
- Punishing pupils for the behaviour of their parents, for example where parents refuse, or are unable, to attend a meeting

Who can suspend or exclude?

Only a Head Teacher or designated member of staff acting on behalf of the Head.

How will you know if your child has been suspended/excluded?

You will receive a letter from the Head Teacher or their delegate stating the reason for the suspension/exclusion and your right to make representations to the Discipline committee of the Trustees.

What happens to my child's education whilst s/he is suspended/excluded?

Day 1 to Day 5

You have a duty to ensure that your child is not present in a public place in school hours during this period unless there is reasonable justification for this. You may receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification. The school will arrange for some work to be provided but it is your responsibility to see that this work is completed and returned to school for marking.

Day 6 onwards

From the sixth day of a suspension until the expiry of the suspension the school will make arrangements for suitable full-time education. From the sixth day of a permanent exclusion, the Local Authority will ensure an education provision is made available.

How do I give my views to the Discipline Committee?

If you feel that the suspension/exclusion is unfair, you should let the Clerk to the Discipline Committee know within 7 days. The Clerk's details will be in the Head teacher's letter. The Discipline Committee is made up of three to five trustees who have had no previous involvement in your child's exclusion.

For suspensions, which total more than 15 school days in a term, the Clerk will automatically set up a meeting of the Discipline Committee to which you will be invited. Although the Discipline Committee is not obliged to meet to consider suspensions of between 1 and 15 days in a term, you can request a meeting and the Clerk will attempt to arrange this. This will also apply to any suspension where a public examination will be missed.

What will happen at the Discipline Committee meeting?

The Trustees, or a sub-committee of the Board may, for:

Suspension of Less than 5 Days (in one term)

- Consider any statement from the parent and place a note on the pupil's record. The Committee cannot direct reinstatement but may do so only if the suspension causes the pupil to miss sitting a public examination

Suspensions of More than 5 days

- Uphold the Head teacher's decision to suspend the pupil
- Overturn the suspension. If the pupil is back in school before the meeting takes place, the decision will be noted on the pupil's file
- Direct the Head teacher to reinstate the pupil at the school where the pupil has not already returned OR where the pupil loses the opportunity to take a public examination

Permanent Exclusions

- Uphold the Head's decision to exclude the pupil
- Direct the Head Teacher to reinstate the pupil at the school

When will the discipline committee tell me their decision?

A letter informing you of the Discipline Committee's decision will be sent within 1 school day of the meeting.

What happens if a permanent exclusion is upheld by the Discipline Committee?

The Committee's letter will explain your right to appeal to an Independent Review Panel (IRP) and the date by which this must be done. If applied for by a parent within the timeframe, the Trust must, at their own expense, arrange an Independent Review Panel hearing to review the decision of the committee not to reinstate a permanently excluded pupil. Legal time frame is: within 15

school days of notice being given to the parents by the committee or within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010.

Parents may request an IRP even if they did not attend the meeting of the committee. The panel can decide to:

- uphold the exclusion decision,
- recommend Trustees reconsiders their decision or
- quash the decision and direct Trustees to consider the decision again.

The panel may only quash the decision where it considers it was flawed in light of the principles of judicial review; illegality, irrationality, procedural and impropriety.

Statutory Framework and other guidance

The Behaviour Policy is written in line with the following areas of legislation and guidance:

- Education and Inspection Act 2006
- Equality Act 2010
- Education Act 2011
- Behaviour and Discipline in Schools – DfE Guidance 2016
Behaviour in Schools: Advice for Headteachers and School Staff 2024
- Independent review on behaviour in schools and strategies to support effective cultures (Tom Bennett 2020)

Spring Trust

Registered Office: Elmstead Wood Primary School,
Castlecombe Road, Mottingham, London SE9 4AT

T: 0203 837 8637

E: contact@springpartnership.co.uk

