



## Behaviour and Discipline Policy 2018-2019

The governors will have regard for the WAG guidance  
Circular 47/2006 Inclusion and Support

Advice in that document suggests that this policy includes attendance and that the policy promotes effective learning and teaching, a code of conduct, support systems for pupils how different needs of different groups of pupils are taken into account as well as the new regulations in respect of transition of pupils from primary to secondary.(presumably expectations on behaviour, rewards and the curriculum)

### **Aims:**

The aims of this policy are to:

- emphasise the school's commitment to encouraging and rewarding good behaviour;
- explain the law and guidance on 'disciplinary penalties' (sanctions); and
- set out the various responsibilities.

### **Responsibilities**

#### **The Governing Body**

The governing body is charged with the duty to have policies designed to promote good behaviour and discipline.  
The GB expects the emphasis to be on encouraging and rewarding good behaviour.

#### **The Head**

The Head's role is to implement the GB's policy and to establish and maintain a behaviour policy that promotes learning, self-discipline, respect for others and proper regard for authority. The Head must determine measures to be taken, with a view to:

- promoting self discipline and proper regard for authority among students;
- encouraging good behaviour and respect for others, and preventing all forms of bullying among students;
- securing that the standard of behaviour is acceptable; and
- otherwise regulating the conduct of students.

The Head is required to follow the governing body's statement of principles and have regard to any guidance given by the GB. The Head must also determine the standard of behaviour regarded as acceptable, in so far as the governors have not determined it. The measures can, to such an extent as is reasonable, include measures to regulate the conduct of students when they are not on the premises, and are not under the control or charge of a member of the school staff. This includes rules governing behaviour to and from the school and on work experience.

The head is required to set out the behaviour policy in a written document and publicise it by making it generally known to staff, students and parents. It must be brought to their attention at least once a year.

The Head's policy should:

- define the standards of behaviour the school wants;
- seek the widest possible agreement;
- ensure that the standards are consistently and fairly applied; and
- ensure that any sanctions are reasonable and proportionate to the offence, and enable students to make reparation where possible.

### **The Governing Body's Policy on Rights and Responsibilities**

**The staff and governors at Ysgol Y Graig Primary School have the right:**

- To expect students and parents to co-operate with the school in maintaining an orderly climate for learning;
- To expect students to respect the rights of other students and adults in school;
- To enforce the Discipline and Behaviour policy, including rules and disciplinary measures;
- Not to tolerate violence, threatening behaviour or abuse by students or parents;
- In extreme circumstances, to take firm action against students who harass or denigrate teachers or other school staff on or off premises; and
- To engage external support services as appropriate.

**The school recognises its responsibility**

- To support, praise and, as appropriate, reward students' good behaviour;
- To ensure staff model good behaviour and never denigrate students or colleagues;
- To promote positive behaviour through active development of students' social, emotional and behavioural skills;
- To ensure the whole school community is consulted about the principles of the school's behaviour policy and the code of conduct;
- To establish, and communicate clearly, measures to ensure good order, respect and discipline;
- To ensure the school's behaviour policy does not discriminate against any student on, e.g., grounds of race, gender, disability or sexual orientation, and that it promotes good relations between different communities;
- To ensure teachers' roles in school discipline matters are consistent with the National Agreement for Raising Standards and Tackling Workload, and workforce-remodelling agenda, so that there is due recognition of the enhanced roles of support staff, so that not all responsibilities are focused on teachers;
- To ensure staff are clear about the extent of their disciplinary authority and receive necessary professional development on behaviour strategies;
- To apply sanctions fairly, consistently, proportionately and reasonably – taking account of SEN, disability and the needs of vulnerable children, and offering support as appropriate;
- To take all reasonable measures to protect the safety and well-being of staff and students, including preventing all forms of bullying and dealing effectively with reports and complaints about bullying;
- To keep parents informed of their child's behaviour, good as well as bad, use appropriate methods of engaging them and, where necessary, support them in meeting their parental responsibilities;
- To work with other agencies to promote community cohesion and safety.

**The school respects the rights of the students:**

- To contribute to the development of the school behaviour policy, with every student becoming involved in the consultation process;
- To be taught in environments that are safe, conducive to learning and free from disruption.
- To expect appropriate action from the school to tackle any incidents of violence, threatening behaviour, abuse, discrimination or harassment.
- To be able to appeal to the Head and governors, if they believe the school has exercised its disciplinary authority unreasonably.

**The school expects students:**

- To follow reasonable instructions by school staff, to abide by school rules and accept sanctions in an appropriate way;
- To act as positive ambassadors for the school when off the school premises;
- Not to bring inappropriate or unlawful items to school;
- To show respect to staff, fellow students, school property and the school environment;
- Never to denigrate, harm or bully other students or staff;
- To co-operate with, and abide by, any arrangements put in place to support their behaviour, such as Pastoral Support Programmes or Parenting Contracts.

**The school recognises the rights of parents:**

- To contribute to the development of the school behaviour policy;
- To be kept informed about their child's progress, including issues relating to their behaviour;

- To expect their children to be safe, secure and respected in the school;
- To have any complaint they make about their child being bullied taken seriously by the school and investigated/resolved as necessary;
- To be able to appeal to the Head and governors, if they believe the school has exercised its disciplinary authority unreasonably; **(See Complaints Procedure)**
- To be able to appeal against a decision to exclude their child, first to the governing body and then, in cases of permanent exclusion, to an independent appeal panel.

#### **The school expects parents:**

- To respect the school's behaviour policy and the disciplinary authority of school staff;
- To help ensure that their child follows reasonable instructions by staff and adheres to school rules;
- To send their child to the school each day punctually, suitably clothed, fed, rested, and equipped and ready to learn;
- To ensure school staff are aware of any SEN-related or other personal factors which may result in their child displaying behaviours outside the norm;
- To be prepared to work with the school to support their child's positive behaviour;
- To attend meetings with the Head and school staff, if requested, to discuss their child's behaviour;
- To adhere to the terms of any Parenting Contract or Order relating to their child's behaviour;
- If their child is excluded from the school, to ensure the child is not found in a public place during school hours in the first five days of exclusion and, if invited, to attend a reintegration interview with the school at the end of a fixed period exclusion.

#### **Disciplinary Sanctions (Disciplinary Penalties)**

*The Education and Inspections Act* gives all schools the power to impose 'disciplinary penalties', where a student's behaviour falls below the standard which could be reasonably expected of him/her, whether because he/she fails to follow a school rule, or an instruction by a member of staff.

The Act also makes it lawful for any school to impose a penalty (other than exclusion):

- if it is not in breach of any statutory requirement or prohibition;
- if it is reasonable;
- if it is made by a paid member of staff (including supply staff, support staff, administrative staff), unless the Head has decided they may not impose it;
- if it is made by an unpaid member of staff (e.g. a parent volunteer) who has been authorised by the Head, and it was reasonable for the Head to do so; and
- the penalty and the action taken were on the school premises or elsewhere when the student was under the lawful control of a member of staff.

In determining whether a disciplinary penalty is 'reasonable' the following must be taken into account:

- whether the penalty was a proportionate punishment in the circumstances; and
- any special circumstances which are known to the person imposing the penalty, including:
  - the student's age;
  - any special educational needs;
  - any disability; and
  - any religious requirement affecting him/her.

The Head will take account of the following principles in determining and implementing the Behaviour and Discipline policy:

- None of the school's punishments must be degrading or humiliating.
- All rewards and sanctions must be applied fairly and consistently.
- All paid staff at the school have a statutory authority to impose sanctions (called 'disciplinary penalties' in the Education and Inspections Act 2006).
- The Head has the power to withdraw the authority from individual staff or classes of paid staff.
- The Head has the power to authorise any unpaid staff to impose disciplinary penalties.

#### **Positive Behaviour Support (PBS)**

The School is embracing the PBS approach and regularly trains and updates staff on good practice in order to foster positive behaviour. The school;

- creates One Page Profiles unique to each child which help identify and praise what each child is good at;
- looks to identify the root cause of any poor behaviour and teach functionally equivalent skills;
- identifies ways that each child would like to be supported, tailoring a personal support approach;
- works closely with parents to stay up-to-date regarding developments at home and responds to these sympathetically in school;
- implements a reward points system (Class dojo) which incentivises pupils towards good behaviour and tracks progress for individuals and classes;
- offers a variety of in-school support services including Play Therapy, ELSA and Music Therapy to improve targeted children's well-being and promote positive behaviour;
- teaches well-being on a weekly basis that tackles issues central to children's daily lives.

#### **Specific Sanctions (Disciplinary Penalties)**

The governing body has agreed that the following 'disciplinary penalties' may be used in the school:

- removal from the group/class or particular lesson;
- withdrawal of break or lunchtime privileges;
- withholding participation in educational visits or sports events which are not essential to the curriculum;

- completion of work or extra work;
- carrying out a useful task in the school;
- fixed term exclusion; and
- permanent exclusion

#### **Powers of members of staff to detain students by use of force**

*The Education and Inspections Act 2006* confirms the right of staff to use 'such force as is reasonable' for the purpose of preventing a student from:

- committing an offence;
- causing personal injury to, or damage to the property of, any person (including themselves); and
- prejudicing the maintenance of good order and discipline.

The explanatory notes give an example of 'reasonable force' - leading a student by the arm to enforce an instruction to leave the class. However, nothing in the law concerning the use of reasonable force legitimises corporal punishment. **The governing body will have regard to the WAG document *The Use of Reasonable Force to Control or Restrain Pupils Circular 37/98 WAG Framework for Restrictive Physical Intervention Policy and Practice 2005***

#### **The Right to Search Students**

*The Violent Crime Reduction Act 2006*, gives the Head, and any member of the school staff authorised by the Head, who has reasonable grounds for believing that a student may have with him/her or in his/her possession a knife or offensive weapon, the right to search that student.

The Head must ensure that the person carrying out the search is of the same sex as the student and the search must be carried out in the presence of another adult also the same sex as the student. The student cannot be required to remove any clothing other than outer clothing and if the student's possessions are searched this must also be done in the presence of another adult. The person carrying out the search is able to use such force as is reasonable in the circumstances for exercising that power.

The Head **cannot** 'require' most of the school staff to conduct the searches, only 'authorise' them to do so. But they may 'require' security staff to carry out searches.

If a search reveals any 'offensive weapons' or knives, or 'evidence in relation to an offence' the school **MUST** call the police in. The school has no discretion in this, not even if the Head wishes to resort solely to internal discipline procedures.

#### **Exclusions**

The school will use exclusion (fixed term or permanent) only as a last resort.

In discharging their duties the governors and Head will have **regard to the WAG guidance *Exclusion from Schools and Pupil Referral Units (reprinted Feb 2008)* which incorporates *Circular 001/2004* and the amendments made in *Circular 1(A)2004* on exclusions;**

- the LEA, is responsible for making arrangements for independent appeal panels to hear appeals against permanent exclusions where the governors do not direct reinstatement;
- the governing body will seek the advice of an LEA officer when considering an exclusion, and an LEA officer may attend any meeting to consider an exclusion at the request of a parent; and
- arrangements for money to follow students who have been permanently excluded from school) will apply.

**Exclusions** may be for a fixed period or permanent.

#### **The Decision to Exclude:**

- Only the **Head** can exclude a student, (or the person in charge on the day, if the Head is absent from the school).
- Students should **only be excluded**: In cases of a serious breach of the school's behaviour/discipline policy **and** if the continued presence of the excludee in the school would seriously damage the education or the welfare of other students or staff.

#### **Before deciding to exclude a student the Head will:**

- ensure that an appropriate **investigation** has been conducted;
- ensure that all the **relevant evidence** has been considered;
- give the student an opportunity to be heard; and
- consult other relevant people if necessary.

Having considered these matters the Head will make a decision based normally on the balance of probability, having regard to any current guidance from the Welsh Assembly Government.

#### **Inappropriate Exclusion**

The governors consider that any exclusion will normally be inappropriate in cases of:

- minor breaches of discipline;
- poor academic performance;
- truancy or lateness;

- pregnancy;
- non-compliance with uniform regulations, except where this amounts to a defiance of the school's authority; and
- in response to the unacceptable behaviour/attitude/conduct of a student's parents.

### **Fixed Term Exclusion**

The Head is permitted to exclude a student for one or more **fixed term periods not exceeding 45 school days in any one school year.**

**The school will continue to provide education** for an excluded student (whilst he/she remains on roll) and, particularly in the case of an exclusion of more than 15 days, the Head in consultation with the Local Authority relevant members of staff will aim to put in place plans to address the pupil's problems and secure their continuing education. The school will review the pupil's progress and determine how the student's education can otherwise continue.

### **Permanent Exclusion**

A decision to exclude a student permanently, as befitting its gravity, will only be taken as **a last resort** when a wide range of strategies for dealing with disciplinary offences has been employed to no avail, or if an **exceptional 'one-off' offence has been committed:**

e.g.

- serious violence, actual or threatened, against a student or member of staff;
- sexual abuse or assault;
- supplying an illegal drug; and
- carrying an offensive weapon.

Or any other one-off offence considered by the Head to be an exceptionally serious one.

The procedure for excluding a student is set out in Appendix 1.

### **Equal Opportunities**

In making and implementing this policy account must be taken of the school's equal opportunity policies.

### **Students with Disabilities**

The school aims to ensure that students with disabilities are not treated less favourably than other students and will endeavour to ensure that no exclusion of such a student has been caused directly or indirectly by the student's disability. Any exclusion of a student with a disability will be closely monitored both within the school and by the governors' Discipline Committee.

### **Students with Special Educational Needs**

The school will pay due regard to the guidance in the **WAG s SEN Code of Practice 2002 reprinted 2004** and the *Education of Children and Young People Special Educational Need with Behavioural, Social and Emotional Difficulties as a special educational need.*

### **Challenging Pupils; Meeting the Curriculum Needs of Pupils with Emotional and Behavioural Difficulties.**

The school will aim not to exclude students with special educational needs and will aim to find alternative strategies that keep students with special educational needs who have behaviour problems in the school.

### **Amendments and Revisions**

Before making any amendments or revision of this policy the governors will consult as appropriate. The GB will consult appropriate members of staff, representatives of students (School Council) and parents before making any of its own amendments.

### **Monitoring and Review**

The working of the policy will be monitored by the Head and a report made to the governors' Discipline Committee each term. All exclusions will be reported to the Committee in the termly report. This policy will be reviewed every two years by the governing body.

### **Reviewed Annually**

## **Appendix**

### **Procedure for Excluding a Student.**

#### **A1. Informing Parents about the Exclusion**

The Head will inform parents without delay (by telephone, with a follow-up letter within one school day) and will give the following information;

- in cases of fixed term exclusions, the **length of the exclusion;**
- in cases of permanent exclusion, that **it is a permanent exclusion;**
- the **reasons for the exclusion;**
- their **right to make representations** to the school's Discipline Committee;
- the **name of the person** to be contacted, if they wish to make representations.

The letter to parents will also state:

- the latest date by which the Discipline Committee must meet to consider the case;
- the **parent's right of access to the student's school record;**
- the **date and time when the student should return to the school** (with a fixed term exclusion) or the number of lunch-times for which the student is excluded (with lunch-time exclusions);
- with a permanent exclusion, its immediate effect and any relevant previous history;
- arrangements for the setting and marking of work (it is the **parent's responsibility to ensure that work sent home is completed and returned to school**);
- the name and telephone number of the person in the school who can be contacted for advice; and
- any other helpful contacts.

## **A2. Informing the Discipline Committee**

The Head will inform the governors' Discipline Committee and the Local Authority Children's department **within one school day** of:

- permanent exclusion;
- exclusions totalling **more than 5 school days or 10 lunch-times** per term;
- an exclusion necessitating a student missing a public examination.

The Head will inform the Discipline Committee of fixed term exclusions amounting to **5 or fewer school days or 10 or fewer lunch-times (or half days) in total per term on a termly basis**.

The Head must include the following in his/her exclusion report;

- the name of the student;
- the duration of the exclusion;
- the reason(s) for the exclusion;
- the student's age, gender and ethnicity;
- whether the student is statemented or is on School Action or School Action Plus; and
- whether he/she is in Local Authority care.

## **A3. The Responsibilities of the Discipline Committee**

### **A3.1 The Discipline Committee**

**The governing body will appoint a Discipline Committee at the beginning of each academic year, and appoint a chair and a clerk.**

The Discipline Committee will review all exclusions and consider any representations from parents. The Councillors have decided that for exclusions under 6 days only written representations will be accepted. The Committee will consider whether **reinstatement is a practical option**;

- The Committee may consider more than one exclusion at any one meeting where appropriate
- in cases where a student will miss a public examination as a result of exclusion, the Discipline Committee should endeavour to meet before the date of the examination. **In extreme cases with fixed term exclusions, the chair of the Committee may consider the exclusion on his/her own and may reinstate.**

### **A3.2 Discipline Committee Meetings re. Exclusions**

**a)** On being informed of an exclusion by the Head, the clerk or chair **must**:

- with **fixed term exclusions totalling fewer than 6 school days in one term**, convene a meeting of the Discipline Committee to consider **representations from the parents** (if these have been made), but the student **cannot be reinstated**;
- in the case of **fixed term exclusions totalling more than 5, but not more than 15 school days**, in any one term, convene a meeting to review the exclusion if the parents have asked to make representations between the 6<sup>th</sup> and the 15<sup>th</sup> school day after being notified of the exclusion.
- **in cases of permanent exclusion or where one or more fixed term exclusions add up to more than 15 days** in any one term, arrange a meeting to review the exclusion between the 6<sup>th</sup> and the 15<sup>th</sup> school day after being notified of the exclusion;
- invite the parent, Principal (and, where appropriate a representative of the Local Authority Children's department) to attend at a mutually convenient time and place;

and **will**

- request written statements before the meeting; and
- circulate any such written statements (including any statements from witnesses) and a list of those due to attend in advance to all interested parties.

**b)** The parent may be accompanied by a friend or a legal representative. The excluded student will usually be allowed to attend and to speak if the parent requests this. **A student aged 18 or over is allowed to attend and to make representations in his/her own right.**

**A3.3** The Committee will inform the parent of its decision as soon as possible but not later than 48 hours unless there are exceptional reasons.

**A3.4** The parent will be informed of the right to appeal to an Independent Appeal Panel and will be helped to do this by the school.

### **A4.0 Constitution and conduct of independent appeal panels**

The LEA will appoint the independent panel. Appeals panels must be impartial and constituted in accordance with government guidance.

**A4.1** The appeal panel's decision is final and binding on the school. A parent may seek a judicial review of a panel's decision. A parent may also appeal to the Commissioner for Local Administration (the Local Government Ombudsman) about maladministration.