

# Fairfax Multi-Academy Trust

## Behaviour Policy

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<b>Start Date:</b>	November 2024
<b>Review Date:</b>	July 2025
<b>Ratified by:</b>	Karen Cornell

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### 1. Aims



This policy aims to

- Create a positive, supportive culture that promotes excellent behaviour, ensuring that all students can learn in a calm, safe and supportive environment
- Establish a shared approach to maintaining high standards of behaviour that reflect the values of Erdington Academy and Fairfax Multi-Academy Trust
- Outline the expectations and consequences of behaviour which breaches Erdington Academy policy
- Provide a consistent approach to behaviour management that is applied equally to all students
- Define what we consider to be unacceptable behaviour, including bullying and discrimination

## **2. Legislation, statutory requirements and statutory guidance**

This policy is based on legislation and advice from the Department for Education (DfE) on:  
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[Behaviour in schools: advice for headteachers and school staff 2024](#)

[Searching, screening and confiscation: advice for schools 2022](#)

[The Equality Act 2010](#)

[Keeping Children Safe in Education](#)

[Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement](#)

[Use of reasonable force in schools](#)

[Supporting pupils with medical conditions at school](#)

[Special Educational Needs and Disability \(SEND\) Code of Practice](#)

[Sharing nudes and semi-nudes: advice for education settings working with children and young people](#)

In addition, this policy is based on:

Schedule 1 of the [Education \(Independent School Standards\) Regulations 2014](#); paragraph 7 outlines a school's duty to safeguard and promote the welfare of children, paragraph 9 requires the school to have a written behaviour policy, and paragraph 10 requires the school to have an anti-bullying strategy, and

[DfE guidance](#) explaining that academies should publish their behaviour policy and anti-bullying strategy

This policy complies with our funding agreement and articles of association, and

[Behaviour and discipline in schools: advice for Principals and school staff, 2016](#)

[Behaviour in schools: advice for Principals and school staff 2022](#)

[Searching, screening and confiscation at school 2018](#)

[Searching, screening and confiscation: advice for schools 2022](#)

[The Equality Act 2010](#)

[Keeping Children Safe in Education](#)



- [Exclusion from maintained schools, academies and student referral units in England 2017](#)
- [Suspension and permanent exclusion from maintained schools, academies and student referral units in England, including student movement - 2022](#)
- [Use of reasonable force in schools](#)
- [Supporting students with medical conditions at school](#)
- It is also based on the [Special Educational Needs and Disability \(SEND\) Code of Practice](#).

### 3. Definitions

#### 3.1 Misbehaviour is defined as:

- Disruption in lessons, in corridors between lessons, and at break and lunchtimes
- Non-completion of classwork or homework
- Poor attitude
- Incorrect uniform

#### 3.2 Serious misbehaviour is defined as:

- Repeated breaches of Erdington Academy rules
- Any form of bullying
- Sexual violence, such as rape, assault by penetration, or sexual assault (intentional sexual touching without consent)
- Sexual harassment, meaning unwanted conduct of a sexual nature, such as:
  - Sexual comments
  - Sexual jokes or taunting
  - Physical behaviour like interfering with clothes
  - Online sexual harassment, such as unwanted sexual comments and messages (including on social media), sharing of nude or semi-nude images and/or videos, or sharing of unwanted explicit content
- Vandalism
- Theft
- Fighting
- Smoking or vaping
- Racist, sexist, homophobic or discriminatory behaviour
- Possession of any prohibited items. These are:
  - Knives or weapons
  - Alcohol
  - Illegal drugs
  - Stolen items
  - Tobacco and cigarette papers
  - E-cigarettes or vapes
  - Fireworks
  - Pornographic images
  - Any article a staff member reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of, any person (including the student)



### 3.3 Bullying

**Bullying** is defined as the **repetitive and intentional** harming of 1 person or group of people by another person or group, where the relationship involves an imbalance of power.

Bullying is, therefore:

- o Deliberately hurtful
- o Repeated, often over a period of time
- o Difficult to defend against

Bullying can include:

TYPE OF BULLYING	DEFINITION
Emotional	Being unfriendly, excluding, tormenting
Physical	Hitting, kicking, pushing, taking another's belongings, any use of violence
TYPE OF BULLYING	DEFINITION
Prejudice-based and discriminatory, including: Racial Faith-based Gendered (sexist) Homophobic/biphobic Transphobic Disability-based	Taunts, gestures, graffiti or physical abuse focused on a particular characteristic (e.g. gender, race, sexuality)
Sexual	Explicit sexual remarks, display of sexual material, sexual gestures, unwanted physical attention, comments about sexual reputation or performance, sharing of nude or semi-nude images and or videos (including pseudo images which are computer generated that otherwise appear to be a photograph or a video), or inappropriate touching
Direct or indirect verbal	Name-calling, sarcasm, spreading rumours, teasing
Cyber-bullying	Bullying that takes place online, such as through social networking sites, messaging apps or gaming sites, devices or via images, audio, video or written content generated by artificial intelligence (AI).

Details of our Academy's approach to preventing and addressing bullying are set out in our anti-bullying strategy please click [here](#).



## **4. Roles and responsibilities**

### **4.1 The Associate Board**

The Associate Board is responsible for monitoring this behaviour policy's effectiveness and holding the Principal to account for its implementation.

### **4.2 The Principal**

The Principal is responsible for:

- Reviewing and approving this Behaviour Policy
- Ensuring that Erdington Academy's environment encourages positive behaviour
- Ensuring that staff deal effectively with poor behaviour
- Monitoring how staff implement the policy to ensure rewards and sanctions are applied consistently to all groups of students
- Ensuring that all staff understand the Academy behavioural expectations and the importance of maintaining them (The Erdington Way)
- Providing new staff with a clear induction into the Academy's behavioural culture to ensure they understand its rules and routines, and how best to support all students to participate fully.
- Offering appropriate training in behaviour management, and the impact of special educational needs and disabilities (SEND) and mental health needs on behaviour, to any staff who require it, so they can fulfil their duties set out in this policy
- Ensuring this policy works alongside the safeguarding policy to offer students both sanctions and support when necessary
- Ensuring that the data from the behaviour log is reviewed regularly, to make sure that no groups of students are being disproportionately impacted by this policy (see section 13.1)

### **4.3 Teachers and staff**

Staff are responsible for:

- Creating a calm and safe environment for students
- Establishing and maintaining clear boundaries of acceptable student behaviour
- Implementing the behaviour policy consistently
- Communicating Erdington Academy's expectations, routines, values and standards through teaching behaviour and in every interaction with students
- Modelling expected behaviour and positive relationships
- Providing a personalised approach to the specific behavioural needs of particular students
- Considering their own behaviour on the Academy culture and how they can uphold Academy rules and expectations
- Recording behaviour incidents promptly (see appendix 3 for a behaviour log)
- Challenging students to meet Erdington Academy's expectations

The senior leadership team (SLT) will support staff in responding to behaviour incidents.

### **4.4 Parents and carers**

Parents and carers, where possible, should:



- Get to know Erdington Academy's behaviour policy and reinforce it at home where appropriate
- Support their child in adhering to Erdington Academy's behaviour policy
- Inform the Academy of any changes in circumstances that may affect their child's behaviour
- Discuss any behavioural concerns with their Head of Year or Assistant Head of Year promptly
- Take part in any pastoral work following misbehaviour (for example: attending reviews of specific behaviour interventions/ attending behaviour panels and any other meetings associated with behaviour)
- Raise any concerns about the management of behaviour with Erdington Academy directly, whilst continuing to work in partnership with the Academy
- Take part in the life of Erdington Academy and its behaviour culture – The Erdington Way.

The Academy will endeavour to build a positive relationship with parents and carers by keeping them informed about developments in their child's behaviour and the Academy's policy and working in collaboration with them to tackle behavioural issues.

#### **4.5 Students**

Students will be made aware of the following during their induction into The Erdington Way:

- The expected standard of behaviour they should be displaying within the Academy
- That they have a duty to follow the behaviour policy
- The Academy's key rules and routines
- The rewards they can earn for meeting the behavioural standard, and the consequences they will face if they don't meet the expected standard
- The pastoral support that is available to them to help them meet the behavioural standard expected

Students will be supported to meet The Erdington Way behaviour standard and will be provided with repeated induction/reminder sessions wherever appropriate.

Students will be supported to develop an understanding of Erdington Academy's behaviour policy and wider culture.

Students will be asked to give feedback on their experience of The Erdington Way to support the evaluation, improvement and implementation of the Behaviour Policy.

#### **5. Behaviour Curriculum**

As part of Fairfax Multi Academy Trust, we believe that students having a positive attitude to their work and respecting all learners in the classroom will ensure that they are learning effectively and will stand them in good stead for all future employment. As an Academy we reward exceptional effort and achievement in the fundamentals of becoming an outstanding learner and sharing our key values which are:

| Ambition | Dedication | Excellence | Integrity | Tradition |



### **'First time, every time'**

At Erdington Academy we adopt the 'First time, every time' strategy. This is an expectation that every student will follow the reasonable instructions of the teacher, the first time they are asked, every time and without challenge or question. Failure to follow this basic simple strategy will lead to a sanction.

We expect a very high standard of behaviour from all students at all times. Any staff making a reasonable request for a student to follow the Academy rules will expect students to comply. Failure to do so will result in consequences. It is hoped that by encouraging students to adopt caring and responsible attitudes at the Academy, that this will, in turn, always promote good behaviour from them.

All students are expected to always show consideration for other people both in the Academy and in the community. We also expect all students to be vigilant and to report any incidents of bullying and discrimination.

Students are expected to:

- Behave in an orderly and self-controlled way
- Show respect to members of staff and each other
- In class, make it possible for all students to learn
- Move quietly around the Academy
- Treat the Academy buildings and Academy property and with respect
- Always wear the correct uniform
- Accept sanctions when given
- Refrain from behaving in a way that brings the Academy into disrepute, including when outside Academy or online

Where appropriate and reasonable, adjustments may be made to routines within the curriculum to ensure all students can meet behavioural expectations in the curriculum.

## **6. Mobile phones**

Mobile phones/Headphones should not be seen or heard once pupils are on the school site. On the occasions that they are, they will be confiscated and handed into reception for the student to collect after 3.10pm. If this occurs for a second time, the device will be handed to reception and a warning letter will be sent home, so that parents are aware. The warning letter will detail that if this occurs for a third time, parents will need to collect the device from school reception.

Students should ensure phones are switched off before they enter the school gates and only switched on once off the school site. Students bringing in a mobile phone, do so at their own risk. If lost, damaged or stolen the Academy will not compensate in any circumstances.

## **7. Responding to behaviour**

### **7.1 Safeguarding**

The Academy recognises that changes in behaviour may be an indicator that a student needs help or protection.





We will consider whether a student's misbehaviour may be linked to them suffering, or being likely to suffer, significant harm.

Where this may be the case, we will follow our child protection and safeguarding policy, and consider whether pastoral support, an early help intervention or a referral to children's social care is appropriate.

Please refer to our child protection and safeguarding policy for more information click [here](#)

## 7.2 Rewarding good behaviour

When a student's behaviour meets or goes above and beyond the expected behaviour standard, staff will recognise it with positive recognition and reward. This provides an opportunity for all staff to reinforce the Academy's culture/The Erdington Way.

Positive reinforcements and rewards will be applied clearly and fairly to reinforce the routines, expectations and norms of the Academy's behaviour culture.

Positive behaviour will be rewarded by:

- Verbal praise
- Communicating praise home to parents/carers via a phone call or written correspondence
- Certificates, prizes or ceremonies
- Positions of responsibility such as prefect status or being entrusted with a particular decision or project
- Whole class or year group rewards (such as a popular activity)

Students receive achievement points which lead to various rewards depending on how many points they achieve.

These include the following:

- Vouchers
- Queue-jump in canteen
- Postcards
- Bronze/Silver/Gold/Platinum certificates
- Headteacher awards
- Head student

## 7.3 Responding to misbehaviour

When a student's behaviour falls below the standard that can reasonably be expected of them, staff will respond to restore a calm and safe learning environment, and to prevent recurrence of misbehaviour.

Staff will endeavour to create a predictable environment by always challenging behaviour that falls short of the standards, and by responding in a consistent, fair and proportionate manner, so students know with certainty that misbehaviour will always be addressed.

De-escalation techniques will be used to help prevent further behaviour issues arising, such as the use of pre-arranged scripts/phrases (from the playbook).



All students will be treated equitably under the policy, with any factors that contributed to the behavioural incident identified and considered.

When giving behaviour sanctions, staff will also consider what support could be offered to a student to help them to meet behaviour standards in the future.

The Academy may use 1 or more of the following sanctions in response to unacceptable behaviour:

- L1- Verbal warning
- L2- Written Warning
- L3- 25 min detention
- L3- 50min detention
- L4- On call removal/Days/Times in Refocus room

#### **7.4 Removal from classrooms**

In response to serious or persistent breaches of this policy, On-call staff at Erdington Academy may remove a student from the classroom for a limited period of time.

Students who have been removed will continue to receive education under the supervision of a member of staff in our refocus room. It will be planned in advance and meaningful, but it may differ from the mainstream curriculum.

Removal is a serious sanction and will only be used in response to serious misbehaviour. Staff will only remove students from the classroom once other behavioural strategies have been attempted, unless the behaviour is so extreme as to warrant immediate removal.

Removal can be used to:

- Restore order if the student is being unreasonably disruptive
- Maintain the safety of all students
- Allow the disruptive student to continue their learning in a managed environment
- Allow the disruptive student to refocus and reset their learning behaviours in a safe space

Students will not be removed from classrooms for prolonged periods of time without the explicit agreement of the Principal.

Students should be reintegrated into the classroom as soon as appropriate and safe to do so. The Pastoral and SEND teams at Erdington Academy will consider what support might be needed to help a student successfully reintegrate to the classroom and meet the expected standards of behaviour.

Parents will be informed on the same day that their child is removed from the classroom.

The Academy will consider an alternative approach to behaviour management for students who are frequently removed from class, such as



- Meetings with learning coaches (MW team)
- Use of teaching assistants
- Short term behaviour report cards
- Long term behaviour plans
- Student support unit intervention
- Multi-agency assessment

Staff will record all incidents of removal from the classroom along with details of the incident that led to the removal, and any protected characteristics of the student in Bromcom.

### **7.5 Suspension and permanent exclusions**

Erdington Academy can use suspension and permanent exclusion in response to serious incidents or in response to persistent poor behaviour, which has not improved following other Academy sanctions/interventions.

The decision to suspend or exclude any student will be made by the Principal and only as a last resort. Please refer to our exclusions policy for more information [Exclusion Policy](#)

#### **Reasonable force**

Reasonable force covers a range of interventions that involve physical contact with students. All members of staff have a duty to use reasonable force, in the following circumstances, to prevent a student from:

- Causing disorder
- Hurting themselves or others
- Damaging property
- Committing an offence

Incidents of reasonable force must:

- Always be used as a last resort
- Be applied using the minimum amount of force and for the minimum amount of time possible
- Be used in a way that maintains the safety and dignity of all concerned
- Never be used as a form of punishment
- Be recorded and reported to parents

When considering using reasonable force, staff should, in considering the risks, carefully recognise any specific vulnerabilities of the student, including SEND, mental health needs or medical conditions.

### **7.6 Confiscation, searches, screening**

Searching, screening and confiscation is conducted in line with the DfE's [latest guidance on searching, screening and confiscation](#).

### **7.7 Confiscation**

Any prohibited items found in a student's possession as a result of a search will be confiscated. These items will not be returned to the student.



We will also confiscate any item that is harmful or detrimental to Academy discipline. These items will be returned to students after discussion with senior leaders and parents, if appropriate.

### 7.8 Searching a student

Searches will only be carried out by a member of staff who has been authorised to do so by the Principal, or by the Principal themselves.

Subject to the exception below, the authorised member of staff carrying out the search will be of the same sex as the student, and there will be another member of staff present as a witness to the search.

An authorised member of staff of a different sex to the student can carry out a search without another member of staff as a witness if:

- The authorised member of staff carrying out the search reasonably believes there is risk that serious harm will be caused to a person if the search is not carried out as a matter of urgency; **and**
- In the time available, it is not reasonably practicable for the search to be carried out by a member of staff who is the same sex as the student; **or**
- It is not reasonably practicable for the search to be carried out in the presence of another member of staff

When an authorised member of staff conducts a search without a witness, they should immediately report this to another member of staff, and ensure a written record of the search is kept.

If the authorised member of staff considers a search to be necessary, but is not required urgently, they will seek the advice of the Principal, designated safeguarding lead (or deputy) or pastoral member of staff who may have more information about the student. During this time the student will be supervised and kept away from other students.

A search can be carried out if the authorised member of staff has reasonable grounds for suspecting that the student is in possession of a prohibited item or any item identified in the Academy rules for which a search can be made, or if the student has agreed.

An appropriate location for the search will be found. Where possible, this will be away from other students. The search will only take place on the Academy premises or where the member of staff has lawful control or charge of the student, for example on an Academy trip.

Before carrying out a search the authorised member of staff will:

- Assess whether there is an urgent need for a search
- Assess whether not doing the search would put other students or staff at risk
- Consider whether the search would pose a safeguarding risk to the student
- Explain to the student why they are being searched
- Explain to the student what a search entails – e.g. I will ask you to turn out your pockets and remove your scarf
- Explain how and where the search will be carried out
- Give the student the opportunity to ask questions
- Seek the student's co-operation



If the student refuses to agree to a search, the member of staff will try to determine why the student is refusing to comply and if necessary, can give an appropriate behaviour sanction.

If they still refuse to co-operate, the member of staff will contact the [Principal / designated safeguarding lead (or deputy) / pastoral lead], to try and determine why the student is refusing to comply.

The authorised member of staff will then decide whether to use reasonable force to search the student. This decision will be made on a case-by-case basis, taking into consideration whether conducting the search will prevent the student harming themselves or others, damaging property or from causing disorder.

The authorised member of staff can use reasonable force to search for any prohibited items identified, but not to search for items that are only identified in the Academy rules.

The authorised member of staff may use a metal detector to assist with the search.

An authorised member of staff may search a student's outer clothing, pockets, possessions, desks or lockers.

Outer clothing includes:

- Any item of clothing that is not worn immediately over a garment that is being worn wholly next to the skin or being worn as underwear (e.g. a jumper or jacket being worn over a t-shirt)
- Hats, scarves, gloves, shoes, boots

## **7.9 Searching students' possessions**

Possessions means any items that the student has or appears to have control of, including:

- Desks
- Lockers
- Bags

A student's possessions can be searched for any item if the student agrees to the search. If the student does not agree to the search, staff can still carry out a search for prohibited items and items identified in the Academy rules.

An authorised member of staff can search a student's possessions when the student and another member of staff are present. If there is a serious risk of harm if the search is not conducted immediately, or it is not reasonably practicable to summon another member of staff, the search can be carried out by a single authorised member of staff.

### **Informing the designated safeguarding lead (DSL)**

The staff member who carried out the search should inform the DSL without delay:

- Of any incidents where the member of staff had reasonable grounds to suspect a student was in possession of a prohibited item as listed in section 3
- If they believe that a search has revealed a safeguarding risk

All searches for prohibited items, including incidents where no items were found, will be recorded in the Academy's safeguarding system.



### **Informing parents**

Parents will always be informed of any search for a prohibited item (listed in section 3). A member of staff will tell the parents as soon as is reasonably practicable:

- What happened
- What was found, if anything
- What has been confiscated, if anything
- What action the Academy has taken, including any sanctions that have been applied to their child

### **Support after a search**

Irrespective of whether any items are found as the result of any search, the Academy will consider whether the student may be suffering or likely to suffer harm and whether any specific support is needed (due to the reasons for the search, the search itself, or the outcome of the search).

If this is the case, staff will follow the Academy's safeguarding policy and speak to the designated safeguarding lead (DSL). The DSL will consider if pastoral support, an early help intervention or a referral to children's social care is appropriate.

### **7.10 Strip searches**

The authorised member of staff's power to search outlined above does not enable them to conduct a strip search (removing more than the outer clothing) and strip searches on Academy premises shall only be carried out by police officers in accordance with the Police and Criminal Evidence Act 1984 (PACE) Code C.

Before calling the police into Academy, staff will assess and balance the risk of a potential strip search on the student's mental and physical wellbeing and the risk of not recovering the suspected item.

Staff will consider whether introducing the potential for a strip search through police involvement is necessary, and will always ensure that other appropriate, less invasive approaches have been exhausted first.

Once the police are on Academy premises, the decision on whether to conduct a strip search lies solely with them. The Academy will advocate for the safety and wellbeing of the student(s) involved. Staff retain a duty of care to the student involved and should always advocate for student wellbeing.

### **Communication and record-keeping**

Where reasonably possible and unless there is an immediate risk of harm, staff will contact at least 1 of the student's parents to inform them that the police are going to strip search the student before strip search takes place and ask them if they would like to come into Academy to act as the student's appropriate adult. If the Academy can't get in touch with the parents, or they aren't able to come into the Academy to act as the appropriate adult, a member of staff can act as the appropriate adult (see below for the role of the appropriate adult).



The student's parents will always be informed by a staff member once a strip search has taken place. The Academy will keep records of strip searches that have been conducted on Academy premises and monitor them for any trends that emerge.

### **Who will be present**

For any strip search that involves exposure of intimate body parts, there will be at least 2 people present other than the student, except in urgent cases where there is risk of serious harm to the student or others.

One of these must be the appropriate adult, except if:

- The student explicitly states in the presence of an appropriate adult that they do not want an appropriate adult to be present during the search, **and**
- The appropriate adult agrees

If this is the case, a record will be made of the student's decision, and it will be signed by the appropriate adult.

No more than 2 people other than the student and appropriate adult will be present, except in the most exceptional circumstances.

The appropriate adult will:

- Act to safeguard the rights, entitlement and welfare of the student
- Not be a police officer or otherwise associated with the police
- Not be the Principal
- Be of the same sex as the student, unless the student specifically requests an adult who is not of the same sex

Except for an appropriate adult of a different sex if the student specifically requests it, no one of a different sex will be permitted to be present and the search will not be carried out anywhere where the student could be seen by anyone else.

### **7.11 Care after a strip search**

After any strip search, the student will be given appropriate support, irrespective of whether any suspected item is found. The student will also be given the opportunity to express their views about the strip search and the events surrounding it.

As with other searches, the Academy will consider whether the student may be suffering or likely to suffer harm and whether any further specific support is needed (due to the reasons for the search, the search itself, or the outcome of the search).

Staff will follow the Academy's safeguarding policy and speak to the designated safeguarding lead (DSL). The DSL will consider if, in addition to pastoral support, an early help intervention or a referral to children's social care is appropriate.

Any student(s) who have been strip searched more than once and/or groups of students who may be more likely to be subject to strip searching will be given consideration, and staff will consider any preventative approaches that can be taken.

### **7.12 Off-site misbehaviour**

Sanctions may be applied where a student has misbehaved off-site when representing the Academy. This means misbehaviour when the student is:



- Taking part in any Academy-organised or Academy-related activity (e.g. Academy trips)
- Travelling to or from the Academy
- Wearing Academy uniform
- In any other way identifiable as a student of our Academy

Sanctions may also be applied where a student has misbehaved off-site, at any time, whether the conditions above apply, if the misbehaviour:

- Could have repercussions for the orderly running of the Academy
- Poses a threat to another student
- Could adversely affect the reputation of the Academy

Sanctions will only be given out on Academy premises or elsewhere when the student is under the lawful control of a staff member (e.g. on an Academy organised trip).

### **7.13 Online misbehaviour**

The Academy can issue behaviour sanctions to students for online misbehaviour when:

It poses a threat or causes harm to another student

It could have repercussions for the orderly running of the Academy

It adversely affects the reputation of the Academy

The student is identifiable as a member of the Academy

Sanctions will only be given out on Academy premises or elsewhere when the student is under the lawful control of a staff member.

### **7.14 Suspected criminal behaviour**

If a student is suspected of criminal behaviour, the Academy will make an initial assessment of whether to report the incident to the police.

When establishing the facts, the Academy will endeavour to preserve any relevant evidence to hand over to the police.

If a decision is made to report the matter to the police, the Principal or a member of the senior leadership team will make the report.

The Academy will not interfere with any police action taken. However, the Academy may continue to follow its own investigation procedure and enforce sanctions, if it does not conflict with police action.

If a report to the police is made, the designated safeguarding lead (DSL) will make a tandem report to children's social care, if appropriate.

### **7.15 Zero-tolerance approach to sexual harassment and sexual violence**

The Academy will ensure that all incidents of sexual harassment and/or violence are met with a suitable response, and never ignored.

Students are encouraged to report anything that makes them uncomfortable, no matter how 'small' they feel it might be.





The Academy's response will be:

- Proportionate
- Considered
- Supportive
- Decided on a case-by-case basis

The Academy has procedures in place to respond to any allegations or concerns regarding a child's safety or wellbeing. These include clear processes for:

Responding to a report

Carrying out risk assessments, where appropriate, to help determine whether to:

- o Manage the incident internally
- o Refer to early help
- o Refer to children's social care
- o Report to the police

Please refer to our child protection and safeguarding policy for more information [Safeguarding Policy](#)

## **8. Malicious allegations**

Where a student makes an allegation against a member of staff and that allegation is shown to have been deliberately invented or malicious, the Academy will consider whether to discipline the student in accordance with this policy.

Where a student makes an allegation of sexual violence or sexual harassment against another student and that allegation is shown to have been deliberately invented or malicious, the Academy will consider whether to discipline the student in accordance with this policy.

In all cases where an allegation is determined to be unsubstantiated, unfounded, false or malicious, the Academy (in collaboration with the local authority designated officer (LADO), where relevant) will consider whether the student who made the allegation needs help, or the allegation may have been a cry for help. If so, a referral to children's social care may be appropriate.

The Academy will also consider the pastoral needs of staff and students accused of misconduct.

Please refer to our child protection and safeguarding for more information on responding to allegations of abuse against staff or other students.

## **9. Responding to misbehaviour from students with SEND**

### **9.1 Recognising the impact of SEND on behaviour**

The Academy recognises that students' behaviour may be impacted by a special educational need or disability (SEND).



When incidents of misbehaviour arise, we will consider them in relation to a student's SEND, although we recognise that not every incident of misbehaviour will be connected to their SEND. Decisions on whether a student's SEND had an impact on an incident of misbehaviour will be made on a case-by-case basis.

When dealing with misbehaviour from students with SEND, especially where their SEND affects their behaviour, the Academy will balance their legal duties when making decisions about enforcing the behaviour policy. The legal duties include:

- Taking reasonable steps to avoid causing any substantial disadvantage to a disabled student caused by the Academy's policies or practices (Equality Act 2010)
- Using our best endeavours to meet the needs of students with SEND (Children and Families Act 2014)
- If a student has an education, health and care (EHC) plan, the provisions set out in that plan must be secured and the Academy must co-operate with the local authority and other bodies

As part of meeting these duties, the Academy will anticipate, as far as possible, all likely triggers of misbehaviour, and put in place support to prevent these from occurring.

Any preventative measures will consider the specific circumstances and requirements of the student concerned.

Set out your approach to anticipating and removing triggers of misbehaviour below. Your approach may include examples such as:

- Short, planned movement breaks for a student with SEND who finds it difficult to sit still for long
- Adjusting seating plans to allow a student with visual or hearing impairment to sit in sight of the teacher
- Adjusting uniform requirements for a student with sensory issues or who has severe eczema
- Training for staff in understanding conditions such as autism
- Use of separation spaces (sensory zones or nurture rooms) where students can regulate their emotions during a moment of sensory overload

## **9.2 Adapting sanctions for students with SEND**

When considering a behavioural sanction for a student with SEND, the Academy will consider:

- Whether the student was unable to understand the rule or instruction
- Whether the student was unable to act differently at the time because of their SEND
- Whether the student is likely to behave aggressively due to their SEND

If the answer to any of these questions is yes, it may be unlawful for the Academy to sanction the student for the behaviour.

The Academy will then assess if it is appropriate to use a sanction and if so, whether any reasonable adjustments need to be made to the sanction.



### **9.3 Considering whether a student displaying challenging behaviour may have unidentified SEND**

The Academy's special educational needs co-ordinator (SENCO) may evaluate a student who exhibits challenging behaviour to determine whether they have any underlying needs that are not currently being met.

Where necessary, support and advice will also be sought from specialist teachers, an educational psychologist, medical practitioners and/or others, to identify or support specific needs.

When acute needs are identified in a student, we will liaise with external agencies and plan support programmes for that child. We will work with parents to create the plan and review it on a regular basis.

### **9.4 Students with an education, health and care (EHC) plan**

The provisions set out in the EHC plan must be secured and the Academy will cooperate with the local authority and other bodies.

If the Academy has a concern about the behaviour of a student with an EHC plan, it will contact the local authority to discuss the issue. If appropriate, the Academy may request an emergency review of the EHC plan.

## **10. Supporting students following a sanction**

Following a sanction, the Academy will consider strategies to help students to understand how to improve their behaviour and meet the expectations of the Academy.

This could include measures like:

- Respite at an alternative school or provision
- Reintegration meetings
- Daily contact with the pastoral lead
- A report card with personalised behaviour goals
- A supported timetable
- A personalised rewards programme
- Further parental engagement

