

Mill Lane Community School & The Windmill Community Nursery

Growing, Thriving, Flying



Behaviour and Well-Being Pack

Reviewed: November 2020

Next Review: November 2021



Mill Lane Community School & Windmill Community Nursery

Growing, Thriving, Flying



Behaviour Policy

This policy applies to Mill Lane Community Primary School and the attached Windmill Community Nursery as well as the extended services provision provided by Mill Lane.

Introduction

We believe that children learn best when they are happy and secure, and when staff and parents work together in the interest of the child. We believe that good behaviour is essential for effective learning, positive relationships and a purposeful school community. We recognise the close relationship between children's behaviour and their self esteem and believe self control is the best form of discipline. Staff and pupils are regularly consulted, and all pupils are involved at the beginning of each academic year in the review of the school code of conduct, class guidelines and playtime rules. Reviews take place, as appropriate, throughout the year.

Governor committees review the policies annually.

Parents are encouraged to support the policy through the home-school agreement and there are opportunities to express their opinions through discussions and questionnaires.

Aims

- To create a positive ethos within which all members of the school feel secure through the promotion of caring attitudes and good behaviour at all times.
- To help all members of the school to appreciate their own self worth and to value and respect themselves and others equally.
- To create a purposeful environment in which effective learning can take place.

To achieve these aims we seek to:

- Maintain a caring and responsive social environment in which each individual feels valued and secure.
- Provide a safe, orderly, stimulating and pleasant environment.
- Encourage a sense of community and pride in our school.
- Promote the values and rights identified by the school by example and teaching.

School Values and Rights

To promote a feeling of belonging within our school community and to make clear the behaviour expected our school recognises the following values:

Everyone who is part of the school community is encouraged to;

- respect themselves, each other, property, interests and beliefs
- show care, courtesy and consideration for others
- take responsibility for their own actions
- contribute towards the safety of themselves and others
- take a reflective approach to events and actions
- have a sense of self-discipline

- seek to prevent racism, bullying and harassment
- be tolerant towards others

Within these values our school recognises everyone's rights to be:

- safe
- heard
- treated fairly and honestly
- treated with respect
- able to learn and teach without unnecessary interruption

Issues concerning children with exceptional educational and behavioural difficulties will be dealt with through the school special needs procedures.

It is the responsibility of both staff and pupils to promote these values and rights.

Code of Conduct

The school has a code of conduct drawn up by the children with the staff and through the School Council. This reflects the school's aspirations by which children's behaviour can be measured. The children's attention is drawn to this code of conduct on a regular basis through whole school assemblies, Key Stage assemblies and class assemblies. The code is displayed prominently throughout the school.

At the beginning of each school year the children draw up their own classroom rules which are agreed by the whole class and displayed within their classroom. These represent a summary of the responsibilities of the children within their classroom.

When making these rules the following points will be taken into consideration.

Rules are effective when they are:

- Few, reasonable and fair
- Explained, discussed with and taught to pupils (this is incorporated into Mill Lanes Values Education programme)
- Simple and precise
- Enforced and achievable
- Positive – describe the behaviour the school wants to see.

GUIDELINES FOR BEHAVIOUR MANAGEMENT

At Mill Lane Community School and Windmill Nursery, we endeavour to maintain a positive approach that reinforces good behaviour by praise or reward.

- All children are expected to conform to the school's code of conduct. Staff support children to fully understand what constitutes appropriate behaviour.
- Staff, governors and parents act as role models; they recognise that the respect that they show for each other and the children has an effect on the children's own relationships.
- During lessons, especially Personal, Social and Health Education and Citizenship, children are encouraged to think of their own strategies for resolving difficulties.
- Circle time provides opportunities for children to discuss their concerns and feelings.
- Children are encouraged to respond appropriately when they witness misbehaviour. They are encouraged to report incidents to staff.
- Strategies are used, by staff that endeavours to minimize the attention given to misbehaviour.

Reward Systems

A system for recognising good behaviour / effort / work is used throughout the school.

Foundation Stage:

Every morning children start in the green area displayed in the class. If children break any of the class rules e.g. silly behaviour, not sharing equipment, making unkind remarks etc they are given a verbal reminder about their behaviour. If they continue to not follow the rules, their name will be moved to the yellow area to act as a visual reminder to try and change their behaviour. If a child's behaviour improves and they work well they will be placed back in the green area. However, if a child's behaviour does not improve they will be moved in to the red area. There may be consequences to being in the red area such as being moved away from an activity, being asked to sit out for a while etc.

Children are also rewarded for good behaviour / for trying hard on an activity / for playing well with other children etc by receiving stickers, certificates and by receiving awards from the headteacher. Each week two children receive the "Gold Star Award" which is given to children who have worked or behaved in an exceptional way.

Key Stage 1 & 2:

Each class also uses the green, yellow and red areas. At the start of the year each class decides on what types of behaviour will lead to a child being moved in to the yellow and red areas. At the end of the day, or week (depending on the class), children who have not been in the red area will be rewarded with "Golden Time" which will be an activity chosen by the class.

Sometimes children produce excellent work, demonstrate continual effort to make progress or act in an excellent manner that requires some recognition. With this in mind the school awards weekly "Gold Star" winners who each receive a certificate.

All staff also encourage good behaviour by giving appropriate rewards. These may include:

- Recognition in assembly
- Stickers and stamps
- Certificates
- Golden time
- Showing work to other adults or pupils
- Sharing success with parents
- Star awards
- Post it messages
- Praise Card

Action to deal with misbehaviour

Poor behaviour is dealt with firmly, fairly and above all, consistently. When children misbehave they are encouraged to consider their actions, why they did it, why it was wrong and what they will do to prevent it happening again.

For minor or moderate misbehaviour, particularly if it is considered to be a 'one off', the member of staff who is first aware of the situation will deal with it. This will normally involve the pupil being made aware of;

- what rule has been broken (the incident)
- what the consequences are
- the need to ensure it is not repeated

Once the situation has been dealt with, the class teacher should be notified if they were not directly involved.

To reinforce this, an appropriate sanction may be applied such as apologising to someone, moving to the yellow or red area on the class behaviour chart, missing a playtime, removal of a privilege.

A decision as to whether parents/carers should be informed at this stage will be made on an individual basis.

All incidents that take place will be monitored by staff.

For more serious or repeated misbehaviour, the Head teacher / Deputy Head Teacher / SENCO may become involved, along with the class teacher. The parents/carers will be informed.

The pupil and parents/carers will be made aware of;

- what rule has been broken (the incident)
- what the consequences are
- the need to ensure it is not repeated

An appropriate sanction will be applied as appropriate such as missing play time, removal of privileges etc. Children who miss their playtime will be sent to the "Reflection room" which is a supervised room in the school where they can think about their actions. If a child is in the Reflection Room their parents will be informed. Children are sent to the Reflection Room for the following reasons: physically hurting another child or adult, using rude or inappropriate language, continual disruptive behaviour which prevents other children from learning and not completing homework.

Repeated misbehaviour may be indicative of an area of special need. Teaching staff consider whether the misbehaviour may be due to one or more of the following:

- A learning difficulty
- Lack of appropriate social skills
- An emotional upset within the school environment related to one of the above points
- An emotional upset related to out of school circumstances.

External services will be sought, if and when necessary, and risk assessments will be carried out if appropriate.

Further action to be taken with persistent misbehaviour: the Head teacher / Deputy Head Teacher / SENCO will become involved, along with the class teacher. The parents/carers will be informed.

- The child may be placed on the school's Special Educational Needs Register in accordance with the Oxfordshire Procedures for Special Educational Needs (Oxfordshire Handbook for schools). A more formalised assessment of the child's needs is made and a 'programme of support' is implemented. Progress is monitored and reviewed regularly. External agencies may become involved, as appropriate and risk assessments carried out.
- A behaviour plan may be set up. Typically, this will include:
 - Expectations of behaviour
 - Consequences of good and poor behaviour
 - What the pupil agrees to do
 - What the parents/carers agree to do
 - What the school agrees to do
 - Signatures of agreement
- A formal letter written to the parents/carers which details the school's concerns.
- If all else fails Exclusion. Initially this may be an internal exclusion where a child will work in another class but may lead to an exclusion where the child will not be allowed to attend school.

Fixed-term or permanent exclusions will be made following the procedures set out in the Oxfordshire Policy for Exclusions.

Mill Lane Community School

Code of Conduct

Make everyone feel welcome by being friendly and kind.



Include others in what you are doing.



Treat people as you would want to be treated.



Care for everything and everyone.



Help each other by working together.



Look after our school and keep it tidy.



Be polite, think about other people's feelings.

Covid-19 Annexe

The aim of this update is to ensure that everyone knows and understands the way in which we must change our behaviour to keep everyone safe from the risk of infection; to ensure that where behaviour is unsafe, we are able to change that behaviour quickly, effectively and fairly; to help us to understand that our first priority is teaching safe behaviour, and that different approaches may be appropriate when differentiating between inadvertent or forgetful behaviour and deliberate unsafe behaviour.

We recognise as a school that returning after such a long time at home presents a unique and challenging set of circumstances. We accept that children will take time to settle in and establish themselves in a routine and that it will feel strange for them to be back in classrooms with their friends, especially as school will look and feel very different. Some children may feel anxious or nervous about their return to school and so extra pastoral care and support will be available.

Everyone who is part of the school community is encouraged to;

- respect themselves, each other, property, interests and beliefs
- show care, courtesy and consideration for others
- take responsibility for their own actions
- contribute towards the safety of themselves and others
- take a reflective approach to events and actions
- have a sense of self-discipline
- seek to prevent racism, bullying and harassment
- be tolerant towards others

These values still underpin everything we do, but to **Be Safe** is the most important guidance which includes the following:

- ✓ Try to stay 2 metres away from one another
- ✓ Use our own work station and equipment
- ✓ Work, eat and play in our class bubble, and whenever possible do not mix with people from other bubbles
- ✓ Move around school using markings and directions and avoiding other people
- ✓ Follow our hygiene rules
- ✓ Share our thoughts and feelings and listen carefully to each other
- ✓ Never cough, sneeze or spit towards another person
- ✓ Catch all coughs and sneezes in a tissue and throw it away (catch it, bin it, kill it)
- ✓ Wash hands frequently (including whenever we are asked to), with soap and water for 20 seconds or with hand sanitiser and clean down surfaces and equipment regularly
- ✓ Tell an adult straight away if you feel unwell or have been coughing quite a lot.

Consequences

Due to the nature of this new way of learning, the school's capacity to manage children who cannot follow the school rules or whose behaviours are a risk to the rest of the bubble, will be limited. As such, it is important that students follow school rules. Unfortunately, children who cannot meet the new expectations will not be permitted to stay at school. Teachers and staff will monitor the emotional well-being of children in the new learning environment. Parents are also asked to share any concerns with their child's class teacher.

We will be particularly aware of the following situations and issues:

1. Reluctant children*

2. Social / emotional concerns including new concerns because of new class, teacher, environment, friendships
3. Behaviour / disciplinary issues
4. Late and absent students
5. Child protection issues

*children who are not agreeable to coming to school, who have difficulty separating from parents, who refuse to enter the building, who make excuses during the day to be sent home

Concern	Response
Reluctant children	Teachers and staff will make reasonable efforts to encourage children to enter and stay in school. Children who are not able to cooperate easily and quickly will leave site with their adult and try again the next day.
Social/emotional issues	Teachers will report children of concern to SLT/CPOM
Behaviour/ disciplinary issues	There is an enhanced expectation for children to follow school rules, classroom agreements and cooperate when directed. Children are also expected to adhere to, as far as possible taking into consideration their age and maturity, the new hygiene and distancing procedures so the school can follow the guidelines for health and safety. Children who can't meet the new expectations will be guided and offered support, if the behaviour is a risk to others the child may not be permitted to stay with the bubble. Teachers should call for a member of SMT & CPOM. Next steps will be determined on a case by case basis and will be decided by SMT.
Late and absent students	Regular recording of attendance will continue.
Child Protection issues	Staff have been briefed and issued with a revised safeguarding policy. Teachers should inform the Designated Safeguarding Lead/Deputy Safeguarding Lead if they have concerns about a child (CPOM). Staff will need to be vigilant as some children are returning to school after a long period of absence. Staff should follow the amended guidelines in the COVID Safeguarding Addendum which have been sent to all staff.

Exclusions:

If the behaviour of a child is such that a child is posing serious threat to the safety of others and the school has exhausted all strategies to reduce that risk then exclusion remains an option. However, the head teacher would follow guidance from the Local Authority before carrying out this sanction as in the context of the virus, the safety of the pupil at home may also be seriously compromised and this risk should, not be diminished but viewed as part of the overall risk assessment for the child, taking on board the views and advise of all relevant stakeholders and agencies.

Positive Handling Policy

(Adopted from the model Oxfordshire Local Authority Children, Young People and Families)

Mill Lane Community School and the Windmill Community Nursery follow current Government Legislation & Guidance and Local Authority guiding principals to seek out good practice.

Introduction

Mill Lane Community School takes seriously its duty of care towards pupils, employees and visitors. Touch is a sensitive issue requiring careful judgement. In order to safeguard both children and staff, the school aims to provide clear guidance and appropriate training within the resources that can reasonably be made available.

This policy has a clear focus:

- The paramount consideration is to safeguard the welfare of the child.
- To safeguard the welfare of staff and others working in school and services who act in good faith.

The policy aims to help staff in schools and other child settings to develop plans to support children and young people whose behaviour challenges, to reduce the incidents and risk associated with that behaviour; and to promote and safeguard the welfare of children and young people in their care. Eliminating the inappropriate use of restraint is vital and particularly important in relation to children who are still developing both physically and emotionally as any trauma at this formative stage in their development could be very damaging and have long term consequences. This Policy has been informed by joint guidance issued by the Department of Health and Department for Education Children and Young People with Learning Disabilities, Autistic Spectrum Disorder and Mental Health Difficulties (January 2017).

This policy aims to provide guidance in relation to all children including children and young people with learning disabilities, autistic spectrum disorders and mental health issues who may respond with challenging behaviour (verbal and non-verbal) when confronted with situations that they do not understand. This can cause anxiety or fear however; the likelihood of such behaviour can often be anticipated by those that know the child best. Measures to prevent or address this can be developed with the involvement of the child or young person and their family, careful assessment and where appropriate multi-agency planning and support. A preventative approach to supporting children and young people whose behaviour is challenging is always preferable and restraint should only be used when it is appropriate and necessary by trained staff and in line with the law, core values and ethical principles.

Purpose: This policy sets out OCC's expectations in relation to the use of positive handling and reasonable force in schools and other educational settings for all pupils including those with learning disabilities, autistic spectrum disorder and mental health difficulties. The policy is not intended to be prescriptive but sets out the processes that schools and settings should have in place for these pupils and is supported by legislation and best practice guidance.

Underpinning this policy are the beliefs that everyone has the right to:

- Recognition of their unique identity;
- Be treated with respect and dignity
- Learn and work in a safe environment
- Be protected from harm, violence, assault and acts of verbal abuse

Pupils and their parents attending schools and other settings can expect:

- Individual consideration of pupils' needs by trained staff who have a responsibility for their learning and protection

- To be informed about the school or education settings rules, policies and the expected conduct of all pupils and staff

The policy recognises that schools and other settings have a duty of care towards their pupils and staff. It is therefore necessary and appropriate for schools and settings to proactively plan for challenging behaviour to prevent injury or damage.

The school should be aware of the single equalities duty as they monitor the use of positive handling in school.

The Legal Framework

(i). The Best Interest Principle

The first line of the first paragraph of the Children Act 1989 in the UK states that the welfare of the child shall be the paramount consideration. Paramount in this context means that it is the first thing people should think about and it should take precedence over every other consideration.

(ii). Duty of Care

The term “duty of care” is an important legal term. Anyone who is lawfully authorised to work with children, has a duty of care. Schools owe a duty of care to their pupils. “Negligence” involves a breach of that duty and has three main elements:

- Firstly, there must be a duty of care
- Secondly there must be a breach of that duty of care
- Thirdly there must be some ensuing damage or injury related to that breach

As the statutory power to use force is held by individual members of staff, no school should have a policy of *no physical contact*, because this could make staff feel deprived of that power or hinder their exercise of it. (EIA 2006)

Health & Safety legislation requires that employers also have a duty of care towards their employees. It would be remiss of an employer not to provide the time and resources for the appropriate level of training for their role/setting. It would also be remiss of an employee not to access training when it was offered, or to assess information which was made available, though employees may choose to opt out of physical restraint training due to physical or medical issues, whilst still attending de-escalation training.

(i). Reasonable and Proportionate

Common law hangs on the word “reasonable” in the context of physical interventions, yet it changes meaning according to the circumstances of each case. For example, an action taken in response to an attack with a baseball bat might be deemed reasonable by a court, whereas exactly the same action taken in response to a verbal assault would be judged to be excessive and unreasonable. What determines the reasonableness of a particular intervention is often governed by whether or not it was “proportionate”. The degree of force used should be the minimum to achieve the desired result. Good training provides techniques which rely on a combination of psychology and biomechanics to reduce the amount of force required. Schools should have an explicit policy on the Use of Reasonable Force to control or restrain pupils, which may appear within mandatory behaviour or health and safety policies.

(ii). Absolutely Necessary

The United Kingdom adopted the United Nations Convention on the Rights of the Child in 1991 and incorporated European human rights legislation into the legal framework. Schools have to consider the human rights implications of their policies. Sometimes staff are obliged to take actions which would in other circumstances be unreasonable or even illegal. In normal life people do not normally touch other people unless invited, interfere with their property, move them from place to place or restrict their

movement. Yet for staff there may be times when such actions are reasonable and necessary. If a member of staff takes any action which could be seen as restricting the child's human rights, for it to be legal it must be "absolutely necessary".

There are times when those with a duty of care believe that they must take action to protect the interests of the child. If they fail to take action and, as a result, negligently allow a child to come to harm, they could be liable for any damage which ensues. When people are honest in their attempts to do the right thing, they are said to be acting in "good faith". Staff who act in good faith, in the best interests of those for whom they have a duty of care, deserve support.

(iii). Lawful Defences

Rather than focus on preventing staff from taking any action which could possibly result in accusations, which too often has resulted in staff not taking any action at all, we should focus on *lawful defence*. There are times when staff do need to take action and failing to take action could itself lead to a charge of negligence. The focus should be on why it was necessary for a particular member of staff to take action in a particular circumstance. The best lawful defence is that it was necessary to protect the interests of the child. The clearest lawful justification is that the actions of staff are reasonable, proportionate necessary and in the best interests of the young person. Under Human Rights legislation they should be "absolutely necessary".

Health and Safety

If hazardous behaviour presents a significant risk of injury to people, there is a Health and Safety issue to be addressed. Hazardous behaviour should be regarded just as seriously as hazardous equipment. Dangerous occurrences should be reported to the person responsible for Health and Safety in the school/setting or service on behalf of the employer. Trade union safety representatives should also be informed. When considering a pupil's behaviour staff should think about the following questions:

- ❑ Can we anticipate a Health and Safety risk related to this pupil's behaviour?
- ❑ Have we got all the information we need to conduct a risk assessment?
- ❑ Have we produced a written plan as a result?
- ❑ What further steps can we take to prevent dangerous behaviour from developing?

Formal Risk Assessments and Positive Handling Plans:

Schools and settings must assess the frequency and severity of incidents that require the use of force across the whole setting. The use of individual risk assessments when pupil's challenging behaviour could be associated with:

- Communication impairments that make them less responsive or less able to communicate
- Physical and/or sensory impairment
- Conditions that may make the pupil more vulnerable e.g. epilepsy, brittle bone syndrome
- Requiring the use of equipment such as wheelchairs, breathing or feeding tubes

These should be drawn up in collaboration with parents, where possible.

This should also be accompanied by a positive handling plan which clearly sets out the techniques that should be used and those that should not normally be used. The plan should also document situations that may provoke challenging behaviour and any successful preventative strategies. The plan should also document how physical intervention should be used appropriately. These plans should be developed and agreed by staff, parents and the pupil concerned wherever possible. The document should be reviewed by the parents of the pupil and the pupil themselves if appropriate. It is also important to gain the

consent of the parents in relation to the plan wherever possible, though it may be necessary to implement a Positive Handling Plan without parental consent.

Positive Behaviour Management:

Schools and settings must seek to reward effort and encourage pupils to take responsibility for improving their own behaviour, wherever possible. When incidents do arise, alternatives to physical intervention requiring force must be used in the first instance.

Responding to unforeseen emergencies and the use of reasonable force:

The use of restraint must always be a last response to challenging behaviour. De-escalation techniques that are appropriate to the pupil, set within a positive approach to behaviour, must always be used in the first instance. However, it is acknowledged that there may be a very small number of circumstances where reasonable force may be required.

The Principle of Last Resort

Staff/employees should only use physical restraint when there is no other realistic alternative. This does not mean that we always expect people to methodically work their way through a series of failing strategies before attempting an intervention in which they have some confidence. Nor does it mean always waiting until the danger is acute and imminent, by which time the prospect of safely managing it may be significantly reduced. It does mean that staff should conduct a dynamic risk assessment and choose the safest alternative available. This includes thinking creatively about any alternatives to physical intervention which may be effective.

There is no legal definition about when it is reasonable to use force, it can only be deemed reasonable if circumstances warrant it and as such, the judgement can often be finely balanced. The Education and Inspection Act 2006 states that reasonable force may be used to prevent a pupil from doing or continuing to the following:

- Causing harm to themselves
- Committing a criminal offence
- Causing harm to another person
- Any behaviour that could be considered prejudicial to the maintenance of good order and discipline

Reasonable force could cover a broad range of actions. Force will usually involve action taken to control or restrain. 'Reasonable in the circumstances' means using no more force than is needed and the following factors should be considered:

- Being in the best interests of the pupil balanced against respecting the safety and dignity of all concerned, including other pupils or adults present
- Restraint must not be used as a form of punishment
- Techniques used to restrain or restrict the liberty of movement must be reasonable and proportionate to the circumstances, risk and seriousness of harm and be applied with the minimum level of force necessary by appropriately trained staff

Force must not be used to deliberately inflict pain or as a punishment, this would be considered an unreasonable use of force. Staff should not react in anger and if they feel that they are becoming angry, they must withdraw to allow someone else to deal with the situation.

Use of Floor Holds:

Oxfordshire County Council does not sanction prone (front ground) intervention being used as a part of a physical intervention menu. It is recognised that where a Floor Hold is part of a PHP it is possible the pupil may unintentionally become face down. If this occurs the approved face up hold should be instigated as soon as safely possible or, if it is safe to do so, the pupil released and the hold re-attempted. Any use of the prone restraint should be notified to Oxfordshire County Council immediately as a notifiable incident setting out the reason that this hold was employed and the reasons another hold would not have been appropriate to safeguard the child and/or others. Notification must be sent to the child's social worker and IRO if they are looked after and to the Local Authority Designated Officers team if the child is not looked after via lado.safeguardingchildren@oxfordshire.gov.uk.

Where a floor hold is part of a positive handling plan members of staff who have received the necessary additional training should be identified to carry it out.

Incident Reporting and Follow-up Actions:

When an incident involving the use of force has been used, this policy recommends that any incident is recorded as soon as practicable and within 24 hours of an incident taking place. All incident records must be stored securely in tamper proof manner. All incidents should be recorded securely as an agreed accurate action of events for all those involved.

Schools and other settings should consider identifying a lead person at governing body or executive board level with responsibility for behavioural policy and strategy. The lead person would consider any incident reporting and consider any specific programmes to reduce inappropriate restraint.

The purpose of recording an incident is to ensure that policy guidelines have been followed, to inform parents/carers, to prevent the misunderstanding of an incident and provide a record for any future enquiry.

All staff working within a school or setting should be aware of their whistle-blowing policy and how to use this to escalate concerns regarding the mis-use of restraint as necessary.

When a serious incident occurs, it can be upsetting for all involved and may result in injuries to children or staff. Immediate action must be taken to provide first aid for any injuries or medical attention sought for more serious injuries. Emotional support for children and staff should also be considered after the incident has occurred.

The Post Incident Support Structure for Pupils and Staff/Employees

Following a significant incident, the school should offer support to all involved. People take time to recover from a serious incident. Until the incident has subsided, the priority is to reduce risk and calm the situation down. Staff should avoid saying or doing anything which could inflame the situation during the recovery phase. Immediate action should be taken to ensure medical help is sought if there are any injuries which require more than basic first aid. All injuries should be reported and recorded using the school systems.

It is important to note that an injury in itself is not evidence of malpractice. Even when staff attempt to do everything right things can go wrong. Part of the post incident support for staff may involve reminding them of this, as people tend to blame themselves when things go wrong. Time needs to be found to repair relationships. When careful steps are taken to repair relationships, a serious incident does not necessarily result in long term damage. This is an opportunity for learning for all concerned. Time needs to be given to following up incidents so that pupils and staff have an opportunity to express their feelings, suggest alternative courses of action for the future and appreciate the perspective of others. When time and effort are put into a post incident support structure the outcome of a serious incident can be learning, growth and strengthened relationships. All post incident actions must attend to the physical and emotional needs of pupils and staff as they present at the time with follow up plan.

Parents must be informed of any incidents as soon as it is reasonably possible. After any serious incident, consideration must be given to meeting with parents to discuss the incident, review the child's positive handling plan (if they have one) and agree any subsequent actions to try to avoid any future incidents. This meeting may also be an opportunity to discuss whether multiagency partners should be involved in identifying follow up action, for example CAMHS or LCSS.

Complaints:

Parents and pupils have the right to complain about actions that may be taken by school staff. If a specific allegation is made against a member of staff then schools or settings must refer to their own complaints and safeguarding procedures.

Training:

This Policy expects that any physical intervention should be performed by trained staff who are competent in the use of a recognised behaviour management system. If a non-British Institute of Learning Disabilities (BILD) or the Institute of Conflict Management (ICM) training course is used, there is an expectation that the County Council will be consulted for approval.

All training bodies, organisations and the tutors/instructors that provide training should be thorough assessed to ascertain:

- background knowledge
- experience and recognition
- prevention and management of aggression training

OCC's preferred approach is not necessarily for whole staff team training, but we recognise that training should be proportionate to the level of risk and exposure that staff may have to the most challenging children. Awareness for all staff should be raised as part of the annual safeguarding training.

Opportunities should be arranged for staff to practice their training between the main training sessions.

Glossary of terms used in this policy:

CAHMS – Child and Adolescent Mental Health Services.

Learning disability – defined by three core criteria: lower intellectual ability (usually an IQ of less than 70), significant impairment of social or adaptive functioning, and onset in childhood. Learning disabilities are different from specific learning difficulties

such as dyslexia, which do not affect intellectual ability (taken from *Challenging behaviour and learning disabilities: prevention and interventions for people with learning disabilities whose behaviour challenges* NICE Guideline 2015)

Positive handling – the term ‘positive handling’ includes a wide range of supportive strategies for managing challenging behaviour. The term ‘restraint’ is used whenever force is used to overcome active resistance.

Non-physical interventions (no touch)- this would include adaptations to the physical environment; use of space; body language; facial expressions; volume, pitch, pace and tone of voice and choice of words

Physical contact (contingent touch) – this would include reassuring touch for example holding hands in the playground or physical prompts and guidance for example attracting attention or communicating with someone with sensory impairment, helping someone to learn physical skills, escorting a young child or someone with learning difficulties

Restraint/restrictive physical interventions (the positive application of force with the intention of overpowering a person) – this includes holding someone who is actively resisting to prevent them from putting themselves and others at risk of significant harm; holding someone who is actively resisting to reduce the risk of pain or injury; holding someone who is actively resisting to reduce the risk of damage to property; holding someone who is actively resisting to prevent the commission of a criminal offence; moving someone who is actively resisting into a reduced risk environment; holding/moving someone whose actions are or leading to a breakdown of discipline; preventing a person who is actively resisting from moving into an increased risk environment. When a pupil seeks to remove themselves from a conflict situation, blocking this action is not considered reasonable justification for restraint unless they are running onto the road or towards a person with violent intent. Staff can be injured when seeking to block a child (for example by standing in a doorway). This is not a necessary outcome and frequently inadvertent on the part of the child in a high stress state.

Staff – is intended in this document to refer to both teaching and non-teaching staff and approved volunteers or contracted personnel under the authority of a Head Teacher.

References:

Codes of Practice and National Minimum Standards:

- 0-25 Special Educational Needs and Disability Code of Practice
- Mental Capacity Act Code of Practice: Protecting the Vulnerable (2007)
- The National Minimum Standards for Boarding Schools
- The National Minimum Standards for Residential Special Schools

Guidance:

- *Draft Guidance* for Children and Young People with Learning Disabilities, Autistic Spectrum Disorder and Mental Health Difficulties (2017, DfE and DH)
- Guidance for the Restrictive Physical Interventions: How to provide safe services for people with Learning Difficulties and Autistic Spectrum Disorder (2014, DfES and DH)
- Positive and Proactive Care: reducing the need for restrictive interventions (Department of Health, 2015) produced for supporting adults but with supporting principles that apply in both settings
- Protocol for Local Children's Services Authorities on Restrictive Physical Interventions in Schools, Residential and Other Care Settings for Children and Young People (Association of Directors of Children's Services, 2009)
- Guidance on the use of reasonable force in Use of Reasonable Force: advice for head teachers, staff and governing bodies (DfE July 2013)
- Behaviour and Discipline in Schools (DfE January 2016)
- Residential Special Schools: National minimum standards (DfE, April 2015)
- Supporting pupils with medical conditions (DfE, December 2015)
- The Children Act 1989 Regulations and Guidance – Volume 2: Care planning, placement and case review (2015)
- Working Together to Safeguard Children (2018)

NICE Guidelines:

- Challenging behaviour and learning disabilities: prevention and interventions for people with learning disabilities whose behaviour challenges
- Autism in under 19s: support and management
- Antisocial behaviour and conduct disorders in children and young people: recognition and management
- Violence and aggression: short-term management in mental health, health and community settings
- Looked-after children and young people
- Psychosis and schizophrenia in children and young people: recognition and management

Legislation:

- Section 93 of the Education and Inspections Act 2006 – the use of reasonable force
- Section 100 of the Children and Families Act 2014
- United Convention on the Rights of the Child (1991)

Pupil Discipline and Exclusion Policy

Purpose

The purpose of this policy is to create a happy, secure learning environment that promotes effort, achievement and positive behaviour whilst keeping all staff and pupils safe. Our emphasis will be on recognising and celebrating effort and success so that all pupils feel valued. Pupils are taught to take responsibility for their own actions and to accept the consequences of their choices.

Exclusion of children from the school is a decision taken very seriously and after much consideration.

Roles and responsibilities of the headteacher, deputy head teacher, staff and governors

Staff will consult and work with the parents/carers to try to implement any strategies to improve pupil behaviour and discipline

Staff will inform and seek support from the inclusion coordinator and behaviour support services as appropriate.

The headteacher / deputy headteacher will try to work with the parents/carers providing support and expectations for improvement.

The headteacher /deputy head teacher will:

- Inform the pupil's parent in writing of the period of any exclusion, or of a permanent exclusion
- Give the reasons for the exclusion
- Advise the parent that they may make representations about the exclusion to the governing body's discipline committee
- Advise the parent how representations may be made
- Notify both the local authority and the governing body's discipline committee of the details of the exclusion, including the reasons for it, in the case of

(a) a permanent exclusion or a fixed –period exclusion converted to a permanent one;

(b) a fixed-period exclusion of more than five days or which brings the days the pupils has been excluded in one term more than five.

The headteacher / deputy head teacher will be responsible for ensuring that this policy is implemented and for reporting to governor's on its impact.

The headteacher /deputy head teacher and staff will apply the principles identified above when implementing the whole school approaches to positive behaviour (see school behaviour and anti-bullying policy).

Pupils will be consulted fully when rules and guidelines are being decided and will be expected to observe them.

The **governing body** will establish a Pupil Discipline Committee of three members and ensure that they receive training to fulfil their role. The headteacher will not be a member of this committee.

The committee will have regard to any guidance given by the Secretary of State.

Governors' Committee meeting

A Governors' Committee meeting will need to be set up within 15 school days of the date of the permanent exclusion. Please inform the Social Inclusion Officer (Sharon Oliver) for your school, and Ali Sim (Social Inclusion Coordinator tel: 01865 815897), of the date of this meeting in good time. They must be informed of the result of the meeting as soon as possible and they will inform the parents.

For fixed-period exclusions of more than five school days in any one term up to and including fifteen school days, the committee will meet no earlier than the sixth school day and no later than the fiftieth school day after receiving notice of the exclusion.

If the Pupil Discipline Committee decide that a pupil should be reinstated, they will give the appropriate direction to the headteacher and inform the parent and LA of their decision.

If they decide that the pupil should not be reinstated, they will inform the parent, the headteacher and the LA of their decision.

In the case of a permanent exclusion they will notify the parent in writing of their decision and the reasons for it. The letter will advise the parent of his or her right to appeal against their decision, whom they should contact to lodge an appeal, the final date for this, and the notice of appeal should set out the grounds of appeal.

Arrangements for monitoring and evaluation

The Pupil Discipline Committee will meet annually to evaluate the impact of this policy by receiving data from the head teacher analysed by year group, gender and ethnicity on:

- fixed-term and permanent exclusions – number of and analysis of behaviour
- instances of bullying and action taken
- support provided, as appropriate, for the victims and bully

Any governor visiting the school will help to monitor this policy through their reporting back to the full governing body at their meetings throughout the year.

Model letter 1

From head teacher notifying parent of a fixed period exclusion of 5 school days or fewer in one term.

Dear **[Parent's Name]**

I am writing to inform you of my decision to exclude **[Child's Name]** for a fixed period of **[specify period]**. This means that he/she will not be allowed in school for this period. The exclusion begins/began on **[date]** and ends on **[date]**.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[Child's Name]** has not been taken lightly. **[Child's Name]** has been excluded for this fixed period because **[reason for exclusion]**.

[for pupils of compulsory school age]

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion on **[specify dates]** unless there is reasonable justification for this. I must advise you that 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.

We will set work for **[Child's Name]** to be completed on the days specified in the previous paragraph as school days during the period of his/her exclusion when you must ensure that he/she is not present in a public place without reasonable justification. **[detail the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking.

[School] You have the right to make representations about this decision to the governing body/management committee. If you wish to make representations please contact **[Name of Contact]** on/at **[contact details — address, phone number, email]**, as soon as possible. Whilst the governing body/management committee has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record.

You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the Special Educational Needs and Disability Tribunal (SENDIST, which is scheduled to become part of the Health, Education and Social Care Chamber of the First Tier Tribunal from November 3 2008 under the new tribunal arrangements). The address to which appeals should be sent is SENDIST, Mowden Hall, Staindrop Road, Darlington DL3 9DN.

[This paragraph applies to all fixed period exclusions of primary-aged pupils]

You **[and your child or pupil's name]** are requested to attend a reintegration interview with me **[alternatively, specify the name of another staff member]** at **[place]** on **[date]** at **[time]**. If that is not convenient, please contact the school **[within the next ten days]** to arrange a suitable alternative date and time. **The purpose of the reintegration interview is to discuss how best your child's return to school can be managed.** Failure to attend a reintegration interview will be a factor taken into account by a magistrates' court if, on future application, they consider whether to impose a parenting order on you.

You also have the right to see a copy of **[Child's Name]**'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of **[Child's Name]**'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may wish to contact **[Name]** at **[LA name]** LA on/at **[contact details — address, phone number, email]**, who can provide advice. You may also find it useful to contact the Advisory Centre for Education (ACE) — an independent national advice centre for parents of children in state schools. They offer information and support on state education in England and Wales, including on exclusion from school.

They can be contacted on 020 7704 9822 or text 'AskACE' to 68808 **[insert reference to local sources of independent advice if known.]**

[Child's Name]'s exclusion expires on **[date]** and we expect **[Child's Name]** to be back in school on **[date]** at **[time]**.

Yours sincerely

[Name]

Headteacher

Model letter 2

From head teacher notifying parent(s) of a pupil of that pupil's fixed period exclusion of more than 5 school days (up to and including 15 school days) in a term (paragraph 103a).

Dear **[Parent's name]**

I am writing to inform you of my decision to exclude **[Child's Name]** for a fixed period of **[specify period]**. This means that **[Child's Name]** will not be allowed in school for this period. The exclusion start date is **[date]** and the end date is **[date]**. Your child should return to school on **[date]**.

I realise that this exclusion may well be upsetting for you and your family, but my decision to exclude **[Child's Name]** has not been taken lightly. **[Child's Name]** has been excluded for this fixed period because **[specify reasons for exclusion]**.

[for pupils of compulsory school age - next 3 paragraphs]

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days **[or specify dates if exclusion is for fewer than 5 days]** of this exclusion, that is on **[specify dates]**. I must advise you that you may be prosecuted or receive a penalty notice from the local authority if your child is present in a public place on the specified dates without reasonable justification. It will be for you to show that there is reasonable justification for this.

We will set work for **[Child's Name]** during the **[first 5 or specify other number as appropriate]** school days of his **[or her]** exclusion **[specify the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking.

[if the individual exclusion is for more than 5 days]

From the **[6th school day of the pupil's exclusion [specify date] until the expiry of his exclusion we set out the arrangements if known at time of writing, if not known say that the arrangements will be notified shortly by a further letter.]** will provide suitable full-time education. On **[date]** he should attend at **[give name and address of the alternative provider if not the home school]** at **[specify the time — this may not be identical to the start time of the home school]** and report to **[staff member's name]**.

[School] You have the right to request a meeting of the school's discipline committee to whom you may make representations, and my decision to exclude can be reviewed. As the period of this exclusion is more than 5 school days in a term the discipline committee must meet if you request it to do so. The latest date by which the discipline committee must meet, if you request a meeting, is **[specify date — no later than the 50th school day after the date on which the discipline committee were notified of this exclusion]**. If you do wish to make representations to the discipline committee and wish to be accompanied by a friend or representative, please contact **[name of contact]** on/at **[contact details — address, phone number, email]**, as soon as possible. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

You should be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you may make a claim to the Special Educational Needs and Disability Tribunal (SENDIST, which is scheduled to become part of the Health, Education and Social Care Chamber of the First Tier Tribunal from November 3 2008 under the new tribunal arrangements). The address to which claims should be sent is: SENDIST, Mowden Hall, Staindrop Road, Darlington DL3 9DN. Making a claim would not affect your right to make representations to the discipline committee.

You **[and your child or pupil's name]** are requested to attend a reintegration interview with me **[alternatively, specify the name of another staff member]** at **[place]** on **[date]** at **[time]**. If that is not

convenient, please contact the school before your child is due to return to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed. Failure to attend a reintegration interview will be a factor taken into account by a magistrates' court if, on future application, they consider whether to impose a parenting order on you.

You have the right to see and have a copy of, your child's school record. Due to confidentiality restrictions, you must notify me in writing if you wish to be supplied with a copy of your child's school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may wish to contact **[Name]** at **[LA name]** LA on/at **[contact details — address, phone number, email]**, who can provide advice. You may also find it useful to contact the Advisory Centre for Education (ACE) — an independent national advice centre for parents of children in state schools. They offer information and support on state education in England and Wales, including on exclusion from school. They can be contacted on 020 7704 9822 or text 'AskACE' to 68808 **[Insert reference to local sources of independent advice if known]**.

[Child's Name]'s exclusion expires on **[date]** and we expect **[Child's Name]** to be back in school on **[date]** at **[time]**.

Yours sincerely

[Name]
Headteacher

Model letter 3

From head teacher notifying parent of a fixed period exclusion of more than 15 school days in total in one term (paragraph 103b).

Dear **[Parent's Name]**

I am writing to inform you of my decision to exclude **[Child's Name]** for a fixed period of **[specify period]**. This means that **[Child's Name]** will not be allowed in school for this period. The exclusion begins/began on **[date]** and ends on **[date]**.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[Child's Name]** has not been taken lightly. **[Child's Name]** has been excluded for this fixed period because **[reason for exclusion]**.

[for pupils of compulsory school age — next 3 paragraphs]

You have a duty to ensure that your child is not present in a public place in school hours during **[the first five school days of exclusion or specify dates]**, unless there is reasonable justification for this. I must advise you that you may be prosecuted or receive a penalty notice from the local authority if your child is present in a public place on the specified dates. It will be for you to show that there is reasonable justification.

We will set work for **[Child's Name]** during the **[first five school days or specify dates]** of his/her exclusion **[specify the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking.

[if the individual exclusion is for more than 5 days]

From the **[6th school day of the pupil's exclusion] [specify date]** until the expiry of his exclusion we **[set out the arrangements if known at time of writing, if not known say that the arrangements will be notified shortly by a further letter.]** will provide suitable full-time education. **[Set out the arrangements if known at the time of writing, e.g.]** On **[date]** he should attend **[give name and address of the alternative provider]** at **[specify the time — this may not be identical to the start time of the home school]** and report to **[staff member's name]**.

[School] As the length of the exclusion is more than 15 school days in total in one term the governing body must meet to consider the exclusion. At the review meeting you may make representations to the governing body if you wish. The latest date on which the governing body can meet is **[date here — no later than 15 school days from the date the governing body is notified]**. If you wish to make representations to the governing body and wish to be accompanied by a friend or representative please contact **[name of contact]** on/at **[contact details — address, phone number, email]**, as soon as possible. You will, whether you choose to make representations or not, be notified by the Clerk to the governing body/management committee of the time, date and location of the meeting. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal to the Special Educational Needs and Disability Tribunal (SENDIST, which is scheduled to become part of the Health, Education and Social Care Chamber of the First Tier Tribunal from November 3 2008 under the new tribunal arrangements). The address to which appeals should be sent is SENDIST, Mowden Hall, Staindrop Road, Darlington DL3 9DN. Making a claim would not affect your right to make representations to the governing body/management committee.

[mandatory for all exclusions of primary-aged pupils and those of more than 5 days of secondary-aged pupils]

You **[and your child or name of pupil]** are invited to attend a reintegration interview with me **[alternatively, specify the name of another staff member]** at **[place]** on **[date]** at **[time]**. If that is not convenient, please contact the school before your child is due to return to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed. Failure to attend a reintegration interview will be a factor taken into account by a magistrates' court if, on future application, they consider whether to impose a parenting order on you.

You also have the right to see and have a copy of **[Child's Name]**'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of **[Child's Name]**'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may want to contact **[Name]** at **[LA name]** LA on/at **[contact details — address, phone number, email]**, who can provide advice. You may also find it useful to contact the Advisory Centre for Education (ACE), which is an independent national advice centre for parents of children in state maintained schools. They offer information and support on state education in England and Wales, including on exclusion from school. They can be contacted on 020 7704 9822 or text 'AskACE' to 68808. **[Insert reference to source of local independent advice if known.]**

[Name of Child]'s exclusion expires on **[date]** and we expect **[Name of Child]** to be back in school on **[date]** at **[time]**.

Yours sincerely

[Name]
Headteacher

Model letter 4

From the headteacher notifying the parent(s) of pupil's permanent exclusion (paragraph 103b).

Dear [Parent's Name]

I regret to inform you of my decision to permanently exclude [Child's Name] with effect from [date]. This means that [Child's Name] will not be allowed in this school unless he/she is reinstated by the governing body/the discipline committee or by an appeal panel.

I realise that this exclusion may well be upsetting for you and your family, but the decision to permanently exclude [Child's Name] has not been taken lightly. [Child's Name] has been excluded because **[reasons for the exclusion — include any other relevant previous history]**.

[For pupils of compulsory school age]

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days of this exclusion, i.e. on **[specify the precise dates]** unless there is reasonable justification. You could be prosecuted or receive a penalty notice if your child is present in a public place during school hours on those dates. It will be for you to show reasonable justification.

[For pupils of compulsory school age]

Alternative arrangements for [Child's Name]'s education to continue will be made. For the first five school days of the exclusion we will set work for [Child's Name] and would ask you to ensure this work is completed and returned promptly to school for marking **[this may be different if supervised education is being provided earlier than the sixth day]**. From the sixth school day of the exclusion onwards — i.e. from **[specify the date]** the local authority **[give the name of the authority]** will provide suitable full-time education. **[set out the arrangements if known at time of writing, if not known say that the arrangements will be notified shortly by a further letter.]**

[For pupils of compulsory school age]

[Where pupil lives in a local authority other than the excluding school's local authority] I have also today informed **[name of officer]** at **[name of local authority]** of your child's exclusion and they will be in touch with you about arrangements for **[his/her]** education from the sixth school day of exclusion. You can contact them at **[give contact details]**.

As this is a permanent exclusion the governing body must meet to consider it. At the review meeting you may make representations to the governing body if you wish and ask them to reinstate your child in school. The governing body have the power to reinstate your child immediately or from a specified date, or, alternatively, they have the power to uphold the exclusion in which case you may appeal against their decision to an Independent Appeal Panel. The latest date by which the governing body must meet is **[specify the date — the 15th school day after the date on which the governing body was notified of the exclusion]**. If you wish to make representations to the governing body and wish to be accompanied by a friend or representative please contact **[name of contact]** on/at **[contact details — address, phone number, email]**, as soon as possible. You will, whether you choose to make representations or not, be notified by the Clerk to the governing body of the time, date and location of the meeting. Please let us know if you have a disability or special needs which would affect your ability to attend the meeting. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

[If you think this exclusion relates to a disability your child has, and you think discrimination has occurred, you may raise the issue with the governing body]

You have the right to see a copy of **[Name of Child]**'s school record. Due to confidentiality restrictions, you must notify me in writing if you wish to be supplied with a copy of **[Name of Child]**'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may also wish to contact **[Name]** at **[LA name]** on/at **[contact details — address, phone number, email]**, who can provide advice on what options are available to you. Additionally, you may find it useful to contact the Advisory Centre for Education (ACE)— an independent national advice centre for parents of children in state schools. They offer information and support on state education in England and Wales, including on exclusion from school. They can be contacted on 020 7704 9822 or text 'AskACE' to 68808. **[Insert reference to sources of local independent advice if known.]**

Yours sincerely

[Name]
Headteacher

Model letter 5

From the clerk to the governing body to parent upholding a permanent exclusion (paragraph 115).

Dear **[Parent's name]**

The meeting of the governing body at **[school]** on **[date]** considered the decision by **[head teacher]** to permanently exclude your son/daughter **[name of pupil]**. The governing body, after carefully considering the representations made and all the available evidence, has decided to uphold **[name of pupil]**'s exclusion.

The reasons for the governing body decision are as follows: **[give the reasons in as much detail as possible, explaining how they were arrived at.]**

You have the right to appeal against this decision. If you wish to appeal, please notify **[name of the clerk to the appeal panel]** of your wish to appeal. You must set out the reasons for your appeal in writing, and if appropriate may also include reference to any disability discrimination claim you may wish to make, and send this notice of appeal to **[address]** by no later than **[specify the latest date — the 15th school day after receipt of this letter]**. If you have not lodged an appeal by [repeat latest date], you will lose your right to appeal. Please advise if you have a disability or special needs which would affect your ability to attend the hearing. Also, please inform **[name of the clerk to the appeal panel]** if it would be helpful for you to have an interpreter present at the hearing.

Your appeal will be heard by an Independent Appeal Panel, which can also hear disability discrimination claims. A three-member panel will comprise one serving, or recently retired (within the last five years), head teacher, one serving, or recently serving, experienced governor members and one lay member who will be the Chairman. **[Use the following if there is a possibility that a five-member panel may sit: A five-member panel will comprise two serving, or recently retired (within the last 5 years), head teachers, two serving, or recently serving, experienced governors and one lay member who will be the Chairman.]** The appeal panel will rehear all the facts of the case — if you have fresh evidence to present to the panel you may do so. The panel must meet no later than the 15th school day after the date on which your appeal is lodged. In exceptional circumstances panels may adjourn the hearing until a later date.

In determining your appeal the panel can make one of three decisions: they may uphold your child's exclusion; they may direct your child's reinstatement in school, either immediately or by a particular date; or they may decide that the exclusion should not have taken place, but that reinstatement in the school is not in the best interests of all concerned.

I would advise you of the following sources of advice: **[repeat details from the original exclusion letter, i.e. a named LA officer and the Advisory Centre for Education and any local sources of independent advice]**.

The arrangements currently being made for **[pupil's name]**'s education will continue. **[Specify details here]**.

Yours sincerely

[name]

Clerk to the Governing Body

Model letter 6

From the clerk to the Independent Appeal Panel notifying parent of the outcome of the appeal.

Dear [parent's name]

Following the hearing of your appeal by the Independent Appeal Panel constituted by [name] Authority on [date] at [location] against the decision of the governing body of [name] School not to reinstate [child's name], I am writing to advise you of the panel's decision.

After careful consideration of your representations both oral and written and those of the [School] and [name] LA [and of others if applicable, for example any victim] and in the light of the available evidence, the panel has decided:

Either

(i) to uphold the exclusion;

or

(ii) to direct [pupil's name]'s reinstatement in [name of school] with effect from [date and time]. [Pupil's name] should report to [name of staff member] at that time;

or

(iii) that it is not practical to direct [pupil's name]'s reinstatement [here give reasons, for example because this is an exceptional case where reinstatement would not be in the pupil's best interests or those of the whole school community] although otherwise reinstatement would have been appropriate. Your child's school record will show that the permanent exclusion was overturned on appeal even though reinstatement was not directed.

[Give reasons in as much detail as possible for the panel's decision: the decision may be challenged by judicial review; or be the subject of a complaint of maladministration to the Local Government Ombudsman]

The panel's decision is binding on you, the governing body and the head teacher of [name] School and [name] Local Authority.

For decisions (i) and (iii) above: The alternative arrangements put in place for [pupil's name]'s full-time education will continue for the time being; but [LA officer's name] will/may be in touch with you to discuss future provision.

If you think that the appeal panel's decision was unlawful or not a decision which a reasonable panel could have reached and you wish to challenge it, the only way of doing so is to apply to the High Court for a judicial review. This must be done as soon as possible and in any event within three months of the date of the panel's decision. You can complain to the Local Government Ombudsman about maladministration by the appeal panel, but not about its decision.

A copy of this letter will be added to [pupil's name]'s school record for future reference.

Yours sincerely

[name]

Clerk to the Independent Appeal Panel

Values Policy

Introduction

At Mill Lane Community School, we give a great deal of thought to the values that we are trying to promote. We regularly consider our core values and how the school sustains an ethos that supports the pupil as a reflective learner and promotes quality teaching and learning.

We are very much aware that society is faced with enormously complicated problems that make growing up a very difficult process. Children are constantly bombarded with negative messages that adversely affect their mental, emotional and spiritual development. Also, they are repeatedly being given the impression that happiness is totally obtainable from a material world. Children are generally encouraged to experience life in a world totally external to their inner selves: a world that is full of noise and constant activity.

Symptoms of pupil stress are revealed when children find it difficult to listen attentively and give to schoolwork their full concentration. Social relationships suffer as the child often fails to appreciate that building meaningful relationships is their responsibility.

As a school community at Mill Lane, we believe the ethos of the school is built on a foundation of core values such as honesty, respect, trust, happiness, responsibility, tolerance, empathy and peace. These will at times be addressed directly through lessons and the acts of worship programme but will permeate the whole curriculum. They are a basis for the social, intellectual, emotional, spiritual and moral development of the child.

Aims

- To raise standards by promoting a school ethos which is underpinned by core values (see appendix) that supports the development of the whole child as a reflective learner.
- To encourage pupils to consider these values, thereby developing knowledge, skill and attributes that enable them to develop as reflective learners and grow to be stable, educated and civilised adults.

ELEMENTS OF TEACHING AND LEARNING

To promote effective teaching and learning, staff in the school;

- work together to impart core values
- reflect on the practical implications that these values have for the school community
- provide learning opportunities and teaching, which responds to the unique educational needs of each child
- foster a calm, happy and purposeful working atmosphere within a caring community
- encourage an active partnership between children, parents, governors and teachers
- promote high standards by expecting pupils to work hard and to persevere in all areas of the curriculum.

Pupils are encouraged to reflect on their behaviour in the light of these values. They are helped to understand that if they can think carefully, then their behaviour will be more positive and the quality of their learning will be enhanced. This practice is promoted by the staff encouraging an atmosphere that is calm, purposeful and happy.

At Mill Lane all staff:

- ensure that the school's institutional values are consistent with the values that the pupils are encouraged to develop.

- participate in assemblies that introduce and develop values. Pupils are also encouraged to be involved in exploring their understanding of values in pupil led assemblies.
- directly teach about values and provide opportunities and activities to promote understanding, for personal reflection and moral discourse.

Learning and Teaching Strategies

Strategies may include:

- circle time
- reflection
- silent sitting
- singing
- discussion
- story telling
- drama / role play
- art

Learning and teaching about values takes place in the following steps:

1. Teachers explaining the meaning of the value
2. Pupils reflecting on the value and relating it to their own behaviour
3. Pupils using the value to guide their own actions

This can be achieved by:

- Staff modelling the values through their own behaviour.
- Ensuring that values are taught implicitly through every aspect of the curriculum.
- Providing opportunities to listen to the 'pupil voice'.
- High profile of the work of the 'School Council'.

School Council

- A member of staff facilitates the 'school council'.
- Two children from Classes 2 – 6 are elected at the beginning of the school year to be class representatives on the 'School Council'. (Two reserves are also elected from each class).
- Children from Classes 5 and 6 represent the children from the Foundation Stage and Year 1.
- Regular weekly council meetings are held with feedback to classes and minutes of the meetings distributed to each class and displayed in the front entrance hall.

Core Values

The School has chosen 8 core values to promote throughout the school. These are:

- Resilience
- Collaboration
- Equality
- Community
- Creativity
- Respect
- Open mindedness
- Trust

