



Cawood Church of England Primary VA

Behaviour Policy (2024)

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I have come that they may have life and have it to the full. (John Chapter 10 verse 10.)

PFTW – Perseverance, Friendship. Thankfulness and Wisdom
Stepping forward together.

5 ways to flourish – Living life to the full.
Take notice, Connect, Be active, Give, Keep learning.

Rationale

Children learn best in a well organised and ordered working environment that is supportive and joyful. At Cawood Church of England Primary School we believe that a whole school approach supported by parents and carers and shared by every child, teacher and adult in school will ensure that this positive atmosphere is maintained. Our whole school ethos is based on Christian values (PFTW), and our behaviour policy is particularly focused on the values of forgiveness, love, and respect for each unique individual. The behaviour policy aims to maintain the highest standards of behaviour and help to restore any shortfalls in behaviour that may cause any physical, mental or emotional harm. This is further explained in the Behaviour Booklet

Aims

The two overarching aims of this policy are:-

- **children are respectful to themselves**
- **children are respectful to each other**

Therefore, the following key points are to be followed.

Children are to show respect towards:

1. all children and adults
2. their personal property and that of others
3. the school environment
4. the local community
5. all faiths and beliefs

We aim to:

- create a safe, happy and productive atmosphere in school
- provide a positive code of behaviour, through our 'Five Rainbow Rules'
- encourage the development of self-discipline and good behaviour so that effective learning for all can take place in school.
- provide a system of whole school rewards and sanctions in support of these aims.
- support children who may find it difficult to follow our code of behaviour.

Guidelines

This policy should be read in conjunction with our "Good Behaviour" booklet. This contains guidelines for parents, children, teachers and all who work at Cawood Church of England Primary School.

Exclusions

In rare cases, it may be necessary to temporarily exclude a pupil from lessons or from school. This will only be considered after all possible avenues have been explored or in the case of a particularly serious behaviour problem that has arisen. Careful arrangements will be made to ensure that any child returning to school after a temporary exclusion is helped to behave appropriately.

In extreme circumstances it may be necessary to exclude a child permanently. This decision would not be undertaken lightly and would only be reached after much deliberation.

Cawood Church of England Primary School follows LA guidelines for exclusion.

Details of the rewards and sanctions are outlined in the behaviour booklet which forms part of the policy. (Reviewed January 2023)

Exclusion of pupils

Your child may be excluded from school by the headteacher for a number of reasons, and for anything from a half-day to permanently.

What does exclusion mean?

An exclusion means that a pupil is not allowed to attend school or go on to school premises. This can be for a fixed period of time (fixed term exclusion) or permanently (permanent exclusion). Headteachers may use exclusion as a way of managing the behaviour of pupils and to give a clear message to the pupil involved and the whole school community, that certain kinds of behaviour are unacceptable.

Fixed-term exclusions

These exclusions will be for a fixed number of school days. An individual fixed period exclusion should be for the shortest time necessary, bearing in mind that exclusions of more than a day or two make it more difficult for the pupil to reintegrate back into the school afterwards. They must not exceed 45 school days in an academic year either as a single exclusion or a number of shorter exclusions added together. If a pupil receives 15 (or more) days of fixed-term exclusions in a term, governors will meet to review the exclusion. A school can exclude a pupil for lunchtimes but the school should make efforts to resolve any difficulties before using an exclusion. If your child has free school meals, the school must make other arrangements such as a packed lunch. In exceptional cases, a fixed-term exclusion can be extended or a permanent exclusion issued to follow the fixed-term exclusion. If this happens, the headteacher must write to you again giving the reasons for the change.

Permanent exclusions

This kind of exclusion means that the headteacher believes your child should never return to the school because they have seriously or persistently breached the school's behaviour policy and that allowing them to remain in school would seriously harm their education or welfare or that of others in the school. This type of exclusion must be reviewed at a meeting by a panel of governors. You and your child have the opportunity to have your say at the meeting, can be represented by someone who can speak on your behalf and can be supported by a friend, if you wish. If governors agree with the headteacher's decision to permanently exclude your child, you have a legal right to a further opportunity to challenge this decision via an independent review.

Frequently asked questions

Being excluded from school can be a very upsetting, difficult and worrying time for you and your child. This section includes guidance and frequently asked questions that explain the full process, how to approach the school to talk about the exclusion, how you can challenge the exclusion, what you can do to prevent further exclusions and where you can go for further advice and support.

Why has my child been excluded?

Government guidance says that your child can only be excluded in response to serious or persistent breaches of the school's behaviour policy and where allowing them to remain in school would seriously harm the education and welfare of your child or others in the school. Read more information on the [rules and regulations relating to exclusions](#).

The guidance is clear that it is unlawful to exclude for a non-disciplinary reason. For example, the headteacher cannot exclude because the school cannot meet a pupil's educational, physical or mental health needs. It is important to note that your child can be excluded for behaviour outside school.

Before deciding to exclude your child the headteacher should:

- make sure that a thorough investigation has been carried out, consulting others if necessary
- give your child a chance to say what happened
- think carefully about the evidence available
- ensure that the exclusion is for the shortest time necessary
- take into account the school's Behaviour and Equality Policies and, if appropriate, the Race Relations Act and Disability Discrimination Act
- check whether bullying or racial or sexual harassment (or any other coercion) led to their actions

What must the school do about the exclusion?

The headteacher or his or her nominated representative must let you know immediately – probably via a phone call – about the length of the exclusion and the reason for it. This must be followed up as soon as practicably possible with a letter that includes:

- the reason for the exclusion
- length and time of the exclusion and date for return (if fixed-term)
- how your child can continue their education – schools should arrange for setting and marking work for the pupil to do during the first five days of the exclusion, (it is the parents' responsibility to ensure that work sent home is completed and returned to school)
- details of how your child should continue their education – the headteacher must arrange suitable appropriate full time education from the sixth day of the exclusion if the exclusion is a fixed period exclusion of six or more days
(if the exclusion is permanent, the local authority [where the pupil lives] must arrange suitable appropriate full time education from the sixth day of the exclusion)
- your right to state your case to the governing body's pupil discipline committee and how your child may be involved in this
- contact details of the early help team at the local authority who can advise and support you
- your rights under the Equality Act

What can I do to support my child during an exclusion?

Work will be set by the school for your child to complete at home during the first five days of the exclusion. It is your responsibility to ensure completed work is returned to the school for marking. During the first five days of the exclusion you have a duty to ensure that your child is not present in a public place during school hours unless there is reasonable justification for this. It is good practice for a school to arrange a re-admission meeting following any period of exclusion to assist your child with reintegration back into the school, restore the relationship and promote good behaviour.

If the exclusion was for a fixed-term, you can play a vital role in supporting your child to be successful upon re-admission so ask the headteacher or senior member of staff how you can help. You can support your child and the school in many ways, this may include:

- getting involved in planning and setting targets for your child
- looking at a home/school book or report every evening which tells you how your child is doing
- talking to your child about his/her learning and progress and praising success
- making sure that you support the school's behaviour policy by using similar rules at home and letting your child know that you will not accept poor behaviour
- attending parents' meetings and making contact with your child's tutor/teacher
- letting the school know if you are in any way worried about how your child might behave (for example, something may have happened out of school which has upset them)

- letting the school know what strategies you use at home and what seems to work with your son or daughter - you know your child best after all

What can I do if I disagree with the exclusion?

If you disagree with the exclusion, you should request an appointment with the headteacher to discuss your concerns and ask them to reconsider the exclusion. You can also ask the governors to review the decision. If you wish to do this, you will need to send a letter to the clerk of the discipline committee (addressed to the school) as soon as possible after you get the letter telling you about the exclusion.

Governors must meet to review certain exclusions and must consider any representations about an exclusion made by you. For fixed-term exclusions of between 1 and 5 days, the governors must consider your representations but do not have to meet. For exclusions of between 6 and 15 days (or which cumulatively reach this threshold), governors must hold a meeting if you request one. For fixed-term exclusions of more than (or are cumulatively) 15 days – and for permanent exclusions – governors must hold a **Pupil Discipline Committee** meeting to review the exclusion, whether you request them to do so or not. You and your child will be invited to attend this meeting.

What is a Pupil Discipline Committee meeting and how does it work?

This is a special committee that meets to review exclusions. It consists of at least three governors from the governing body of the school. If the exclusion is between 6 and 15 days in a term, and the parents request a meeting, then the Pupil Discipline Committee must meet within 50 school days.

The Pupil Discipline Committee must always meet to consider exclusions greater than fifteen school days in a term, and all permanent exclusions. The meeting must take place by the 15th school day after the governing body has been notified of the exclusion.

The role of the Pupil Discipline Committee is to review the headteacher's decision to exclude. Exclusions are very serious and the governors will review whether the exclusion has been carried out correctly and takes account of the needs of your child. They should not be viewed as 'rubber-stamping' the headteacher's decision.

The clerk to the committee will write to you confirming the date and time of the meeting. At least 5 school days in advance, the school should send you the paperwork which will be considered at the meeting. The paperwork will include your written representation if you have submitted one. Other paperwork that may be included is:

- witness statements and your child's version of events, if appropriate
- a behaviour diary and academic reports
- information on your child's special educational needs
- if there is an individual education plan this will include your child's difficulties, the school's strategies, support and reviews, and information on other services involved
- a pastoral support programme which may include the involvement of other agencies for pupils who have been, or are at risk of being, permanently excluded
- attendance records
- a local authority statement of case
- any other relevant documentation

The following people will attend the meeting:

- at least three governors, one of whom will act as chair of the committee
- a clerk to take notes and can advise on procedure
- a local authority representative will attend permanent exclusion meetings (except for academies, where they will need to be invited by either the school or the parent)

- the headteacher and/or a senior member of staff
- the parents or carers - think about taking a friend or advocate/adviser to the meeting with you if the support would be helpful
- your child, unless they are very young or there are strong reasons against them attending (it is important that your child is given every opportunity to have their say; they can also request support from an advocate to speak on their behalf)
- witnesses may be called to give evidence but do not normally remain for the full meeting

The meeting will follow a clear agenda which gives everyone an opportunity to have their say. If you attend the meeting you will have an opportunity to put forward your point of view and refer to your written representation if you have done one.

The Governors' Discipline Committee must consider, on a balance of probability:

- whether your child did what they are alleged to have done and what behaviour policies were not followed
- whether the correct procedures were used
- the seriousness of the incident, and the appropriateness of the length of the sanction
- the likelihood of the incident being repeated if your child was allowed to return
- the fairness of the exclusion in relation to any other pupils involved in the same incident
- any relevant previous misbehaviour
- the support provided by the school and for how long it was provided
- any special educational needs and disabilities your child may have
- any mitigating circumstances, for example, being bullied

The Discipline Committee's decision will be either:

- to uphold the exclusion if it agrees with the headteacher's decision
- to reinstate your child (for instance, they can return to school immediately or on an agreed date)

What happens after my child has been excluded?

In cases where there has been a Pupil Discipline Committee meeting, the committee should put their views on the exclusion and the headteacher's exclusion letter on your child's record. If you wish, your views can be added. The Pupil Discipline Committee will write to you telling you their decision.

Fixed-Term Exclusions

It is good practice to hold a reintegration interview with parents and the pupil following the end of any fixed-term exclusion. We have published a [Ladder of Intervention document \(pdf / 839 KB\)](#) that provides structured, step-by-step guidance for schools to support individual pupils who have social and emotional needs manifesting in challenging behaviour that could lead to an exclusion. Schools can [us/sites/default/files/2023-03/75036%20Ladder%20of%20Intervention%20final.pdf](https://www.sussex.gov.uk/sites/default/files/2023-03/75036%20Ladder%20of%20Intervention%20final.pdf) this document to help them put in place support to prevent further exclusions.

There are no rights of appeal for fixed-term exclusions. However, if you consider that your child has a disability and you feel that they have been discriminated against in this exclusion, you may make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Educational Needs and Disability), in the case of disability discrimination, or the County Court (in the case of other forms of discrimination).

Find more [information and contact details](#).

A claim of discrimination made under these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place, for example, the day on which the pupil was excluded.

Permanent Exclusions

If the decision is to reinstate you will need to ensure that you, your child, school staff and the appropriate agencies work together to ensure that your child's return to school is successful. However, if the governors agree with the permanent exclusion you will have 15 school days to decide whether you wish to request a review to an independent review panel. If you decide to request a review you must write to the named contact (probably the clerk to the Pupil Discipline Committee) and include your reasons for requesting the review. A clerk from the Independent Review Panel will then contact you to advise you further.

Whether or not a school recognises that a pupil has special educational needs, all parents or pupils if aged 18 or over have the right to request the presence of a special educational needs expert at an independent review panel. The special educational needs expert's role is to provide impartial advice to the panel about how special educational needs could be relevant to the exclusion. For example, whether the school acted reasonably in relation to its legal duties when excluding the pupil.

If you consider that your child has a disability and you feel that they have been discriminated against, you can contact [SENDIASS \(Special Educational Needs Information Advice and Support Service\)](#) or the [Equality Advisory Support Service](#) which offers advice and support on discrimination and human rights issues.

Independent Reviews

You have 15 school days to write to the local authority or, in the case of an academy, their named person, to request a review. You must put in writing your reasons for requesting the review. You will not be allowed the review if you miss the deadline. The hearing must be held no later than 15 school days after your letter is received. The role of the panel is to review the governing body's decision not to reinstate your child. In reviewing the decision, the panel must consider the interests and circumstances of your child and the circumstances in which they were excluded, and consider the interests of other pupils and people working at the school. You may still request a review, even if you do not wish your child to return to the school.

For local authority schools the review panel is set up by our Democratic Services department. Academies may access the council services or an independent body for their review panels. The three panel members must be independent but will comprise one lay member who will act as chair, one serving or recently retired governor of a maintained school and one serving headteacher or a headteacher retired in the last 5 years. They must not have had any connection with anyone which might reasonably be taken to raise doubts about their ability to act impartially. An independent review panel does not have the power to direct a governing body to reinstate an excluded pupil. However, it can either uphold the exclusion decision (and your child will remain permanently excluded), recommend that a governing body reconsiders its decision, or it can quash the decision of the governing body if it considers that the decision was flawed. If directed to reconsider or quash the decision, the Pupil Discipline Committee must reconvene within 10 school days.

What happens if my child remains permanently excluded?

Your child will have been receiving full time education from the 6th day of the exclusion, via their home local authority pupil referral service or other provision. During this time, the pupil referral service or provision will assess your child's learning needs and their social and emotional wellbeing to ascertain what is required to support them. Some children may be ready to return immediately, while others will benefit from some time and support to address their needs in a more focused way.

When a child is considered ready to return to a school, they will be discussed at an in-year fair access panel. This is a panel made up of the local schools and local authority representatives who meet at regular

intervals to consider children that for one reason or another do not have a place at a local school. After considering your preference and the needs of your child, a place in a school will be allocated by the panel.

Where can I find further advice and support?

Parents can access a range of advice and guidance to support them through the exclusions process.

The Local Authority Inclusive Education Team can advise you on any queries relating to the exclusion itself. [Contact us](#).

You may also wish to [contact your local Children and Families Early Help Team](#) who can provide support, guidance and advice.

Read [statutory guidance on exclusions](#).

Independent and impartial advice can also be accessed from:

- [Ladder of Intervention \(pdf / 839 KB\)](#)
- [Coram Children's Legal Centre](#)
- [ACE Education](#)
- [SENDIASS, Special Educational Needs Information Advice and Support Service](#)
- [Council for Disabled Children](#)
- National Autistic Society (NAS): schoolexclusions@nas.org.uk
- [Independent Parental Special Education Advice](#)

5.2.24 Additional advice on exclusions.

Evidence is undisputable that consistency of education is vital for success. At North Yorkshire Virtual School, we work very hard to avoid moving Looked After Children whenever possible and we try to work with schools to avoid permanent exclusions.

The stability within a home placement and school placement is vital for secure attachments and yet we know that past issues which have impacted on a child's upbringing, result in Trauma and Attachment difficulties, causing a detrimental effect on their behaviour, social and emotional development.

If you have concerns about the behaviour of a child who is Child in Care, the Personal Educational Plan (PEP) meetings are the best place to discuss any issues. It is not necessary to wait until the next scheduled meeting, any person- carer, school representative or pupil can request that an additional meeting is held.

Exclusion from school should be a last resort for any children, so it is vital that Foster Carers and the whole team around the child, work with the school as soon as a child's behaviour becomes a cause for concern.

If you are worried about a Young Person who is at risk of permanent or a fixed term exclusion, please contact the Virtual School Head straight away. Email Julie.Bunn@northyorks.gov.uk. This is to enable the Virtual School Head, working with others, to:

- Consider what additional assessment and support (such as additional help for the classroom teacher, one-to-one therapeutic work or a suitable alternative placement) needs to be put in place to address the causes of the child's behaviour and prevent the need for exclusion;
- Make any additional arrangements to support the child's on-going education in the event of an exclusion.

The school should tell Foster Carers and the child's Social Worker the reasons for the exclusion. The Social Worker should inform the parents, if appropriate. After talking to the child and their parents the Social Worker must then look at whether to appeal against the decision to exclude the child. The child's Social Worker must also inform the child's Independent Reviewing Officer.

If a child is excluded from school for a fixed period, the school will provide work for the first five days of the exclusion. The child's Social Worker, or your Supervising Social Worker, must talk to you about suitable arrangements for making sure the child does schoolwork during the day and ensuring that the child does not go out during school hours, except as part of a planned arrangement. From the sixth day the school should provide a place for the child to be educated.

If the child is in primary school and receives a fixed term exclusion or is in secondary school and is excluded for more than five days, the Social Worker should make sure a meeting is held within the five days to discuss the child's return and how best this can be supported.

When a child is permanently excluded but remains in the same foster home, the Social Worker should speak to the Local Education Authority to find another school placement. In the case of permanent exclusion, a meeting of the school governors will be held within fifteen days to review the decision. If the meeting decides to uphold the decision to permanently exclude, an appeal can be made within fifteen school days.

Contact the Schools Exclusion team on: 0113 350 7024