



ENGLISH MARTYRS CATHOLIC SCHOOL
Diocese of Westminster

BEHAVIOUR POLICY 2023

Mission Statement: 'We are special people on a journey, growing and learning together, in search of excellence, as we follow in the footsteps of Jesus.'

Community Prayer: "Let us pray for one another, no matter what our culture, nationality, disability or gender, let us all be one in His name."

Aims: Love, Respect, Honesty.

Our Mission Statement, Community Prayer and Values inform our Behaviour Policy. We aim to provide our children with the best possible learning experience so that they develop into responsible and thoughtful citizens.

All children, parents, carers, staff, governors and members of the wider school community work together to 'be the best that we can be' by:

- Celebrating and living out our Gospel values
- Embracing challenging and exciting experiences
- Encouraging and supporting each other
- Respecting and caring for each other and our world
- Fostering an appreciation of beauty for the world around us
- Developing independence
- Being confident lifelong learners together
- Working hard and having fun

This policy is for pupils in Key Stages 1 and 2. Pupils in the EYFS (Early Years Foundation Stage) need different strategies and a policy that considers their age, maturity and life experience. However, our values underpin our EYFS practice and our experienced staff work in partnership with parents to give every child the best possible start in life. In the EYFS, the Holy Family and the personal, social and emotional curriculum are the context in which our younger children develop positive behaviour, appropriate for their age and understanding.

Introduction

The school has high expectations regarding behaviour. We aim to be clear and concise, yet flexible to take into consideration the needs of different age groups and any pupils with specific SEND needs. We believe that the best way to teach and encourage positive behaviour is through exemplary role modelling, encouragement, praise and reward.

We encourage children to develop behaviour and relationships based on Gospel and British values in the hope that they develop moral values based on the life and teaching of Christ and have the desire and the will to love, forgive and serve others.

When dealing with behaviour incidents staff are expected to follow this Behaviour Policy consistently. This means they will deal fairly with all participants listen carefully to differing opinions and explain the impact of their attitudes and behaviour on others. Pupils are encouraged to extend and receive forgiveness.

Agreed and Consistently Applied Rules

The expectations of the school are clearly set out as part of our Home School Agreement signed by pupils and parents at the beginning of each school year. During the first week of each term staff set aside time to familiarise children with classroom procedures and school expectations.

The Golden Rules

The school rules are clear:

- We are gentle
- We are kind and helpful
- We listen
- We are honest
- We work hard
- We look after property

The Golden Rules form the basis of our behaviour management. They are displayed around the school to encourage consistent use. Each week teachers will teach Relationship and Health Education through 'Life to the Full', including issues with regard to the Golden Rules.

Good Practice

- Class teachers have the day-to-day responsibility for their classroom organisation and behaviour management. Staff establish routines for developing positive behaviour in their classroom and are consistent when issuing praise, rewards, reprimands and sanctions.
- Roles and responsibilities are allocated to encourage and promote positive relationships and respect for the school environment. These include School Councillors, Eco Warriors, Playground Leaders and in Year 5, Prayer Leaders.
- Positive behaviour management strategies are used (we avoid using 'don't' eg '*Good walking - thank you*', rather than '*Don't run!*').
- Public and private praise are an integral part of effective behaviour management. • All staff show care, respect and good manners at all times towards pupils, parents, carers and colleagues. • All staff praise and reward pupils' positive behaviour.
- A Learning Mentor is available in the afternoon to help resolve issues and work with individual pupils. Our Learning Mentor is an advocate for the children, giving them opportunity to share their feelings and deal with emotions.

Rewards

- Staff provide plenty of verbal praise and encouragement in the classroom, around the school e.g. '*Thank-you for working so hard/quietly/well.*' '*Thank you for holding the door open for me.*' '*Well done, I like the way you sat quietly.*'
- Positive written comments and stickers/stamps are used in children's books.
- '*Growth Notes*' are given to identify and praise a child's growth mindset
- The Headteacher/Assistant Headteachers welcome the opportunity to praise individuals for good behaviour or work. The *Pupil of the Week* from each class receives a certificate in assembly, a photo on the website and their name in the *Pupil of the Week* Book

When Behaviour is Not Acceptable

When dealing with unacceptable behaviour, we are always conscious to maintain a child's self-esteem; we show that it is the behaviour that is unacceptable, not the child. We do this by making explicit reference to what the child has done, rather than commenting on his or her character.

When dealing with unacceptable behaviour, staff will aim to re-focus and re-engage the child with as little disruption to learning as possible. In order to try and manage a child's behaviour; the adult should must follow these steps:

- Ignore/distract
- Scan workspace regularly
- Circulate around the workspace / play areas
- Make eye contact
- Target questions to encourage participation
- Change activity or pace
- Move closer to source of unacceptable behaviour
- Move child closer
- Use positive language – '*I know that you will do this sensibly*' rather than '*Don't do this...*'
- Use expected compliance
- Remove to a quiet place
- Deliver planned intervention

If there is no positive improvement in unacceptable behaviour after the above strategies have been

implemented then sanctions will be applied.

Sanctions

- Sanctions must relate to the Behaviour Policy and the Golden Rules and be clear, simple and immediate.
- The sanctions appropriately reflect the age and SEN of the children involved.
- All staff are consistent in the application and enforcement of the sanctions.
- Clear examples of what constitutes unacceptable behaviour at each level of the sanction system are on the Behaviour Grid (attached as Appendix 1)

Stages

There are three stages in our behaviour management process. We use a colour system to chart behaviour - so there is a visible way of showing progression from Stage 1 through to Stage 2 (yellow) and Stage 3 (red). All children begin their week on Green. Children can progress to Silver and then Gold for good behaviour. However, unacceptable behaviour will cause the child to regress to Yellow and then, if necessary, Red.

Prior to implementing the stages, staff will have reminded, distracted, ignored, etc. We encourage children to aspire to "It's Good to be Green" – but even better to be Gold", and we celebrate the children who achieve Gold. Class teachers are free to determine the aesthetics of these stages. For example, in one class the children may need to move their 'balloon' to the yellow stage, in another class it may be a 'car')

Stage 1 is a direct and clear verbal warning including reasoning and explanation (the pupil remains on green).

Stage 2 is a direct indication to the child that they have behaved in an inappropriate way – It is a yellow stage to replace green.

- Children may be given a five minute 'missing play' yellow card.
- A repeat offence in the same session may result in 10 minutes 'missing play' red card. The children take the card to the teacher on duty and stand by the fence for the amount of time to be missed.
- If children have missed work they may have to miss lunchtime play to catch up.
- Children do however have the opportunity to move back to green by improving their behaviour over the course of the day.
- Children who remain on yellow stage at the end of the day do not collect their 5 minutes of Golden Time for that day and the behaviour for the yellow stage warning is recorded in the Class Behaviour Book.
- Five yellow stages in the same week results in a lunchtime detention of up to 25 minutes. There will be a letter or phone call to parents/carers, informing them of their child's behaviour.

Stage 3 results from either moving onto red stage from yellow stage in one day or for red stage behaviour (see appendix 1).

- The Deputy Headteacher, Assistant Headteacher or Headteacher must be informed and the child will be sent to them to explain behaviour when necessary. The behaviour must be recorded on CPOMS (the school's Child Protection Online Monitoring System).
- Lunchtime detentions are used as a result of a red stage. The child will be asked to fill out a 'think it through' sheet linked to the Golden Rules which must be checked and signed by the teacher. Parents/carers will be verbally informed by the class teacher at the end of the day.
- A further red stage warning/detention in the week results in a meeting between parents/carers, child (when appropriate), class teacher and Assistant/Headteacher to discuss the child's behaviour.

Any child moving through the Behaviour Stages frequently must be referred to the SENCO in order that a Behaviour Support Plan with behaviour targets and management strategies is put in place and shared with parents/carers. We believe it is important to keep parents/carers informed if children are regularly behaving inappropriately at school, in order to maintain an effective partnership. Depending on the type of behaviour being displayed the Class Teacher, Learning Mentor, Assistant Headteachers or Headteacher will contact parents/carers. It may be appropriate for a meeting to be held to discuss any support needed and to develop solutions.

Behaviour During Breaktimes

- Stage 1 (minor issue) – child to stand by the fence (KS1 3 mins, KS2 5 mins) for a timeout
- Stage 2 – child to stand by the fence for a longer amount of time. (KS1 5 minutes, KS2 10 minutes).
- Stage 3 - child to be taken to the class teacher, Mrs Pannell, Mrs Moore or Miss Nugent if the offence is red behaviour. They will be given a lunchtime detention of 25 minutes. This is recorded in CPOMS.

Exceptional Circumstances

Children can 'skip' stages and be moved straight to Stage 3 red because their behaviour meets the following criteria:

- Physical or verbal aggression towards adults or peers including racist, sexist, homophobic or xenophobic
- Behaviour of a sexual nature
- Graffiti, vandalism or serious defacing of property
- Bullying (including online)
- Possession of, or participation in the intake of, vapes, tobacco, alcohol or drugs.
- Possession of dangerous weapons

Behaviour beyond Red or repeated red behaviour will have a Behaviour Plan as advised by BASS (Behavioural and Attendance Support Services), and pastoral support plans from the Learning Mentor. Lunchtime exclusions and temporary internal exclusions are other tools available to support children who exhibit behaviour beyond Red.

If all reasonable measures have been taken and have had no positive impact on behaviour then a fixed term suspension will be considered with a permanent exclusion being the last resort. The school adopts the London Borough of Tower Hamlets / DfE guidance on the Exclusion of Pupils (Appendix 2)

Anti-Bullying

Bullying is not acceptable and we must remember it is often very difficult for those being bullied to defend themselves. We use the NSPCC 'STOP' to define bullying as: Several Times On Purpose/Start Telling Other People

As a school we teach our learners to respect one another and to develop positive relationships with one another. Through circle time, RSHE, worship and peer mediation we teach learners to understand friendships and how to react with those people we do not get along with. We also have an annual Anti Bullying Week in order to explore the issues surrounding bullying.

There are four main types of bullying:

- **Physical** - hitting, kicking, taking belongings.
- **Verbal** - name calling, insulting remarks, racist, sexist, homophobic or xenophobic remarks.
- **Cyberbullying** – Using social media or mobile phones to communicate negative comments or remarks and photographs inside or outside school.
- **Social** – non-verbal, excluding, gossiping.

Our school endeavours to provide an environment where bullying does not occur and if it does, it will be dealt with quickly and appropriately:

- Any incident of bullying will be investigated thoroughly, taken seriously and acted on quickly.
- The victim will be given support and advice and their parents/carers contacted.
- Children exhibiting bullying behaviour will be dealt with by the Headteacher. Parents/carers of the children displaying bullying behaviour will be informed and a meeting arranged.
- Children exhibiting bullying behaviour will have time to discuss their behaviour and will be encouraged to see the victim's point of view.
- The names of children displaying bullying behaviour will be recorded by the Headteacher or a member of the senior leadership team in CPOMS.

Harmful Sexual Behaviours, Sexual Harassment and Online Sexual Abuse

Sexual harassment and online sexual abuse is not tolerated. The use of sexualised language is unacceptable behaviour. Careful consideration has been to the teaching and delivery of the new RSE curriculum to allow age appropriate discussion of topics such as consent and sharing of images on-line.

Incidents relating to behaviour of a sexual nature must be recorded on a separate form in consultation with child's / children's parents or guardians and referred directly to the Headteacher and / or member of staff responsible for Safeguarding. The school will follow the 'Nass Education' guidelines for 'Identifying and Managing Sexually Harmful and Problematic Behaviour'.

Equal Opportunities

English Martyrs Primary School strives to ensure that the culture and ethos of the school are such that, whatever the heritage and origins, abilities and needs of members of the school community, everyone is equally

valued and treats one another with respect. All pupils have the right to be given opportunities and access to the full curriculum regardless of ethnicity, gender, social circumstances, ability, disability, age, nationality or citizenship. Pupils should be provided with the opportunity to experience, understand and celebrate diversity.

Inclusion

The school provides effective learning opportunities for all pupils. When planning, teachers set high expectations and provide opportunities for all pupils to achieve. All teachers are aware that pupils bring to school different experiences, interests and strengths, which will influence the way they learn. Teachers plan their approach to teaching and learning so that all pupils can take part in lessons fully and effectively. Specific action is taken to enable the effective participation of pupils with disabilities.

Positive Handling

The Education and Inspection Act 2006 explicitly grants our teaching and non-teaching staff the right to use "reasonable force" to de-escalate violent situations or remove disruptive pupils from the classroom or playground. Copies of 'Use of Reasonable Force' advice for Headteachers, staff and governing bodies has been shared with all in January 2023. Miss Nugent holds the certificate from Team Teach for safety intervention.

The Role of the Headteacher

It is the responsibility of the Headteacher to implement the school Behaviour Policy consistently throughout the school, and to report to governors, when requested, on the effectiveness of the policy. It is also the responsibility of the Head Teacher to ensure the health, safety and welfare of all children in the school. The Head Teacher ensures that all staff are informed of the Behaviour Policy and supports the staff by implementing the policy, by setting the standards of behaviour and by supporting staff in their implementation of the policy.

The Role of Parents

We expect parents to support their child's learning and positive behaviour and to cooperate with the school, as set out in the Home School Agreement.

If parents have any concerns about the way their child has been treated, they should initially contact the class teacher. If the concern remains, they should contact the Head Teacher and, finally, the school governors. If these discussions cannot resolve the problem, a formal grievance or appeal process can be implemented. Violent or threatening behaviour by parents towards staff will not be tolerated. If a parent engages in such behaviour, the school may ban them from school premises and call the Police.

The Role of Governors

The governing body has the responsibility of setting down these general guidelines on standards of discipline and behaviour, and of reviewing their effectiveness. The governors support the Headteacher in adhering to these guidelines.

The Headteacher has the day-to-day authority to implement the school's policy on behaviour and discipline, but governors may give advice to the Headteacher about particular disciplinary issues. The Headteacher must take this into account when making decisions about matters of behaviour.

The nominated Safeguarding governor Mrs Amy Winkelgrund will make a termly check on the school's records of behaviour and discipline and procedures followed and will make a report to the governing body.

It is the responsibility of the governing body to monitor the rate and nature of exclusions and to ensure that the school policy is administered fairly and consistently.

Fixed-Term (suspensions) and Permanent Exclusions

We do not wish to exclude any child from school, but on occasion this may be necessary. The school has therefore adopted an exclusion policy based on statutory guidelines from the Department of Education (See appendix 2). The Exclusions Policy may be used as a final sanction or a response to a serious breach of the expected behaviour as outlined in this Policy.

Monitoring and Review

The Headteacher monitors the effectiveness of this policy on a regular basis. She also reports to the governing body on the effectiveness of the policy and if necessary, makes recommendations for further improvements.

The governing body will review this policy annually.

APPENDIX 1

Green Behaviour	Yellow Behaviour	Red Behaviour
<p>Following the Golden Rules</p> <p>Showing good manners Listening to others Sharing Helping others Looking after others Being a good friend Respecting others Being honest Helpful talk Helpful actions Taking turns</p>	<p>Not following all of the Golden Rules</p> <p>Not following instructions given by an adult. Stopping people around me from being able to complete their learning. Using unkind words to others (name calling, saying unkind things) Not showing good listening Disrupting/distracting others Not sharing or taking turns Being off task, moving around room, disturbing others Calling out Answering back</p>	<p>Not following the Golden Rules</p> <p>Lying Answering back repeatedly Ignoring instructions repeatedly/ deliberately Deliberately damaging school equipment or displays Taking things that do not belong to you Deliberately damaging own or others work Persistently using unkind words to individuals Swearing Any inappropriate physical contact with others Using threatening language Any form of bullying</p>
<p>Being the Best I Can Be</p> <p>Trying my best Concentrating Focusing Looking after property Living out our Gospel values Helping people Persevering Doing what I am asked to do Showing self-control Showing a positive attitude to my learning</p>	<p>Not Being the Best I Can Be</p> <p>Being unkind to others Using unhelpful talk (talking when reminded not to – during learning, worship, when an adult is talking) Making silly noises Not remaining on task Wasting time Doing very little work Drawing on my books Bringing things to school that I shouldn't</p>	<p>Deliberately not Being My Best</p> <p>Speaking in a verbally aggressive way Being deliberately unkind Being physically aggressive Preventing others from learning Disrupting the classroom Not following our Gospel values</p>
<p>Being Safe</p> <p>Listening to instructions Using outside space safely Moving around school carefully Walking in and around school quietly Using equipment safely and correctly Not opening any main doors Not using the playground equipment until an adult tells me I can Follow fire rules when the siren sounds Using the toilet correctly Using social media/internet responsibly Safe behaviour on school trips.</p>	<p>Not Being Safe</p> <p>Using lesson equipment inappropriately Swinging/ tipping back on my chair Unsafe play (throwing/swinging objects) Running in school and along corridors Behaving inappropriately in the toilets/cloakroom Playing in areas that are not allowed Pulling leaves/branches and picking flowers/berries Reacting slowly or in a silly manner to the fire siren Using playground equipment without adult permission Leaving a supervised area without permission Behaving inappropriately on school trips.</p>	<p>Being Unsafe</p> <p>Ignoring adult instruction Walking off Pushing or throwing equipment or furniture Hurting others Damaging property (for example in the cloakroom/toilets) Not responding to the fire siren Not using social media/internet responsibly Dangerous behaviour on school trips.</p>

APPENDIX 2



ENGLISH MARTYRS CATHOLIC SCHOOL

Diocese of Westminster

EXCLUSION POLICY 2022

Mission Statement 'We are special people on a journey, growing and learning together, in search of excellence, as we follow in the footsteps of Jesus.'

Community Prayer "Let us pray for one another, no matter what our culture, nationality, disability or gender, let us all be one in His name."

Aims: Love, Respect, Honesty.

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1. Aims

Our school aims to ensure that:

- The exclusions process is applied fairly and consistently
- The exclusions process is understood by governors, staff, parents and pupils
- Pupils in school are safe and happy
- Pupils do not become NEET (not in education, employment or training)

2. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education: Exclusion from maintained schools, academies and pupil referral units (PRUs) in England.

It is based on the following legislation, which outline schools' powers to exclude pupils: • Section 52 of the Education Act 2002, as amended by the Education Act 2011

- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 In addition, the policy is based on:
- Part 7, chapter 2 of the Education and Inspections Act 2006, which looks at parental responsibility for excluded pupils
- Section 579 of the Education Act 1996, which defines 'school day'
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended by The Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014

3. The decision to exclude
Only the headteacher, or acting headteacher, can exclude a pupil from school. A permanent exclusion will be taken as a last resort.
Our school is aware that off-rolling is unlawful. Ofsted defines off-rolling as:
“...the practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil.”
We are committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.
A decision to exclude a pupil will be taken only:
In response to serious or persistent breaches of the school’s behaviour policy, **and** • If allowing the pupil to remain in school would seriously harm the education or welfare of others Before deciding whether to exclude a pupil, either permanently or for a fixed period, the headteacher will: • Consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked
Allow the pupil to give their version of events
Consider if the pupil has special educational needs (SEN)
4. Definition
For the purposes of exclusions, school day is defined as any day on which there is a school session. Therefore, INSET or staff training days do not count as a school day.
5. Roles and responsibilities
5.1 The headteacher
Informing parents
The headteacher will immediately provide the following information, in writing, to the parents of an excluded pupil:
- The reason(s) for the exclusion
 - The length of a fixed-term exclusion or, for a permanent exclusion, the fact that it is permanent • Information about parents’ right to make representations about the exclusion to the governing board and how the pupil may be involved in this
 - How any representations should be made
 - Where there is a legal requirement for the governing board to meet to consider the reinstatement of a pupil, and that parents have a right to attend a meeting, be represented at a meeting (at their own expense) and to bring a friend
- The headteacher will also notify parents by the end of the afternoon session on the day their child is excluded that for the first 5 school days of an exclusion, or until the start date of any alternative provision where this is earlier, parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this.
If alternative provision is being arranged, the following information will be included when notifying parents of an exclusion:
- The start date for any provision of full-time education that has been arranged
 - The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant
 - The address at which the provision will take place
 - Any information required by the pupil to identify the person they should report to on the first day
Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session, it may be provided in a subsequent notice, but it will be provided no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of an exclusion, in which case the information can be provided with less than 48 hours’ notice with parents’ consent.

Informing the governing board and local authority

The headteacher will immediately notify the governing board and the local authority (LA) of:

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- A permanent exclusion, including when a fixed-period exclusion is followed by a decision to permanently exclude a pupil
- Exclusions which would result in the pupil being excluded for more than 5 school days (or more

than 10 lunchtimes) in a term

- Exclusions which would result in the pupil missing a public examination

For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the headteacher will also immediately inform the pupil's 'home authority' of the exclusion and the reason(s) for it without delay. For all other exclusions, the headteacher will notify the governing board and LA once a term.

5.2 The governing board

Responsibilities regarding exclusions are delegated to the Exclusions Committee consisting of at least 3 governors.

The Exclusions Committee has a duty to consider the reinstatement of an excluded pupil (see section 6). Within 14 days of receipt of a request, the governing board will provide the secretary of state and the LA or pupil referral unit (PRU) with information about any exclusions in the last 12 months. For a fixed-period exclusion of more than 5 school days, the governing board will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the exclusion.

5.3 The LA

For permanent exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth day of the exclusion.

6. Considering the reinstatement of a pupil

The Exclusions Committee will consider the reinstatement of an excluded pupil within 15 school days of receiving the notice of the exclusion if:

- The exclusion is permanent
- It is a fixed-term exclusion which would bring the pupil's total number of school days of exclusion to more than 15 in a term
- It would result in a pupil missing a public examination or national curriculum test If requested to do so by parents, Exclusions Committee will consider the reinstatement of an excluded pupil within 50 school days of receiving notice of the exclusion if the pupil would be excluded from school for more than 5 school days, but less than 15, in a single term.
- Where an exclusion would result in a pupil missing a public examination, the Exclusions Committee will consider the reinstatement of the pupil before the date of the examination. If this is not practicable, the chair of the governing board (or the vice-chair where the chair is unable to make this consideration) will consider the exclusion independently and decide whether or not to reinstate the pupil.
- The Exclusions Committee can either:
- Decline to reinstate the pupil, or
- Direct the reinstatement of the pupil immediately, or on a particular date
- In reaching a decision, the Exclusions Committee will consider whether the exclusion was lawful, reasonable and procedurally fair and whether the headteacher followed their legal duties. They will decide whether or not a fact is true 'on the balance of probabilities', which differs from the criminal standard of 'beyond reasonable doubt', as well as any evidence that was presented in relation to the decision to exclude.
- Minutes will be taken of the meeting, and a record of evidence considered kept. The outcome will also be recorded on the pupil's educational record.
- The Exclusions Committee will notify, in writing, the headteacher, parents and the LA of its decision, along with reasons for its decision, without delay.
- Where an exclusion is permanent, the Exclusions Committee's decision will also include the following:
 - The fact that it is permanent
 - Notice of parents' right to ask for the decision to be reviewed by an independent review panel, and:
 - The date by which an application for an independent review must be made
 - The name and address to whom an application for a review should be submitted
 - That any application should set out the grounds on which it is being made and that, where appropriate, reference to how the pupil's SEN are considered to be relevant to the exclusion
 - That, regardless of whether the excluded pupil has recognised SEN, parents have a right to require the LA to appoint an SEN expert to attend the review
 - Details of the role of the SEN expert and that there would be no cost to parents for this appointment
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 - That parents must make clear if they wish for an SEN expert to be appointed in any application for a

review

- That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review
- That if parents believe that the exclusion has occurred as a result of discrimination, they 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. A claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

7. An independent review

If parents apply for an independent review, the LA will arrange for an independent panel to review the decision of the governing board not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents by the Exclusions Committee of its decision to not reinstate a pupil.

A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school governors category and 2 members will come from the headteacher category.

- A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer
- School governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or headteacher during this time
- Headteachers or individuals who have been a headteacher within the last 5 years A person may not serve as a member of a review panel if they:
 - Are a member of the LA, or governing board of this school
 - Are the headteacher of this school, or have held this position in the last 5 years
 - Are an employee of the LA, or the governing board, of this school (unless they are employed as a headteacher at another school)
- Have, or at any time have had, any connection with the LA, school, governing board, parents or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
- Have not had the required training within the last 2 years (see appendix 1 for what training must cover) A clerk will be appointed to the panel.

The independent panel will decide one of the following:

- Uphold the governing board's decision
- Recommend that the governing board reconsiders reinstatement
- Quash the governing board's decision and direct that they reconsider reinstatement (only when the decision is judged to be flawed)

The panel's decision can be decided by a majority vote. In the case of a tied decision, the chair has the casting vote.

8. School registers

A pupil's name will be removed from the school admissions register if:

- 15 school days have passed since the parents were notified of the exclusion panel's decision to not reinstate the pupil and no application has been made for an independent review panel, or
 - The parents have stated in writing that they will not be applying for an independent review panel
- Where an application for an independent review has been made, the governing board will wait until that review has concluded before removing a pupil's name from the register.

Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

Where excluded pupils are not attending alternative provision, code E (absent) will be used.

9. Returning from a fixed-term exclusion

Following a fixed-term exclusion, a re-integration meeting will be held involving the pupil, parents, a member of senior staff and other staff, where appropriate.

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The following measures may be implemented when a pupil returns from a fixed-term exclusion at the discretion of the Headteacher:

- Agreeing a behaviour contract
- Internal isolation

10. Monitoring arrangements

The Headteacher monitors the number of exclusions every term and reports back to the governors. She will also liaise with the local authority to ensure suitable full-time education for excluded pupils. This policy will be reviewed by the Headteacher every two years. At every review, the policy will be approved by the Standards Committee of the governing board.

Appendix 1: Independent review panel training

- The LA must ensure that all members of an independent review panel and clerks have received training within the 2 years prior to the date of the review.
- Training must have covered:
- The requirements of the primary legislation, regulations and statutory guidance governing exclusions, which would include an understanding of how the principles applicable in an application for judicial review relate to the panel's decision making
- The need for the panel to observe procedural fairness and the rules of natural justice • The role of the chair and the clerk of a review panel
- The duties of headteachers, governing boards and the panel under the Equality Act 2010 • The effect of section 6 of the Human Rights Act 1998 (acts of public authorities unlawful if not compatible with certain human rights) and the need to act in a manner compatible with human rights protected by that Act