

# Statutory behaviour policy and statement of behaviour principles

Mowbray School

September 2021

Mowbray School follows all the legal aspects detailed below, however it is our *Behaviour Regulation Policy* which informs our practice, this is a separate complementary policy.

Our Behaviour regulation policy promotes a move away from traditional behaviour management approaches, which place a huge emphasis on rewards and punishments linked to behaviour, towards a more humanist, relational and universal approach, which is inclusive for all, and can benefit the whole school community. Mowbray School incorporates Attachment Aware principles and ensures that the Behaviour Regulation Policy translates into whole school practice. It acknowledges the responsibility held by the Executive Headteacher for looking after the well-being of all members of the school community.

<b>Approved by:</b>	Mr R Dunning	<b>Date:</b>
<b>Last reviewed on:</b>	21 <sup>st</sup> September 2021	
<b>Next review due by:</b>	15th September 2022	

## Contents

1. Aims .....	2
2. Legislation and statutory requirements.....	3
3. Definitions.....	3
4. Bullying.....	4
5. Roles and responsibilities .....	55
6. Pupil code of conduct .....	5
7. Sexual harrassment, sexual violence and malicious allegations.....	5
8. Behaviour management .....	6
9. Pupil transition.....	7
10. Training .....	7
11. Monitoring arrangements.....	7
12. Links with other policies .....	7
Appendix 1: written statement of behaviour principles.....	8

## 1. Aims

Our Behaviour principles are based on the following:

- Being ‘fair’ is not about everyone getting the same (equality) but about everyone getting what they need (equity).
- Behaviour is a form of communication. The change in terminology in the 2014 Code of Practice of Special Educational Needs (SEN) -which replaces the Behaviour and Social Difficulties (BESD) with Social, Emotional, and Mental Health (SEMH) difficulties –helps to promote a shift towards viewing behaviour as a communication of an emotional need (whether conscious or unconscious), and responding accordingly.
- Taking a non-judgmental, curious and empathic attitude towards behaviour, we encourage all adults in schools to respond in a way that focuses on the feelings and emotions that might drive certain behaviour, rather than the behaviour itself.
- CYP with behavioural difficulties need to be regarded as vulnerable rather than troublesome, and we all have a duty to explore this vulnerability and provide appropriate support.

## 2. Legislation and statutory requirements

The school is aware of suggested advice from the Department for Education (DfE) on:

- › [Behaviour and discipline in schools](#)
- › [Searching, screening and confiscation at school](#)
- › [The Equality Act 2010](#)
- › [Keeping Children Safe in Education](#)
- › [Use of reasonable force in schools](#)
- › [Supporting pupils with medical conditions at school](#)

It is also based on the [special educational needs and disability \(SEND\) code of practice](#).

In addition, this policy is based on:

- › Section 175 of the [Education Act 2002](#), which outlines a school's duty to safeguard and promote the welfare of its pupils
- › Sections 88-94 of the [Education and Inspections Act 2006](#), which require schools to regulate pupils' behaviour and publish a behaviour policy and written statement of behaviour principles, and give schools the authority to confiscate pupils' property
- › [DfE guidance](#) explaining that maintained schools must publish their behaviour policy online

## 3. Definitions

By the nature of pupils SEND, there are times when pupils find it difficult to regulate their behaviour and will be different for each pupil. We therefore do not define what **'misbehaviour'** is, however dysregulation by pupils can disrupt learning. The range of behaviours presented when a pupil dysregulates can include;

Physical and verbal aggression, directed at pupils or staff.

Self-injury

Physical assault, this can include sexual assault.

Sexual harassment, meaning unwanted conduct of a sexual nature, such as:

- Sexual comments
- Sexual jokes or taunting
- Physical behaviour like interfering with clothes
- Online sexual harassment such as unwanted sexual comments and messages (including on social media), sharing of nude or semi-nude images and/or videos, or sharing of unwanted explicit content

Compromising their own safety and that of others.

Any form of bullying

Damaging property

Racist, sexist, homophobic or discriminatory behaviour

Possession of any prohibited items. These are:

- Knives or weapons

- Alcohol
- Illegal drugs
- Stolen items
- Tobacco and cigarette papers
- Fireworks
- Pornographic images
- Any article a staff member reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of, any person (including the pupil)

## 4. Bullying

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

Bullying is, therefore:

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

Bullying can be;

TYPE OF BULLYING	DEFINITION
Emotional	Being unfriendly, excluding, tormenting
Physical	Hitting, kicking, pushing, taking another's belongings, any use of violence
Prejudice-based and discriminatory, including: <ul style="list-style-type: none"> <li>• Racial</li> <li>• Faith-based</li> <li>• Gendered (sexist)</li> <li>• Homophobic/biphobic</li> <li>• Transphobic</li> <li>• Disability-based</li> </ul>	Taunts, gestures, graffiti or physical abuse focused on a particular characteristic (e.g. gender, race, sexuality)
Sexual	Explicit sexual remarks, display of sexual material, sexual gestures, unwanted physical attention, comments about sexual reputation or performance, or inappropriate touching
Direct or indirect verbal	Name-calling, sarcasm, spreading rumours, teasing
Cyber-bullying	Bullying that takes place online, such as through social networking sites, messaging apps or gaming sites

Details of our school's approach to preventing and addressing bullying are set out in our anti-bullying strategy

[Anti-bullying strategy](#)

## 5. Roles and responsibilities

### 5.1 The governing board

The Full board of Governors is responsible for reviewing and approving the written statement of behaviour principles (appendix 1).

The Teaching Learning and Student Well-being Committee will also review this behaviour policy in conjunction with the Executive Headteacher and monitor the policy's effectiveness, holding the Executive Headteacher to account for its implementation.

### 5.2 The Executive headteacher

The Executive Headteacher is responsible for reviewing this behaviour policy in conjunction with the Teaching Learning and Student Well-being Committee, giving due consideration to the school's statement of behaviour principles (appendix 1). The Executive Headteacher will also approve this policy.

The Head of School will ensure that the school environment encourages positive behaviour and that staff deal effectively with poor behaviour, and will monitor how staff implement this policy to ensure rewards and sanctions are applied consistently.

### 5.3 Staff

Staff are responsible for:

- › Implementing the behaviour regulation policy and the statutory behaviour policy consistently
- › Modelling positive behaviour
- › Providing a personalised approach for pupils based on the principles of the behaviour regulation policy.
- › Recording behaviour incidents through CPOMS.
- › The senior leadership team will support staff as required.

### 5.4 Parents

Parents are expected to:

- › Support their child.
- › Inform the school of any changes in circumstances that may affect their child.
- › Discuss any behavioural concerns with the class teacher or Head of Department promptly.

## 6. Pupil code of conduct

We expect all our pupils to conduct themselves at all times as best they can.

Our Behaviour Regulation Policy and Statutory Behaviour Policy applies to all Educational Visits.

## 7. Sexual harassment, sexual violence and malicious allegations

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

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

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

The school's response will be:

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

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

- Responding to a report
- Carrying out risk assessments, where appropriate, to help determine whether to:
  - Manage the incident internally
  - Refer to early help
  - Refer to children's social care
  - Report to the police

Please refer to our child protection and safeguarding policy for more information.

## **Malicious allegations**

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

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

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

The school will also consider the pastoral needs of staff and pupils accused of misconduct.

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

## **8. Behaviour management**

The school's approach is that of self-regulation which is detailed in our Behaviour Regulation Policy.

### **Physical restraint**

Staff are annually trained to use reasonable force, by SECURICARE and will use these techniques as a last resort, to restrain pupils to prevent them from hurting themselves or others; causing disorder and damaging property.

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

## **Safeguarding**

The school recognises that changes in behaviour regulation may be an indicator that a pupil is in need of help or protection. We will consider whether a pupil's behaviour regulation may be linked to them suffering, or being likely to suffer, significant harm. Where this may be the case, we will follow our child protection and safeguarding policy.

## **9. Pupil transition**

To ensure a smooth transition to the next year, pupils have transition sessions with their new teacher(s). In addition, staff members hold transition meetings to discuss pupil needs and share relevant information.

## **10. Training**

Our staff are provided with training on Behaviour regulation; attachment awareness; emotion coaching; Compass buzz (over 30 staff trained to deliver this service) pupil wellbeing; ASC; and SECURICARE. In addition to this many staff have specialist expertise and other relevant qualifications.

## **11. Monitoring arrangements**

This behaviour policy will be reviewed by the Executive Headteacher and Teaching, Learning and Student Well-being committee every year. At each review, the policy will be approved by the Executive Headteacher.

The written statement of behaviour principles (appendix 1) will be reviewed and approved by the Full governing board annually.

## **12. Links with other policies**

This behaviour policy is linked to the following policies:

- Behaviour regulation policy
- Exclusions policy
- Child protection and safeguarding policy

## **Appendix 1: written statement of behaviour principles**

Mowbray School is committed to the emotional mental health and well-being of its staff, pupil, and parents/carers. We work towards this in all aspects of school life and provide an ethos, environment and curriculum which supports the social, emotional and mental health of the whole school community.

Key principles of our approach;

- Being 'fair' is not about everyone getting the same (equality) but about everyone getting what they need (equity).
- Behaviour is a form of communication.
- Taking a non-judgmental, curious and empathic attitude towards behaviour. We encourage all adults in schools to respond in a way that focuses on the feelings and emotions that might drive certain behaviour, rather than the behaviour itself.
- Children with behavioural difficulties need to be regarded as vulnerable rather than troublesome, and we all have a duty to explore this vulnerability and provide appropriate support.

This written statement of behaviour principles is reviewed and approved by the Full governing board annually.





