



Marple Hall School

Policy Document

# Behaviour Policy

Staff responsible for policy: Claire Gregory

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Date approved by Governors:

Signed by Chair of Committee:

Signed by Headteacher:

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## Philosophy and Aims

The aim of this school is to give all pupils the skills for living and learning and to involve them in a well-structured, relevant curriculum appropriate to their needs and ability.

Our behaviour policy is rooted in the belief that all members of the school, regardless of age, ethnicity, religion belief ,sexuality gender or disability:

- are of equal value as human beings
- have a valuable contribution to make to the life of the school and the local community

We aim to further an atmosphere of mutual trust and understanding in which meaningful and worthwhile learning can take place. Good behaviour makes effective teaching and learning possible. Inappropriate behaviour disrupts these processes.

We will actively develop partnerships with parents/carers in underpinning the principles in this policy.

## Roles and Responsibilities

The promotion of positive behaviour is the responsibility of everyone involved with the school. There are however specific roles for different members of the school community.

1. **The Governing Body** should oversee the Headteacher's maintenance of discipline in school
2. **The Headteacher** should frame the policy to establish an environment that encourages positive behaviour, discourages bullying and promotes diversity. The views of all stakeholders should be taken into account when formulating and reviewing the behaviour policy, and the Headteacher should publicise the school's policy to pupils, parents, and staff at least once a year. With other members of the school leadership team, the Headteacher should organise support for its implementation.
3. **All school staff** should ensure that the behaviour policy is consistently and fairly applied to all groups and communities, and that pupils are taught how to behave well. They should provide each other with encouragement and support, and model the high standards of behaviour expected by pupils.
4. **The Governing Body, Headteacher and staff** should ensure that all aspects of the school's behaviour policy and its application promote equality for all pupils. This should be backed up by monitoring of rewards and sanctions, to ensure that their distribution does not detract from equal opportunities principles. Policies and practice should address the needs of all communities in line with the statutory duty to promote race equality in the Race Relations (Amendment) Act.
5. **Pupils** should promote the school's code of conduct, and support staff and other

pupils, particularly by reporting incidents of bullying and other misbehaviour.

6. **Parents and Carers** should accept responsibility for their child's behaviour inside and outside of school, work in partnership with the school to maintain high standards of behaviour, and contribute to the policy through consultation

In addition to the responsibilities of the school community the Local Authority is committed to:

- Developing and maintaining a network of support structures that will help schools move towards increased inclusion of pupils with behavioural difficulties
- Supporting schools to raise the educational achievements of all pupils, including young people in public care, traveller children, pupils from minority ethnic backgrounds and pupils who are reintegrating to school
- Facilitating an effective training programme for staff in schools aimed at developing strategies which promote good behaviour management and which support the regular updating and development of skills
- Providing forums for effective dissemination of good practice in managing pupil behaviour
- Working in partnership with other agencies

The Local Authorities Behaviour Support Plan sets out the arrangements and support available for the education of children and young people with social, emotional and behavioural difficulties.

### **Statement of Common Principles**

This statement was developed by the Local Authority in consultation with colleagues from schools, LA Services and the professional associations.

School teachers have a duty to provide high quality teaching and learning which is the key to good behaviour management.

1. Good order and discipline are essential to the provision of high standards of education. Pupils cannot learn and teachers cannot teach in chaos and disruption. Strong and effective management, working in partnership with teachers, is essential to the establishment and maintenance of acceptable standards of behaviour.
2. Parents and carers have an essential role to play in maintaining high standards of behaviour. They have a duty to take responsibility for the behaviour of their child.

Consistency between school and parent expectations of behaviour is essential.

3. Governors/Management Committees have a responsibility to support the school in maintaining the high standards of discipline.
4. Government and the Local Authority must exercise their responsibilities to support schools in maintaining good order and discipline
5. Staff are entitled to work in an environment where violence and disruption are not tolerated.
6. Pupils are entitled to a safe and orderly learning environment to assist them in achieving their full potential
7. All pupils are entitled to inclusion in the education service and to have their educational needs met. For a small minority of pupils, inclusion in mainstream school is inappropriate and access to specialist, alternative provision of the highest quality must be made.
8. Agreed standards of behaviour should be consistently applied across all schools. Violent and aggressive behaviour such as swearing, sexist, racist and homophobic attitudes and remarks and all forms of harassment, including bullying are unacceptable. Such behaviour must not be tolerated.
9. All schools should establish policies containing a range of rewards, sanctions and consequences to secure acceptable standards of behaviour
10. Schools are responsible for ensuring that their behaviour management policies are non-discriminatory in terms of their scope and operation. It is unacceptable for the measures to address either the problems caused by inappropriate pupil behaviour or to reward positive behaviour to be applied differently on the grounds of ethnic or national origin, culture, religion or belief, gender, disability or sexuality. Schools should regularly review behaviour management policies to ensure that the operation is fair and equitable, and should recognise that a degree of flexibility may be necessary in order to meet the needs of individual pupils.
11. Early identification and intervention are essential factors in behaviour management. Schools need to play their part in this and where appropriate, seek additional support and resources to enable them to respond effectively at an early stage.
12. Schools must be able to readily access external advice, support, specialist provision and funding with effective streamlined procedures.
13. Schools have been given the flexibility within the curriculum and must have adequate resources to develop educational programmes to meet the needs of individual pupils
14. There are times when, despite every effort made by the school, it is necessary to implement the exclusion procedure. Headteachers must be empowered to exercise

their professional judgement in the use of exclusion. In the most severe of cases, Headteachers will be supported in excluding the pupil permanently.

15. The Local Authority should maintain and continue to develop a range of provisions, both to assist schools in implementing strategies to try to avoid permanent exclusion, and to support pupils who are permanently excluded

16. Pupils who are permanently excluded are entitled to have their additional needs assessed and met in the appropriate provision

### **Acceptable and unacceptable behaviour**

The school defines acceptable behaviour as that which promotes courtesy, cooperation and consideration from all pupils in terms of their relationships with other pupils within/outside the school, teachers and other school staff, and with visitors or other persons at the school.

The school has identified examples of unacceptable behaviour as that which includes but is not exclusive to:

- Name-calling and verbal abuse
- Threatening language/behaviour and intimidation
- Physical abuse
- Bullying and harassment, including racist, sexist and homophobic abuse and cyber bullying
- Damage
- Defiance
  
- Wearing inappropriate uniform
  
- Drug and alcohol related incidents, including smoking
- Disruptive and anti-social behaviour, and behaviour which threatens the teaching and learning of others
- Behaviour which puts the health and safety of any member of the school at risk or which may bring the school into disrepute including inappropriate use of mobile phones eg for filming

The school regularly communicates the standards of acceptable and unacceptable behaviour to pupils and parents/carers through the published school rules, prospectus, home-school agreement, assemblies, school notice board, newsletters and letters to parents/carers.

The school communicates the standards of acceptable and unacceptable pupil behaviour to staff through The Marple Hall Way Guide, Getting it Right booklet and the training programme.

### **Principles**

Pupils are expected to understand and adhere to the following rules and principles:

1. Display the characteristics of the Marple Hall Spirit – honesty, determination, readiness, respect and spark
2. Treat everyone with courtesy and consideration at all time
3. Wear uniform perfectly and with pride
4. Violent or aggressive behaviour will not be tolerated
5. Bullying in any form will not be tolerated
6. Pupils should not bring alcohol, drugs (including tobacco) weapons, or any other illegal or dangerous items onto the school premises
7. Everyone is to keep the school clean and tidy so that it is a welcoming place we can all be proud of
8. Pupils are to be quiet and listen when requested to do so, and follow instructions given by all members of staff and all adults in school first time, every time
9. Within the school building, pupils are to move about considerately and quietly.
10. As well as being well behaved within school, pupils are to be well behaved in the school grounds, on their way to and from school, when on trips or visits, or any other school business and whilst wearing the school uniform
11. Pupils are to arrive for school on time

## **Consequences of Behaviour**

### **Rewards**

In this school we believe all pupils should be encouraged to do their best and have their success recognised. We will strive to create a climate where the use of praise and encouragement and restorative approaches are commonplace and outweighs recourse to sanctions and punishment.

Staff will be regularly reminded about the importance of recognising positive behaviour with praise and encouraging language and gestures in the classroom and around the school. Pupils' success and achievements both inside and outside of school will also be celebrated. Particular attention will be paid to those pupils who have been associated with poor behaviour or have been less likely to meet standards, so that it is not always the same pupils receiving praise and rewards.

We will reward good work and behaviour with:

- Smiling and other non-verbal signs
- Praise – verbal and written
- Merits
- Contacting parents/carers by telephone or via personalised letters/postcards home
- Displays of good work in classrooms and around school including the Wall of Excellence
- Work shown to Head of Department, Heads of Year and other senior members of staff
- Certificates/Merits & awards/prizes
- Curriculum and social badges
- Special privileges
- Celebration assemblies/presentation evenings
- Rewards events in school time and after school
- Attendance rewards

### **Uniform**

Students will not be permitted to attend mainstream lessons if their uniform is not correct without provision of a medical note. The school has invested in replacement clothing including school shoes and this will be loaned out subject to availability and where possible and the student will be expected to wear these without question. Failure to comply will result in parents being contacted and a meeting being held in school. Students may be sent home to change and return or be placed in Internal Exclusion.

### **Sanctions**

The school has in place a hierarchy of sanctions that can be used in response to inappropriate behaviour. When an incident occurs, the school will establish the facts of the case before applying a sanction. Following serious incidents, the school will undertake a full investigation of events (including collecting statements from pupils involved and any witnesses where appropriate) before agreeing on a sanction based on the balance of probability. In all cases, sanctions will be applied consistently and fairly within a context of positive reinforcement of good behaviour. The school will take account of the individual circumstances of the case, including the seriousness of the incident, the age and previous conduct of the pupils involved and any SEN issues (if appropriate)

The sanctions employed by the school are intended to promote positive behaviour, rather than punish pupils, and it is made clear to pupils that it is the behaviour that is being judged, not the person involved. Staff are regularly briefed about the school's policy and attitude towards applying sanctions, and they encourage pupils to reflect on the effects of poor behaviour on others in the school community, as part of everyday teaching and pastoral guidance in school

The school avoids the use of whole group sanctions that punish the innocent as well as the guilty, and does not use punishments that humiliate or degrade pupils.

Where appropriate, the school may apply the following sanctions in response to inappropriate or challenging behaviour:

- Verbal reprimand
- Change of seat
- Talking 'privately' with the pupil about their behaviour
- Exiting within the department
- Faculty protocols are followed for in class behaviours
- Withdrawal of break time privileges
- Referral to class teacher, form tutor, Head of Year, pastoral manager or a senior member of staff
- Contact with home – for students who are truanting/being persistently defiant, parents will be called and asked to attend school immediately
- Referral to the Internal Exclusion Room
- after school sanction or other detention
- Reparation/restorative justice

Serious or persistent behaviour may require the following sanctions:

- Withholding participation in any school trips, social or sports events that are not an essential part of the curriculum
- Placing a completed incident report in the pupil's school file
- Individual monitoring report



- Parental involvement
- Extended withdrawal from a particular lesson or peer group
- Late shift after school for up to 2 hours
- Working in Internal Exclusion
- Temporary Transfer to another school
- Suspension
- Permanent exclusion

Persistent failure to attend detention will be treated extremely seriously and could result in exclusion

Individual suspensions will 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 into the school. Longer suspensions will only be issued in response to very serious incidents.

Permanent exclusion is the most serious sanction the school can apply in response to breaches of the behaviour policy. It will usually be used only as a last resort when a range of other strategies has been tried without success.

Regard will be given to the guidance from the Local Authority and the DFE on exclusions, and where necessary advice will be sought from the Local Authority before issuing an exclusion.

A senior member of staff must be involved in the application of any of the sanctions for serious misbehaviour and only the Headteacher (or acting Headteacher in the absence of the Headteacher) can decide to exclude a pupil. No student will be readmitted to mainstream lessons or social time after any exclusion (internal or external) before a meeting has taken place with a parent or other appropriate adult.

The use of both rewards and sanctions will be monitored and analysed in relation to race, ethnicity, gender, disability, SEN, Vulnerable and Looked After status, and any patterns revealed will lead to appropriate action to ensure that there is no differential between groups.

### **Early intervention and support**

As well as dealing with inappropriate behaviour when it occurs, this behaviour policy aims to reduce disaffection among pupils. The school recognises that where there are signs of disaffection, early intervention may prevent problems from worsening.

The school will review the support available to individual pupils who may be at risk of disaffection or exclusion. Additional measures could include:

- Learning support / study support
- Buddy system / mentoring
- Counselling
- Allocation of a key worker
- Individual education planning / teaching strategies
- A change of teaching set or class
- Engaging with parents / Parenting Contract
- Encouraging involvement in extra curricular activities
- Curriculum flexibility
- Curriculum alternatives at Key Stage 4, in extreme circumstances
- Referral to a specific support service, such as the Education Psychology Service, Social Care services CAMHS
- Assessment of Special Educational Needs
- Pastoral Support Programme (PSP)
- Individual or group behaviour support
- Temporary placement in the Secondary Behaviour Support Service Pupil Referral Unit (subject to referral to the Secondary Inclusion Panel, and a place being available)
- A managed pupil transfer to another school

### **Involvement of other agencies**

The school has access to a range of services to support pupils at risk of disaffection or exclusion, or for support in relation to specific problems/circumstances. The school will make referrals to these services where appropriate, and with the consent of the pupil and their parents/carers where necessary. These include but are not exclusive to:

- Behaviour Support Service (In-school Support Team and PRU placements)
- Education Psychology Service
- Services for Young People
- Education Support Team for Young People in Public Care
- MOSAIC (Young People's Drug and Alcohol Service)
- Social Care services
- Community CAMHS (Tier 1&2)
- The Pendlebury Centre PRU (Outreach Support and PRU placements)
- Moat House PRU (for pregnant schoolgirls and schoolgirl mothers)
- Youth Offending Team
- KS4 work-based learning options
- Beacon and Relate Counselling

Details of the referral criteria and procedures for these services can be found in the Local Authority's Directory of Support

Referrals to the Behaviour Support Service (BSS) and the Pendlebury Centre are managed by the Secondary Inclusion Panel (SIP). The school follows the procedures outlined in the SIP Guidance document when making referrals to these services.

## **Pastoral Support Plans**

If a pupil has persistent behavioural needs that indicate they are in serious risk of exclusion it may be appropriate to implement a Pastoral Support Plan (PSP) to help them better manage their behaviour. It is particularly appropriate for those pupils whose behaviour is deteriorating rapidly.

The DFE recommends that PSPs should be automatically set up for pupils who have had several fixed period suspensions that may lead to permanent exclusion, or who have otherwise been identified as being at risk of failure at school through disaffection.

The programme will identify causes of concern and what can be reasonably required of the pupil to bring about a positive change in their behaviour. The involvement of parents is essential if a successful outcome is to be achieved. It will normally involve a number of interventions, such as those listed above. As the behaviour of pupils at risk is often driven by complex combinations of social, emotional and health problems, the involvement of Local Authority and other services will also be coordinated and included in the plan where appropriate.

## **Managed Pupil Transfers**

A secondary-age pupil at serious risk of permanent exclusion may be transferred to another school under special circumstances as a pupil causing concern. This school is part of an agreement negotiated with the Stockport Secondary Headteacher's Consortium, where a number of school places in each school are offered to pupils from other schools who would benefit from a 'fresh start'.

A managed pupil transfer will usually be a final step to avoid permanent exclusion following an unsuccessful Pastoral Support Programme and input from school. If the school considers that a pupil would benefit from a transfer to a new school, we will liaise with the Managed Pupil Transfer Coordinator and in-school support teacher to assist in organising and coordinating the transfer. All transfers must be referred for approval by the Secondary Inclusion Panel (SPI), who will ensure that no school is asked to take more than their fair share of managed pupil transfers.

In order to support the transfer, the school will ensure that all the necessary information and documentation is made available to the receiving school in a timely fashion.

## **Suspension**

Suspension is one of the options amongst a range of strategies that the Headteacher (or the Acting Headteacher in his or her absence) can employ in response to inappropriate behaviour. It will usually be used as a last resort when all other alternatives have been exhausted. The decision to suspend a pupil will be taken only:

- a) In response to serious breaches of the school's behaviour policy
- b) If allowing the pupil to remain in school would pose a serious risk to the education or welfare of the pupil or others in the school.

Suspension will not be imposed in the heat of the moment, unless there is an immediate

threat to the safety of the pupil concerned or others in the school.

Unacceptable behaviour which may result in suspension include but is not exclusive to:

- Physical assault
- Verbal abuse/threatening behaviour
- Bullying including cyber-bullying
- Racist abuse/harassment
- Sexual misconduct
- Damage
- Theft
- Anti-social behaviour
- Drug and alcohol related incidents
- Persistent disruptive behaviour
- Bringing the school into disrepute

Only the Headteacher (or the Acting Headteacher in his or her absence) can make the decision to suspend a pupil, and in making that decision he/she will take into account the likely impact of the misconduct on the life of the school. This may include behaviour on or off the premises which is in breach of the standards of behaviour expected by the school. No student will be readmitted into mainstream lessons or social time until a meeting with parents or an appropriate adult has taken place.

Permanent exclusions will normally be used only as the final step in a process for dealing with disciplinary offences when a wide range of other strategies has been tried without success.

In exceptional circumstances, the Headteacher might consider it appropriate to permanently exclude a pupil for a first or one-off offence. Such circumstances may include but are not exclusive to:

- a) Serious actual or threatened violence against another pupil or a member of staff
- b) Sexual abuse or assault
- c) Supplying an illegal drug
- d) Carrying an offensive weapon

These instances are not exhaustive, but indicate the severity of such offences and the fact that such behaviour can affect the discipline and well-being of the school community.

In making the decision to exclude, the Headteacher will follow the procedures laid out in the guidance produced by the Local Authority and the DFE, and will seek the advice of the Local Authority where necessary. Parents/carers will be informed of the actions taken.

## **Bullying and Harassment**

Marple Hall is committed to a whole school approach against bullying and harassment in any form. This includes racial, sexual and homophobic harassment.

Bullying and harassment is not only damaging, but it stops pupils from learning. All members of the school community are expected to demonstrate care and courtesy towards each other, respect one another, and respect difference and diversity.

Marple Hall will not tolerate any kind of harassment, and bullies or instigators of harassment will be dealt with firmly. If incidents occur we will take the following action:

- All incidents will be recorded and investigated as soon as possible
- Support will be given to the victim and the bully and a restorative meeting arranged if felt appropriate.
- The victim will be offered counselling where appropriate
- The bully or instigator of the harassment will be given opportunities to explain their behaviour. They will be offered counselling where appropriate
- There will be regular follow-ups, daily in the first instance, to monitor the situation
- Parents of both parties will be kept informed of progress
- Any sanctions that may be applicable will be considered in respect of the school's behaviour policy.

## **Racial Harassment and Racist Incidents**

Marple Hall follows the guidance issued by the Local Authority on dealing with racial harassment and racist incidents that occur in school. Racial harassment will not be tolerated and the perpetrator(s) of the harassment or racist abuse will be dealt with firmly, and sanctions applied as appropriate. In many cases, the parents/carers of the pupil(s) in question will be contacted and may be asked into school to discuss their child's behaviour. Victims of racist abuse and harassment will be supported both at the time of the incident and following the incident if necessary.

Marple Hall will complete a racist incident report form following every racist incident that occurs in school (no information that may identify a perpetrator or a victim will be included on this form), which will be returned to the Local Authority. The Local Authority may follow up serious incidents with the school and other appropriate agencies.

Marple Hall will make a termly report to the Governing Body about the number of racist incidents that have taken place and the action taken in response. If no incidents have been recorded, the Governing Body will complete and return a nil return form to the Local Authority.

## **Risk assessments for challenging behaviours**

Marple Hall will consider undertaking risk assessments for pupils with challenging behaviour, in order to minimise risks, protect pupils and staff, and to exercise the school's "Duty of Care".

This will involve assessing the context and probability of risks, and the seriousness of any likely outcomes for pupils or staff. If further action or strategies are identified in the risk assessment process, the school will take action to implement these in order to safeguard pupils and other members of the school community.

The Local Authority has issued guidance to Headteachers to assist schools in this process.

## **Care and Control**

There are occasions when the restraint of pupils is necessary.

Teachers and other persons who are authorised by the Headteacher to have control or charge of pupils may use reasonable force in the following circumstances:

- a) Where action is necessary in self defence, or because there is an imminent risk of injury to the pupil themselves or others
- b) Where there is a developing risk of injury, or significant damage of property
- c) Where the pupil is behaving in a way that is compromising good order and discipline at the school or among other pupils, whether this behaviour occurs in a classroom during a teaching session or elsewhere

- d) Where the pupil is committing a criminal offence, whether or not the pupil concerned has reached the age of criminal responsibility.

All teachers are authorised to use reasonable force to control or restrain pupils. The Headteacher can identify people other than teachers, whom they wish to authorise to have control or have charge of a pupil, to be able to use force if necessary. The Headteacher is responsible for maintaining an up-to-date list of authorised personnel.

Marple Hall adheres to guidance given in the Local Authority's "Care and Control" document on the care and control of pupils and the recording and reporting of physical intervention.

### **Recording and Reporting of Incidents**

The prompt and accurate reporting of incidents is considered particularly important to the effectiveness of the school's behaviour policy. Marple Hall has clear procedures in place for recording incidents of inappropriate behaviour and conduct, which all staff are made aware of and reminded of on a regular basis.

Marple Hall has advised staff of the need for timeliness, accuracy and completeness in the recording of behaviour management incidents and has advised staff of the correct procedures for recording statements.

The procedures for recording and reporting incidents are reviewed regularly.

Marple Hall also follows the Local Authority's guidance for recording and reporting particular types of incident. The reports that the school sends to the Local Authority are listed below:

- Accident/Incident Report Form** – the school is required to complete a form following every accident or incident resulting in injury that occurs in school, and return a copy to the Health and Safety Team at the Local Authority.
- Suspension Notification Form** – a suspension notification form is completed and signed by the Headteacher following every suspension issued. This is sent to the Education Officer (Inclusion) at the Local Authority, who monitors all suspensions, notifies other relevant services of exclusions where appropriate, and produces annual statistics on the number of exclusions in the borough.
- Racist Incident Report Form** – this report form is completed and returned to the Local Authority's Inclusion Support Team following every incident of a racist nature that occurs in school. The form does not identify either the victim or the perpetrator of the racist incident.
- Physical Intervention Reporting Form** – a report form is completed and returned to the Inclusion Support Officer at the Local Authority following every occasion where a member of staff has physically intervened with a pupil.

The school follows the relevant Local Authority guidance which accompanies each of the above reporting procedures/report forms.

The school ensures that completed forms and any photocopies containing personal information are kept secure, as required by the Data Protection Act, and that only authorised persons are able to see the information.

### **Monitoring, Evaluation and Review**

The school monitors behaviour incidents in order to identify issues and trends, in terms of:

- Type of incident
- Critical days/times in the week
- Critical places within/outside the school
- Pupils involved
- Profile of students involved
- Timeliness of response
- Outcomes

The school evaluates its behaviour policy against key improvement objectives, which include:

- Improvement of individual behaviour
- General behaviour patterns
- Balance in the use of rewards and sanctions
- Staff support and training needs
- Curriculum access and academic progress
- Equal opportunities
- Behaviour management trends over time
- Effectiveness of the policy in encouraging positive behaviours

The use of rewards, sanctions, suspensions, and referrals to support services will be monitored in relation to race, ethnicity, gender, disability, SEN and Looked After status and Pupil Premium eligibility and any patterns revealed will be analysed and addressed as appropriate.

The school assures appropriate levels of confidentiality within its monitoring and reporting arrangements in line with the Data Protection and Freedom of Information Acts.

The effectiveness of this policy will be reviewed as part of the Governors' Annual Report to Parents, and the Governing Body/Management Committee will receive statistical reports on bullying, racist incidents and exclusions on a termly basis.

The Behaviour Policy will be reviewed each year, and will be thoroughly audited and reviewed every two years. Pupils, parents, staff and governors will be consulted about any proposed changes to the published policy.

### **Feedback and Information Sharing**

The school will report details of the implementation of the behaviour management programme to parents.



Staff will receive individual and collective feedback (as appropriate) on behaviour management issues, trends and the outcomes of referrals.

Relevant information is shared with all members of staff and the Governing Body/Management Committee to better inform decision making, and to assist in meeting the educational needs of all pupils at the school.

## **Appendix 1**

### **Provision for full time education for pupils who receive an exclusion of 6 days or longer.**

The law requires that this school must ensure that formal arrangements are in place to offer full time, appropriate education off our school site for any pupil who is excluded for a period of 6 days or longer. We are required to make such provision from the **6<sup>th</sup> day** of any such exclusion.

#### **Day one to five of a suspension**

Parents are legally required to make suitable arrangements for the supervision of their children for all suspensions of between one and five days inclusively. The school will ensure that all parents of suspended pupils are informed appropriately of their responsibilities with regard to appropriate supervision of their child whilst excluded.

The school will ensure that adequate and appropriate work is provided for completion at home during the period of suspension. Parents should return completed work and arrange with the teacher to provide more if necessary.

#### **From day six of a suspension**

We will work in partnership with other Stockport Schools to provide full time education for any pupil from the 6<sup>th</sup> day onwards until the suspension ends

- If a pupil receives allocated support, it is expected that this support will transfer with them for the duration of the suspension.
- If there are issues of access for any pupil, we will ensure that a suitable school within the Local Authority is found for the duration of the suspension.

Parents will be expected to work with the school to ensure that their child attends the alternative provision for the duration of the remainder of the suspension. If a parent does not ensure that their child attends the provision made, it will be recorded as an unauthorised absence and dealt with by the school and Services for Young People within their procedures.

#### **Planning for the offsite provision**

The school will agree arrangements with the parent(s) to plan for the child continuing education during the suspension. This planning will take place during the first 5 days of the suspension to ensure that the pupil, parent and both schools are in full agreement with the arrangements for the child to attend the alternative school.

#### **Reintegration Meetings**

Following all suspensions, the school will arrange a reintegration interview at a mutually convenient time for the school and parent. Consideration will be given to using a Pastoral Support Plan at the reintegration meeting which will look at formalising targets for the pupil, school and parent to work together to reduce likelihood of future suspensions.

## **Appendix 2**

### **Detention: the law and how to apply it**

1. Detention is one of the sanctions schools can use against bad behaviour. The Education Act 1997 gives schools legal backing to detain pupils after the end of a school session on disciplinary grounds.

#### **The law**

2. All schools, except independent and non-maintained special schools, have clear legal authority to detain pupils without the consent of the parent. There is no risk of a legal action for false imprisonment if a pupil is being kept at school after the session without parental consent. This covers both lunchtime and after school detentions. However, before a school introduces detention as a sanction, the Headteacher must make all parents, pupils and staff aware that teachers may use detention. Parents of pupils admitted during the school year must also be told about the policy. If the Headteacher has made all reasonable efforts to make the policy known, parents should not be able to challenge the lawfulness of detention because they were unaware of it.
3. The law safeguards children and parents' legitimate rights, and ensures reasonable limits on detention for children who misbehave. Detentions must be reasonable and proportionate to the offence. Detentions may only be imposed by a Headteacher or another teacher specifically or generally authorised to do so. Staff should take account of:
  - the child's age;
  - any special educational needs;
  - any religious requirements;

#### **Notice of detention**

4. Schools are not required by law to give parents notice of after school detentions or tell them why a detention has been given. However, Marple Hall School will always contact a parent to inform them of any sanction taking place after school.
5. Parents objecting to a detention should present the relevant facts for the school to take into account.
6. The detention could be revoked altogether or deferred because of the parent's representations.

#### **Parental complaint about detention**

7. A parent concerned about either the principle of detention or how it is used can raise these concerns with the Headteacher or the Governing Body, or both.

#### **Failure to attend detention**

8. If a pupil fails to attend an after-session detention for a disciplinary offence without reasonable excuse, the Headteacher should decide how to deal with the absence and the original misbehaviour, normally with a more severe sanction. Students who fail to

attend a 30 minutes after school sanction will receive a 60 minute sanction the next day they are in school. Failure to attend the 60 minute sanction will result in either a "late shift" for 2 hours after school or Internal Exclusion depending on the year group and circumstances

### **Circumstances for not detaining a pupil**

9. For certain children a detention might never be reasonable however bad their conduct. For example, an after-school detention could probably not reasonably be imposed on a child who lived far from school, if the pupil's only means of travelling home was on a bus leaving at the end of the school day and there was no other way the pupil could get home. However, the onus is on parents to demonstrate any unreasonableness about the proposed detention. Simple inconvenience to parent or pupil in making alternative transport arrangements would not be sufficient reason to withdraw the detention. If after-school detention is not possible, the Headteacher (or other authorised teacher taking the decision) could consider detention at lunchtime or another suitable sanction. Each case needs to be considered on its own merits but a consistent approach will be applied wherever possible.

### **Responsibility for travel arrangements**

10. Although the school must have regard to the availability of suitable travel arrangements after a detention, the responsibility for making those arrangements lies with the parent. The school does not have to pay.

### **Detaining young children**

11. In principle, there is no reason why a young child, including one under compulsory school age, should not be given detention. However, it could be difficult to justify the detention of a very young child as the pupil's age would be one of the special circumstances which the Headteacher must by law consider.

### **Responsibility for care and safety of children detained**

12. Teachers have a duty to take reasonable care of pupils at school. If a child is injured because a teacher is negligent, the parent could take an action of negligence against both the teacher responsible and the employer (either the Local Authority or the Governing Body) under the legal principle of vicarious liability. Schools should also consider carefully the issues of supervision where a single child is detained.
13. A child injured going home from school after being kept in detention could theoretically have a claim in damages against the school if the child or parent could prove that:
- the school's duty of care extended to ensuring the child could get home safely;
  - in the circumstances of the case, they had negligently failed to carry out that duty; and
  - the injury was a direct result of that negligence.
14. If, for example, an unsupervised young child was knocked down crossing a busy road outside the school after a detention, but someone at the school would normally have supervised the child crossing the road at the end of the school day, this could be negligence.
15. However, the Local Authority or Governing Body would not be liable for any accident that happened to the child on the way home after a detention. To succeed in a negligence

action, the child or parent would have to prove all three points mentioned above.

### **Early morning, Saturday and holiday ‘detentions’**

16. The law allows schools to use detentions other than at lunchtime or after school. For Saturday morning, early morning, or holiday detentions which pupils attend voluntarily, there can be no question of false imprisonment. Such detentions depend on the co-operation both of the pupil and parent.

### **Use of time spent in detention**

17. The time a pupil spends in detention should be used constructively and to best effect. Teachers should consider appropriate work for pupils to undertake during the detention.

### **Detention Records**

18. Schools should keep a written record of any detention and the reasons for imposing it, in case parents bring a legal challenge.