



Helping Youth & Community from Start to Finish

# Behaviour Policy and Statement of Behaviour Principles

**Approved by:** Adrian Woods

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Our behaviour policy helps us to create a caring, stimulating and secure environment in which staff and students can work safely. We want to enable our students:

- Be healthy
- Stay safe
- Enjoy and achieve their learning
- Make a positive contribution
- Achieve economic well being
- Access the full range of learning opportunities in a calm, positive environment
- Achieve through appropriate expectations of work and behaviour with praise, reward and celebration and explicit and consistent consequences
- Behave appropriately in a wide range of social and educational settings
- Value the rights of the individual.

## 1. Aims

This policy aims to:

- Provide a **consistent approach** to behaviour management
- **Define** what we consider to be unacceptable behaviour, including bullying
- Outline **how students are expected to behave**
- Summarise the **roles and responsibilities** of different people in and connected to OnTrak Community Initiative with regards to behaviour management
- Outline our system of **rewards and sanctions**

Our principles of this behaviour policy are to:

- Raise the young person's esteem
- Promote and develop empathy and respect for self and others
- Develop a young person's sense of self discipline and an acceptance of responsibility for their own actions
- Ensure regular attendance
- Develop awareness and adhere to appropriate behaviour
- Encourage the young person to value OnTrak and its routines
- Ensure that the young person is confident over the right to be treated fairly
- Empower staff to determine and request appropriate behaviour from everyone
- Acknowledge that the main training of good behaviour is **everyone's** responsibility within OnTrak.

## 2. Legislation and statutory requirements

This policy is based on advice from the Department for Education (DfE) on:

- Behaviour and discipline in schools
- Searching, screening and confiscation at school
- The Equality Act 2010

- Use of reasonable force in schools
- Supporting students 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 students**

175 Duties of LEAs and governing bodies in relation to welfare of young people

(1) A local education authority shall make arrangements for ensuring that the functions conferred on them in their capacity as a local education authority are exercised with a view to safeguarding and promoting the welfare of young people.

(2) The governing body of a maintained school shall make arrangements for ensuring that their functions relating to the conduct of the school are exercised with a view to safeguarding and promoting the welfare of young people who are students at the school.

(3) The governing body of an institution within the further education sector shall make arrangements for ensuring that their functions relating to the conduct of the institution are exercised with a view to safeguarding and promoting the welfare of young people receiving education or training at the institution.

(4) An authority or body mentioned in any of subsections (1) to (3) shall, in considering what arrangements are required to be made by them under that subsection, have regard to any guidance given from time to time (in relation to England) by the Secretary of State or (in relation to Wales) by the National Assembly for Wales.

(5) In this section—

“child” means a person under the age of eighteen;

“governing body”, in relation to an institution within the further education sector, has the meaning given by section 90 of the Further and Higher Education Act 1992 (c. 13);

“maintained school” means a community, foundation or voluntary school, a community or foundation special school or a maintained nursery school.

- **Sections 88-94 of the Education and Inspections Act 2006, which require schools to regulate students' behaviour and publish a behaviour policy and written statement of behaviour principles, and give schools the authority to confiscate students' property**

88 Responsibility of governing body for discipline

(1) The governing body of a relevant school must ensure that policies designed to promote good behaviour and discipline on the part of its students are pursued at the school.

(2) In particular, the governing body—

(a) must make, and from time to time review, a written statement of general principles to which the head teacher is to have regard in determining any measures under section 89(1), and

(b) where they consider it desirable that any particular measures should be so determined by the head teacher or that he should have regard to any particular matters—

(i) shall notify him of those measures or matters, and

(ii) may give him such guidance as they consider appropriate.

(3) Before making or revising the statement required by subsection (2)(a) the governing body must consult (in such manner as appears to them to be appropriate)—

(a) the head teacher,

(b) such other persons who work at the school (whether or not for payment) as it appears to the governing body to be appropriate to consult,

(c) parents of registered students at the school, and

(d) registered students at the school.

(4) In exercising their functions under subsection (2) the governing body must have regard to any guidance given from time to time—

(a) in relation to England, by the Secretary of State, and

(b) in relation to Wales, by the Assembly.

(5) In this section and section 89—

“relevant school” means—

(a) a community, foundation or voluntary school,

(b) a community or foundation special school,

(c) a maintained nursery school,

(d) a student referral unit, or

(e) a school approved by the Secretary of State or the Assembly under section 342 of EA 1996 (approval of non-maintained special schools);

“governing body”, in relation to a school approved by the Secretary of State or the Assembly under section 342 of EA 1996, means the proprietor of the school

- DfE guidance explaining that maintained schools should publish their behaviour policy online
- Schedule 1 of the Education (Independent School Standards) Regulations 2014; paragraph 7 outlines a school's duty to safeguard and promote the welfare of young people, paragraph 9 requires the school to have a written behaviour policy and paragraph 10 requires the school to have an anti-bullying strategy
- DfE guidance explaining that academies should publish their behaviour policy and anti-bullying strategy online

### 3. Definitions

OnTrak believes that we all have a responsibility to promote high standards of behaviour when working and learning at OnTrak. We actively promote respect, tolerance and good ethics amongst our students.

**Misbehaviour** is defined as:

- Disruption in lessons and work activities, and at break and lunchtimes
- Non-completion of classwork or homework
- Using mobile phones and ear-phones during lessons and work activities
- Poor attitude
- Incorrect uniform (overall and boots)

**Serious misbehaviour** is defined as:

- Repeated breaches of the school rules
- Any form of bullying
- Sexual assault, which is any unwanted sexual behaviour that causes humiliation, pain, fear or intimidation
- Vandalism
- Theft
- Fighting
- Smoking in any area
- Racist, sexist, homophobic or discriminatory behaviour
- Possession of any prohibited items. These are:
  - Knives or weapons
  - Alcohol
  - Illegal drugs
  - Stolen items
  - 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 student)

### 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 include:

Type of bullying	Definition
Emotional	Being unfriendly, excluding, tormenting
Physical	Hitting, kicking, pushing, taking another's belongings, any use of violence
Racial	Racial taunts, graffiti, gestures
Sexual	Explicit sexual remarks, display of sexual material, sexual gestures, unwanted physical attention, comments about sexual reputation or performance, inappropriate touching, up-skirting
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

OnTrak does not tolerate bullying in any of its forms and definitions. Should any bullying occur, the perpetrator will be verbally warned and parent / carer will be informed over the matter. The "victim" and their parent / carer will be offered support and reasonable adjustments will be made if needed and appropriate. OnTrak promotes positive behaviour and respect for others at all times and asks the students to help fellow students where and when required. There are anti-bullying posters throughout OnTrak identifying different types of bullying. Should bullying behaviour continue, the bully will be removed from OnTrak with immediate effect.

## 5. Roles and responsibilities

### 5.1 The Trustees

The OnTrak Trustees are responsible for reviewing and approving the written statement of behaviour principles.

The Trustees are responsible for monitoring this behaviour policy's effectiveness and holding Adrian Woods to account for its implementation.

### 5.2 Operational Manager - Adrian Woods

Adrian Woods, with the Trustees, is responsible for reviewing and approving this behaviour policy.

He will ensure that the OnTrak 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**

All staff are responsible for:

- Implementing the behaviour policy consistently
- Modelling positive behaviour
- Providing a personalised approach to the specific behavioural needs of students
- Recording behaviour incidents (see appendix 3 for a behaviour log)

All staff will support each other in developing this consistent approach.

### **5.4 Parents and Carers**

Parents are expected to:

- Support their young person in adhering to the OnTrak Code of Conduct
- Inform the school of any changes in circumstances that may affect their young person's behaviour
- Discuss any behavioural concerns with a member of staff promptly

## **6. Student code of conduct**

OnTrak expects high standards of behaviour when learning and working at OnTrak.

Students are expected to:

- Behave in an orderly and self-controlled way including when in the garage and garage reception area
- Show respect to all members of staff and each other and listen to Adrian and all other members of staff
- Help fellow students and staff where and when required
- Speak to people how they would wish to be spoken to
- Always follow the health and safety rules as set by OnTrak
- Treat the OnTrak buildings and garage property with respect and clear up and mess that they make
- Wear the correct uniform at all times (overall and boots)
- Accept sanctions when given deal with the consequences of actions
- Refrain from behaving in a way that brings OnTrak into disrepute, including when outside OnTrak.

## **7. Rewards**

OnTrak believes, and actively promotes, acknowledging good work, good attitudes and achievements.

### **7.1 List of rewards and sanctions**

Positive behaviour will be rewarded with:

- Praise
- Pictures and Reward Stickers
- Letters or phone calls home to parents

- Special responsibilities / privileges

OnTrak may use one or more of the following sanctions in response to unacceptable behaviour:

- A verbal reprimand
- A second verbal warning if the behaviour continues
- Sending the student out of the classroom / workshop
- Suspended for 1 day
- Letters or phone calls home to parents / carers
- Agreeing a behaviour contract
- Removal from course

Students that have been removed from the classroom / workshop will be expected to complete the same work as they would in class either at home or at another time as agreed with the teacher.

## **7.2 Off-site behaviour**

Sanctions may be applied where a student has misbehaved off-site when representing OnTrak, such as on a school trip, the Go Karting track or whilst travelling to and from OnTrak. The severity of the behaviour may result in the police and other organisations being involved.

## **7.3 Malicious allegations**

Where a student makes an accusation against a member of staff and that accusation is shown to have been malicious and unsubstantiated, the Head will discipline the student in accordance with this policy. That member of staff is also within their rights to pursue this allegation and bring in any appropriate authorities to bring to bear, the student and their false allegation.

Please refer to our safeguarding policy/statement of procedures for dealing with allegations of abuse against staff for more information on responding to allegations of abuse.

The Head will also consider the pastoral needs of staff accused of misconduct.

# **8. Behaviour management**

OnTrak is an alternative education provider and operates a flexible approach to combat behaviour issues and those issues that might affect learning.

## **8.1 Classroom management**

Teaching and support staff are responsible for setting the tone and context for positive behaviour within the classroom.

They will:

- Create and maintain a stimulating environment that encourages students to be engaged
- Display the student code of conduct or their own classroom rules
- Develop a positive relationship with students, which may include:
  - Greeting and debriefing students of the days routine first thing in the morning
  - Establishing clear routines
  - Communicating expectations of behaviour in ways other than verbally
  - Highlighting and promoting good behaviour
  - Concluding the day positively and starting the next day afresh



- Having a plan for dealing with low-level disruption
- Using positive reinforcement

## 8.2 Physical restraint - Use of reasonable force

OnTrak staff have the right to use force in certain circumstances. This is largely up to the professional to determine, but in general force should only be used when a student is putting themselves or others at danger.

Parental consent is not required to use force on a student.

If force is used on a student then this must be logged as a behaviour incident in OnTrak's incident report and parents informed.

Force may also be used if needed to search a student, if there is suspicion that the child has any of the following in their possession:

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- fireworks
- pornographic images
- any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

It is not illegal to touch a student.

There are occasions when physical contact, other than reasonable force, with a student is proper and necessary. However, consideration must be given to ensure the student does not in any way feel uncomfortable with the contact. Examples of where touching a student might be proper or necessary:

- Preventing an accident or deliberate harm
- When comforting a distressed student;
- When a student is being congratulated or praised;
- To give first aid.

Incidents of physical restraint must:

- **Always be used as a last resort**
- Be applied using the minimum amount of force and for the minimum amount of time possible
- Be used in a way that maintains the safety and dignity of all concerned
- Never be used as a form of punishment
- Be recorded and reported to parents

## 8.3 Confiscation

**Any prohibited items (listed in section 3) found in students' possession will be confiscated.** These items will not be returned to students.

We will also confiscate any item which is harmful or detrimental to school discipline. These items will be returned to students after discussion with the management and parents / carers, if appropriate.

Searching and screening students is conducted in line with the DfE's latest guidance on searching, screening and confiscation.

## **8.4 Student support**

OnTrak recognises its legal duty under the Equality Act 2010 to prevent students with a protected characteristic from being at a disadvantage. Consequently, our approach to challenging behaviour may be differentiated to cater to the needs of the student.

When other needs are identified in a student, we will liaise with external agencies and plan support programmes for that child. We will work with parents / carers to create the plan and review it on a regular basis.

## **9. Student transition**

To ensure behaviour is continually monitored and the right support is in place, information related to student behaviour issues may be transferred to relevant staff at the start of the term or year. Information on behaviour issues may also be shared with new settings for those students transferring to other schools / colleges / placements.

## **10. Training**

Behaviour management will form part of continuing professional development for all staff.

## **11. Monitoring arrangements**

This behaviour policy will be reviewed and approved by the Head and Trustees every year. At each review, the policy will be approved by the headteacher.

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

This behaviour policy is linked to the following policies:

- Equality, Diversity and Inclusion policy
- Safeguarding policy

## Appendix 1: written statement of behaviour principles

- Every student understands they have the right to feel safe, valued and respected, and learn free from the disruption of others
- All students, staff and visitors are free from any form of discrimination
- Staff and volunteers set an excellent example to students at all times
- Rewards, sanctions and reasonable force are used consistently by staff, in line with the behaviour policy
- The behaviour policy is understood by students and staff
- Exclusions will only be used as a last resort, and outlines the processes involved in permanent and fixed-term exclusions
- Students are helped and expected to take responsibility for their actions
- Families / carers are involved in behaviour incidents to foster good relationships between OnTrak and students' home life

The governing board also emphasises that violence or threatening behaviour will not be tolerated in any circumstances.

This written statement of behaviour principles is reviewed and approved by the Trustees and Head every year.

## Appendix 2: Exclusion Policy – Removal from their placement

OnTrak recognises that students attend alternative provision for different reasons. We also recognise that each situation must be assessed on its own circumstances; each student's individual reactions and needs must be taken fully into account. We cannot have 'standard procedures' for all students that attend OnTrak. Where we have concerns about the behaviour, or risk of exclusion from the placement of a student, we will communicate these concerns to the SLT / SEND / Pastoral / staff / other to discuss the best course of action and to record behaviours and concerns. We will consider requesting an emergency annual review or interim/emergency review. There are circumstances, however, in which the only decision left to us (and sometimes the best course of action in the situation we face) is to make a decision to remove the student from their placement.

Possible Criteria for Considering Exclusion (Permanent and Fixed Term)

1. A student who threatens the personal safety of other young people. Attacking other young people cannot be tolerated. Neither can any form of sexual abuse or drug abuse.
2. A student who is constantly creating serious dangers for himself and/or for others (is constantly devising, organising and implementing dangerous, destructive and/or antisocial behaviours. The deliberate and persistent 'leader' for mischief).
3. The child with a persistent and active compulsion towards arson.
4. A student who is a genuine threat to staff.
5. A student who engages in persistent and serious crime.
6. Behaviour of a student outside school can be considered grounds for an exclusion.

The Head of the centre reserves the right to extend a fixed term exclusion and convert to a permanent exclusion, following opportunities to review the young person's behaviour record. A decision to permanently remove a student from OnTrak will only be taken:

- In response to a serious breach or persistent breaches of OnTrak's Behaviour Policy and Statement of Behaviour Principles and the Student Code of Conduct
- Where allowing the student to remain in OnTrak would seriously harm the education or welfare of the student or others in OnTrak

These criteria are not the only factors which can contribute to decisions about exclusion. There may be deeper clinical and psychological considerations; periodic errors may occur in selection and assessment; there may be insuperable pressures from the family and home contact; unexpected deteriorations in a child's psychological condition can occur; and so on. Again, the important thing is to make careful and informed decisions which are in the best interest of the young person, the OnTrak community and other students. These collective interests cannot always be reconciled, of course. We are well aware of this and we accept the fact that on some occasions the collective good will have to prevail over individual considerations. Any decision is made in line with administrative law, i.e. that it is: lawful (with respect to the legislation relating directly to exclusions and a school's wider legal duties, including the European Convention on Human Rights and the Equality Act 2010); rational; reasonable; fair and proportionate.

The Head of Centre, or representative, has a duty to inform parties about an exclusion and Procedures for Exclusion (Permanent and Fixed Term). As an independent alternative provision, OnTrak has created the following procedures:

1. There must be full investigation of any precipitating circumstances and the young person's record of behaviour. This process will include senior staff, together with any other staff member involved and any other student involved. When establishing the facts in relation to an exclusion decision the head teacher must apply the civil standard of proof; i.e. 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt'. This means that the Head of Centre should accept something happened if it is more likely that it happened than it did not happen. In cases of

alleged sexual/physical/drug abuse the Head of Centre will make the initial assessment and then communicate with appropriate outside agencies.

2. The Head of Centre must, without delay, notify the school / LA with regards to the removal of the student from the course who will in turn notify parents / guardians of the exclusion. Occasionally, the Head of Centre will inform parents directly should that be part of the relationship and working together. Initially this will be via telephone or email but then followed up with a formal letter if required complete with incident reports and other such paperwork.