



**EMMAUS**  
CATHOLIC ACADEMY TRUST

DIOCESE OF  **SALFORD**

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# Behaviour Policy

September 2024

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Humility • Faithfulness • Service



<b>POLICY DOCUMENT</b>	Behaviour Policy
<b>Legislation/Category: Academy Schools</b>	<b>RECOMMENDED</b>
<b>Lead Member of Staff:</b>	Senior Leader i/c Behaviour and Personal Development
<b>Approved by:</b>	Trust Board
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<b>Date of Renewal:</b>	September 2025

### EMMAUS CATHOLIC ACADEMY TRUST

The Diocese of Salford provides Catholic Academy Trusts, schools, and colleges for the following reasons:

1. To assist in the mission of making Christ known to all people;
2. To assist parents and carers, who are the prime educators of their children, in the education and religious formation of their children;
3. To be of service to the local Church – the Diocese – the Parish and the Christian home;
4. To be of service to society.

#### Emmaus Catholic Academy Trust Vision:

To provide great Catholic education across Greater Manchester.

Journey with Emmaus CAT...



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## 1. Policy Statement

Our core purpose is to create a healthy Catholic organisation serving the pupils in our Catholic schools, communities, families, and parishes across Greater Manchester. We are aligned in our mission to work collegially to ensure that we have great schools, strong in faith, serving society. Schools where every pupil has an equal opportunity to thrive and receive the very best Catholic education and formation. Our guiding principles and this SEND Policy exist to ensure that each Emmaus CAT school has a clear and compelling vision for all of its pupils, focused on creating an inclusive environment, tailored to the needs and abilities of each and every pupil. At Emmaus CAT we will succeed with our philosophy of aligned autonomy, the belief that talent is key and the sharing of curriculum knowledge and academic rigor.

## 2. Aim of Emmaus CAT Policies

The aim of this, and all Emmaus CAT policies is to support the seven major themes of Catholic Social Teaching, which include;

- The dignity of work and the rights of the worker;
- Solidarity with all people;
- A preferential option for the poor;
- Stewardship and care for creation;
- The call to community and participation;
- The sacredness of life and the dignity of the human person;
- Human rights and the responsibility to protect them;

as well as ensuring that national legislation and guidance are implemented across all our schools. Our policies should not be viewed in isolation, but along with our guiding principles, as integral to all aspects of school improvement. With our policies we aim to create an effective partnership with parents and carers, the prime educators of their children, to ensure that all children reach their potential whilst setting high expectations and aspirations, in a positive and supportive environment. All Emmaus CAT policies will clearly define and communicate the core principles which underpin our Catholic culture, mission and vision.

The following key principles underpin Emmaus CAT's approach to behaviour practice: (as per DfE guidance)

1. Leadership and management
2. School systems and social norms
3. Relationships
4. Staff induction and development
5. Pupil transition and development
6. Pupil support

This policy aims to create a positive culture that promotes excellent behaviour, ensuring that all pupils have the opportunity to learn in a calm, safe and supportive environment. This is underpinned by our guiding principles for behaviour and culture across our schools. Our guiding principles enable pupils to take responsibility for their own behaviour and choices, understanding the impact they have on others. Pupils will develop positive learning behaviours and be able to self-regulate (as developmentally appropriate) their own behaviour by developing skill and confidence in managing



conflict and difficulty. They will understand what constitutes 'responsible behaviour' to prepare for life in modern Britain and Global citizenship in the 21st Century.

This policy will support staff in establishing a whole-school approach to maintaining high standards of behaviour that reflect the values of the individual school. Outlined in the policy are the expectations and consequences of behaviour, clear definitions of what constitutes unacceptable behaviour (including bullying and discrimination) and the importance of a strategic approach to rewards in celebrating pupils' achievements. All schools will provide a consistent approach to behaviour management that is applied equally to all pupils. The policy will summarise the roles and responsibilities of different stakeholders in supporting pupils behaviour.

### Rights

All members of Emmaus CAT have:

- The right to learn
- The right to teach
- The right to feel safe and secure
- The right to respect and dignity

### **3. Legislation, statutory requirements and statutory guidance**

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

- [Behaviour and discipline in schools: advice for headteachers and school staff, 2016](#)
- [Behaviour in schools: advice for headteachers and school staff 2024](#)
- [Searching, screening and confiscation at school 2018](#)
- [Searching, screening and confiscation: advice for schools 2022](#)
- [The Equality Act 2010](#)
- [Keeping Children Safe in Education](#)
- [Exclusion from maintained schools, academies and pupil referral units in England 2017](#)
- [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement - from September 2023](#)
- [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](#).
- [DfE guidance](#) Publishing schools behaviour policy and anti-bullying strategy
- The Emmaus CPOMS Policy



#### 4. Definitions

Misbehaviour is defined as:	<ul style="list-style-type: none"> <li>● Disruption in lessons, in corridors between lessons, and at break, lunchtimes, before school or after school</li> <li>● Non-completion of classwork or homework</li> <li>● Poor attitude</li> <li>● Incorrect uniform</li> <li>● Lateness to lesson</li> </ul>
Serious Misbehaviour is defined as:	<ul style="list-style-type: none"> <li>● Repeated breaches of the school rules</li> <li>● Any form of bullying</li> <li>● Sexual violence, such as rape, assault by penetration, or sexual assault (intentional sexual touching without consent)</li> <li>● Sexual harassment, meaning unwanted conduct of a sexual nature, such as: <ul style="list-style-type: none"> <li>○ Sexual comments</li> <li>○ Sexual jokes or taunting</li> <li>○ Physical behaviour like interfering with clothes</li> <li>○ 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</li> </ul> </li> <li>● Vandalism</li> <li>● Theft</li> <li>● Fighting</li> <li>● Smoking/Vaping</li> <li>● Racist, sexist, homophobic or discriminatory behaviour</li> <li>● Possession of any prohibited items. These are: <ul style="list-style-type: none"> <li>○ Knives or weapons</li> <li>○ Alcohol</li> <li>○ Illegal drugs</li> <li>○ Stolen items</li> <li>○ Tobacco and cigarette papers/Vape Pens</li> <li>○ Fireworks</li> <li>○ Pornographic images</li> <li>○ 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)</li> </ul> </li> </ul>

#### 5. 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
Prejudice-based and discriminatory, including: <ul style="list-style-type: none"> <li>● Racial</li> <li>● Faith-based</li> <li>● Gendered (sexist)</li> <li>● Homophobic/bi-phobic</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

At Emmaus CAT, we aim to foster a healthy and safe community which enables our pupils to achieve their full potential and which all stakeholders are responsible for supporting and defending. All are committed to ensuring that pupils learn in a supportive, caring and safe environment, without fear of being bullied. Bullying is anti-social behaviour and affects everyone; it is unacceptable and will not be tolerated.

**All members of the Emmaus CAT have a responsibility:**

- To live by and embody the CAT-wide ethos
- To be good role models
- To speak politely and calmly to everyone
- To be punctual, prepared and productive in every lesson (to be ready, respectful and safe)
- To live out the Catholic values every day and the teachings of the Catholic Church

All members of the school community are expected to display positive behaviour at all times, both on the school premises and wherever they are identifiable as being part of the school community. Emmaus CAT and Local Governing Body are responsible for monitoring the Behaviour Policy's effectiveness and holding the headteacher to account for its implementation. All policies should be reviewed every year to ensure their effectiveness.



## 6. Roles and Responsibilities

Emmaus CAT is responsible for:

- Devising and reviewing the Behaviour Policy
- Monitoring suspensions and permanent exclusions
- Ensuring schools are legally compliant in the process of suspensions or permanent exclusions
- Devising and reviewing whole CAT-wide behaviour strategies
- Holding the headteacher to account for the implementation of the behaviour policy
- Monitoring the behaviour data alongside other schools on a regular basis

The Local Governing Body is responsible for:

- Ensuring that strategies are in place to promote and implement the Behaviour Policy throughout the School and are known by parents and all school staff
- Reviewing the effectiveness of the implementation of the policy in light of the school's governor reporting systems
- Monitoring behaviour figures for the whole school on a regular basis and challenge leaders to promote high expectations.

The headteacher is responsible for:

- Reviewing and approving this behaviour policy
- Setting a clear strategy for the behaviour culture across the school
- Ensuring that the school environment encourages positive behaviour
- Ensuring that all decisions that have legal implications are authorised by themselves and no other staff (for example suspensions, permanent exclusions, managed moves etc)
- Ensuring that staff deal effectively with poor behaviour
- Monitoring how staff implement the behaviour policy to ensure rewards and sanctions are applied consistently to all groups of pupils
- Ensuring that all staff understand the behavioural expectations and the importance of maintaining them.
- Providing new staff with a clear induction into the school's behavioural culture to ensure they understand its rules and routines, and how best to support all pupils to participate fully
- Offering appropriate training in behaviour management, and the impact of special educational needs and disabilities (SEND) and mental health needs on behaviour, to any staff who require it, so they can fulfil their duties set out in this policy
- Ensuring this policy works alongside the Safeguarding Policy to offer pupils both sanctions and support when necessary
- Ensuring that the data from the behaviour log is reviewed regularly to ensure that there are no groups of pupils are being disproportionately impacted by this policy
- Regularly reviewing the impact of the policy using staff, pupil and parent voice surveys and meetings.

The staff are responsible for:

- Creating a calm and safe environment for pupils
- Establishing and maintaining clear boundaries of acceptable pupil behaviour
- Implementing the behaviour policy consistently





- Communicating the school's expectations, routines, values and standards through teaching behaviour and in every interaction with pupils
- Modelling expected behaviour and positive relationships
- Providing a personalised approach to the specific behavioural needs of particular pupils
- Considering their own behaviour and how it impacts on the school culture and how they can uphold school rules and expectations
- Recording behaviour incidents promptly on the school's chosen system of tracking behaviours
- Challenging pupils to meet the school's expectations
- The senior leadership team (SLT) will support staff in responding to behaviour incidents.

Parents and Carers, where possible, should:

- Get to know the school's behaviour policy and reinforce it at home where appropriate.
- Support their child in adhering to the school's behaviour policy
- Inform the school of any changes in circumstances that may affect their child's behaviour
- Discuss any behavioural concerns with the class teacher promptly
- Take part in any pastoral work following misbehaviour (for example: attending reviews of specific behaviour interventions)
- Raise any concerns about the management of behaviour with the school directly, whilst continuing to work in partnership with the school
- Ensure they have access to their child's behaviour log via the school's chosen system. This will ensure they stay informed on their child's rewards and sanctions, and be aware of any deadlines related to homework or any messages related to sanctions
- Take part in the life of the school and its culture.

The school will endeavour to build a positive relationship with parents and carers by keeping them informed about developments in their child's behaviour and the school's policy, and work in collaboration with them to tackle behavioural issues.

Pupils will be made aware of the following during their induction into the behaviour culture:

- The expected standard of behaviour they should be displaying at school
- That they have a duty to follow the behaviour policy
- The school's key rules and routines
- The rewards they can earn for meeting the behaviour standard, and the consequences they will face if they don't meet the standard
- The pastoral support that is available to them to help them meet the behavioural standards.

Pupils will be supported to meet the behaviour standards and will be provided with repeated induction sessions wherever appropriate. This may require the school to re-teach parts of their behaviour curriculum to further support some pupils. Pupils will be supported to develop an understanding of the school's behaviour policy and wider culture. Pupils will be asked to give feedback on their experience of the behaviour culture to support the evaluation, improvement and implementation of the behaviour policy. Extra support and induction will be provided for pupils who are mid-phase arrivals (for example, those pupils who arrive as in year transfers from another school, international arrivals, managed move students that arrive within the academic year or students who join the school after the September induction).



## 7. Behaviour curriculum

A curriculum is a collection of lessons and assessments that will be taught in an educational institution by a teacher. Emmaus CAT believes in a strong behaviour curriculum that describes the totality of experiences a pupil will have when taught in a school by the staff.

All Emmaus CAT schools teach pupils their behaviour curriculum, this is a way for our pupils to learn the routines and rituals needed to be successful in our school and prepare them to serve their communities. The curriculum should cover a variety of themes and habits. Schools should ensure they have contextualised the curriculum in relation to their demographic and also to each year group. Topics covered include, but are not limited to:

- School values
- Catholic Ethos to support Spiritual, Moral, Social and Cultural (SMSC) development
- Uniform
- Assembly
- Behaviour attitude to learning habits (for example SLANT)
- The school daily routines (including transitions, break and lunch, morning arrival)
- Learning routines and habits
- Social media usage
- How to interact with adults and peers
- Friendships and relationships
- Lateness and punctuality
- Mobile phones

For those pupils with SEND or who have adjustment strategies or plans, there may be reasonable adjustments made to routines within the curriculum to ensure all pupils can meet behavioural expectations in the curriculum.

## 8. Responding to behaviour

### Classroom Management

Classroom management and teaching methods have an important influence on pupils' behaviour. The classroom environment gives clear messages to the pupils about the extent to which they and their efforts are valued. Relationships between teacher and pupil, strategies for encouraging good behaviour, arrangements of learning environment, access to resources and classroom displays all have a bearing on the way the pupils behave. Overall, the classroom should foster a culture with a sense of belonging that is welcoming for all. Teaching methods should encourage enthusiasm and active participation for all. Lessons should aim to develop the skills, knowledge and understanding, which will enable the pupils to work in co-operation with others.

Expected routines are explicitly taught to pupils to ensure they have a clear understanding of the expectations of them in the classroom and around the school that could include;

- Morning entrance to the building
- Pastoral line ups during morning registration
- Assembly routines
- Lunch and break routines
- Transitions between lessons
- Transitions within lessons (3-pens down, 2-stop talking, 1-face the front, SLANT)



Furthermore, 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 pupils to be engaged
- Utilise whole school rewards strategies
- Reinforce and embed the behaviour curriculum expectations throughout the lesson
- Develop a positive relationship with pupils, for instance: :
  - Greeting pupils in the morning/at the start of lessons
  - 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
  - Consistent application of the behaviour policy
  - planning for specific pupils that require reasonable adjustments when dealing with low-level disruption (this may include using visual prompts; direct cold calling; bespoke reminders using a shared language etc.)
  - Undertake restorative conversations
  - Using positive reinforcement

### Responding to good behaviour

When a pupil's behaviour meets or goes above and beyond the expected behaviour standard, staff will recognise it with positive recognition and reward. This provides an opportunity for all staff to reinforce the school's culture and ethos.

Positive reinforcements and rewards will be transparent and applied clearly, fairly and consistently to reinforce the routines, expectations and norms of the school's behaviour culture. A clear rewards strategy must be in place by the school to ensure a culture of celebration and sense of belonging is nurtured across the school. Rewards must be of both intrinsic and extrinsic value to the pupils in supporting the schools strategy.

Schools could achieve this by formulating house systems, use of tariff systems or appropriate point logs on their chosen tracking system.

Rewards include:

- Verbal praise, either personal or public
- Positive behaviour points
- Parents routinely told of their child's positive behaviour through informal conversation, the parent communication system, parents' evenings
- Written or verbal communication with home praising high standards of behaviour (e.g. postcards, text messages, ticket initiatives that are awarded for work or behaviour that is way above the expected norm)
- Postcards/letters home
- Corridor/plasma displays to celebrate excellent effort and achievement across the school building
- Collective or individual praise in assemblies
- Intra-form competition to celebrate individual successes
- Use of staff nomination initiatives
- SLT morning breakfast for pupils with top achievement points
- End of year activities, which reward high standards, including behaviour
- Student leadership status



- Celebration of Excellence evenings

## 9. Responding to Misbehaviour

When a pupil's behaviour falls below the standard that can reasonably be expected of them, staff will respond in order to restore a calm and safe learning environment, and to prevent recurrence of misbehaviour. Staff will endeavour to create a predictable environment by always challenging behaviour that falls short of the standards, and by responding in a consistent, fair and proportionate manner, so pupils know with certainty that misbehaviour will always be addressed.

De-escalation techniques can be used to help prevent further behaviour issues arising, such as the use of pre-arranged scripts and phrases. All pupils will be treated equitably under the policy, with any factors that contributed to the behavioural incident identified and taken into account.

When giving behaviour sanctions, staff will also consider what support could be offered to a pupil to help them to meet behaviour standards in the future. The school should follow a graduated response in supporting pupils to meet the high expectations that have been set by the headteacher.

- Warning given verbally, warning recorded on the system or expressions of disapproval
  - Withdrawal of privileges
  - Letter of apology
  - Class reset
  - Apologising to others personally; restorative conversations
  - Reports – Uniform/Punctuality/Behaviour
  - Subject/behaviour reports
  - Confiscation of items
  - Buddy systems removal to another lesson to continue their education (departmental arrangement)
  - Letter or phone call to parents/carers
  - Withdrawal from representing school teams/events
  - Withdrawal from representing the school on trips, visits or journeys
  - Detention –lunch/homework/head of year/SLT
  - Pupils that are persistently late without a reasonable or valid excuse will be set a detention as appropriate
  - Pastoral support plans to support graduated response, including dedicated support with a Pastoral support worker
  - Removal from lessons to inclusive learning setting (reflection room)
  - Supervised study in inclusive learning setting
  - Respite placements
  - Suspension
  - Managed move to another school
  - Proactive referral to pupil disciplinary panels
  - Permanent exclusion
- The sanctions applied are based on the incident(s) that have led to a decision being made. This list does not show escalation of sanctions, it is a list of sanctions that the school may apply when unacceptable behaviour



Is displayed. Personal circumstances of the pupil will be taken into account when choosing sanctions and decisions will be made on a case-by-case basis but with regard to the impact on perceived fairness.

## 10. Reasonable Force

Reasonable force covers a range of interventions that involve physical contact with pupils. Reasonable force can be used under the following circumstances, where pupils may be:

- Hurting themselves or others
- Damaging property
- Committing an offence
- Causing disorder

Incidents of reasonable force 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
- Conclude with a 'lessons learnt' meeting that is recorded with clear actions (involving SLT, DSL, relevant staff, pupil and parent/carer)

When using reasonable force, staff should, in considering the risks, carefully recognise any specific vulnerabilities of the pupil, including SEND, mental health needs or medical conditions. De-escalation techniques would be expected to have been exhausted before the use of reasonable force, if appropriate.

Emmaus CAT may stipulate, for schools where behaviour management is a challenge or is weak, that all staff should have basic training provided, at least annually, to enable them to understand de-escalation techniques, and, where appropriate, specific staff should have more advanced training in restraint or other restrictive measures to ensure that they are used safely and effectively and in the appropriate circumstance. Emmaus CAT may stipulate a specific provider that has had their training content moderated to suit the specific needs of the pupils and staff in their context.

In specific cases, individual pupils may have de-escalation strategies/plans, which may result in restraint being appropriately implemented. Such plans must be co-constructed and clearly communicated with all stakeholders. Timely communication must occur with parents/carers where restraint has been required.

Schools must ensure they also control risks associated with violence and aggression through risk assessments and the implementation of effective controls. This is set out in our Health & Safety Policy.

## 11. Searching, screening and confiscation

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



### Searches

Searches will only be carried out by a member of staff who has been authorised to do so by the headteacher, or by the headteacher themselves.

Subject to the exception below, the authorised member of staff carrying out the search will be of the same sex as the pupil, and there will be another member of staff present as a witness to the search.

If the authorised member of staff considers a search to be necessary but is not required urgently, they will seek the advice of the headteacher, designated safeguarding lead (or deputy) or pastoral member of staff who may have more information about the pupil. During this time the pupil will be supervised and kept away from other pupils.

A search can be carried out if the authorised member of staff has reasonable grounds for suspecting that the pupil is in possession of a prohibited item or any item identified in the school rules for which a search can be made, or if the pupil has agreed.

An appropriate location for the search will be found. Where possible, this will be away from other pupils. The search will only take place on the school premises or where the member of staff has lawful control or charge of the pupil, for example on a school trip.

Before carrying out a search the authorised member of staff will:

- Assess whether there is an urgent need for a search
- Assess whether not doing the search would put other pupils or staff at risk
- Consider whether the search would pose a safeguarding risk to the pupil
- Explain to the pupil why they are being searched
- Explain to the pupil what a search entails – e.g. I will ask you to turn out your pockets and remove your scarf
- Explain how and where the search will be carried out
- Give the pupil the opportunity to ask questions
- Seek the pupil's co-operation

If the pupil refuses to agree to a search, the member of staff can give an appropriate behaviour sanction.

If they still refuse to co-operate, the member of staff will contact the senior leader responsible for behaviour and attitudes to try and determine why the pupil is refusing to comply. The authorised member of staff will then decide whether to use reasonable force to search the pupil.

This decision will be made on a case-by-case basis, taking into consideration whether conducting the search will prevent the pupil harming themselves or others, damaging property or from causing disorder. The authorised member of staff may use a metal detector to assist with the search. An authorised member of staff may search a pupil's outer clothing, pockets, possessions, desks or lockers.

Outer clothing includes:



- Any item of clothing that is not worn immediately over a garment that is being worn wholly next to the skin or being worn as underwear (e.g. a jumper or jacket being worn over a t-shirt)
- Hats, scarves, gloves, shoes, boots

### Searching Pupils Possessions

Possessions means any items that the pupil has or appears to have control of, including:

- Desks
- Lockers
- Bags

A pupil's possessions can be searched for any item if the pupil agrees to the search. If the pupil does not agree to the search, staff can still carry out a search for prohibited items (listed in section 3) and items identified in the school rules.

An authorised member of staff can search a pupil's possessions when the pupil and another member of staff are present. If there is a serious risk of harm if the search is not conducted immediately, or it is not reasonably practicable to summon another member of staff, the search can be carried out by a single authorised member of staff. Schools are advised to offer training for staff members to support them in searching pupils.

### Informing the Designated Safeguarding Lead (DSL)

The staff member who carried out the search should inform the DSL without delay:

- Of any incidents where the member of staff had reasonable grounds to suspect a pupil was in possession of a prohibited item as listed in section 3
- If they believe that a search has revealed a safeguarding risk

All searches for prohibited items including incidents where no items were found, will be recorded on CPOMS.

### Informing Parents

Parents will always be informed of any search for a prohibited item. A member of staff will tell the parents as soon as is reasonably practicable:

- What happened
- What was found, if anything
- What has been confiscated, if anything
- What action the school has taken, including any sanctions that have been applied to their child.



### Support after a Search

Irrespective of whether any items are found as the result of any search, the school will consider whether the pupil may be suffering or likely to suffer harm and whether any specific support is needed (due to the reasons for the search, the search itself, or the outcome of the search).

If this is the case, staff will follow the school's safeguarding policy and speak to the designated safeguarding lead (DSL). The DSL will consider if pastoral support, an early help intervention or a referral to children's social care is appropriate.

### Strip Searches

Strip searches will not occur at any Emmaus CAT school. If a strip search is required by the Police, the Police will need to remove the pupil to an appropriate place offsite. Parents will need to be contacted and alerted to the pupil's removal from school. Please refer to the Emmaus CAT attendance codes guidance with regard to reporting attendance.

## **12. Off-site Misbehaviour**

Sanctions may be applied where a pupil has misbehaved off-site when representing the school. This means misbehaviour when the pupil is:

- Taking part in any school-organised or school-related activity (e.g. school trips)
- Travelling to or from school
- Wearing school uniform
- In any other way identifiable as a pupil of one of our schools

Sanctions may also be applied where a pupil has misbehaved off-site, at any time, whether or not the conditions above apply, if the misbehaviour:

- Could have repercussions for the orderly running of the school
- Poses a threat to another pupil
- Could adversely affect the reputation of the school

Sanctions will only be given out on school premises or elsewhere when the pupil is under the lawful control of a staff member (e.g. on a school-organised trip).

## **13. Online Misbehaviour**

The school can issue behaviour sanctions to pupils for online misbehaviour when:

- It poses a threat or causes harm to another pupil
- It could have repercussions for the orderly running of the school
- It adversely affects the reputation of the school
- The pupil is identifiable as a member of the school

Sanctions will only be given out on school premises or elsewhere when the pupil is under the lawful control of a staff member.





#### 14. Suspected Criminal Behaviour

If a pupil is suspected of criminal behaviour, the school will make an initial assessment of whether to report the incident to the police. When establishing the facts, the school will endeavour to preserve any relevant evidence to hand over to the police. If a decision is made to report the matter to the police, the DSL will make the report. The school will not interfere with any police action taken. However, the school may continue to follow its own investigation procedure and enforce sanctions, as long as it does not conflict with police action. If a report to the police is made, the designated safeguarding lead (DSL) will make a tandem report to children's social care, if appropriate.

#### 15. Sexual Harassment and Sexual Violence, a zero-tolerance approach

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

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

- Responding to a report
- Carrying out risk assessments, where appropriate, to help determine whether to:
  - Manage the incident internally (see investigation processes)
  - Refer to Early Help (support for families at the earliest point to avoid problems escalating. Programmes such as Parenting Support, Emotional Health and Well-being Support and Communication and Language support etc...)
  - Refer to children's social care
  - Report to the police

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

#### 16. 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 consider whether to 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 consider whether to 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 Dedicated Officer) 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.

## 17. Serious Sanctions

Sanctions are needed to respond to unacceptable behaviour. Schools must take time to explain to individual pupils why any sanction is being applied and what changes in behaviour are required to avoid future sanctions. In such a way, pupils can move forward positively in the spirit of reconciliation. All staff have the right to impose sanctions other than suspension or the internal reflection room (IRR). The internal reflection room can only be sanctioned in consultation with the senior leader for behaviour and attitudes. The use of sanctions should be characterised by two features:

- It must be clear why the sanction is being applied
- It must be made clear what changes in behaviour are required to avoid future sanctions

### Detentions

Schools have the authority to issue a detention to pupils, including same-day detentions. A school's behaviour policy should make clear that detention (including detention outside of school hours) can be used as a possible sanction. This must be clearly communicated with all stakeholders for transparency with staff following a clear process to give pupils an opportunity to correct their behaviour. Schools may have an escalation process that upscales detentions to increase the severity if detentions are missed and expectations are not followed.

Parents/Carers will be notified of pupils' detention within 24 hours or as soon as possible through the school's communication platform or as part of their school communication procedures. Parental consent is not required for the detention to be issued or to take place. Schools can decide at which time of the day the detention can take place (for example break, lunch or after school). If schools issue a lunchtime detention for part of their behaviour detention process, they must still give adequate time for the pupil to eat, drink and use the toilet. The headteacher can decide which staff members can issue a detention in line with the school's behaviour policy.

### Removal from the classroom

Removal is where a pupil, for serious disciplinary reasons, is required to spend a limited time out of the classroom in line with the school's behaviour policy. Emmaus CAT strongly recommends schools have a clear plan for the staff that can remove pupils from the classroom (for e.g. the headteacher, the deputy headteacher, the behaviour lead etc). The use of removal should always allow for the continuation of the pupil's education in a supervised setting. The continuous education provided may differ from the mainstream curriculum but should still be meaningful for the pupil. Removal from the classroom should be considered a serious sanction. It should only be used when necessary and once other behavioural strategies in the classroom have been attempted and used as a last resort. This is to maintain the safety of others and allow the pupil being removed to regain calm. If the behaviour is so extreme, it could warrant immediate removal. Parents should be informed on the same day if their child has been removed from the classroom. Schools must consider whether there are any special considerations to be made ([Behaviour in schools: advice for headteachers and school staff 2024 – What the law allows and Responding to pupils with SEND](#)).



### Managed moves

Managed moves are processes that allow pupils to move between schools without the stigma of exclusion. The school should seek guidance from the Local Authority and follow any Local Authority in-year fair access protocols to work collaboratively with other secondary schools and academies to provide a pupil with a 'fresh start' when it is felt that all other processes have been exhausted. Managed moves should be voluntary and have the agreement of all stakeholders before they take place. Schools should not pressure parents or carers into such an agreement. Emmaus CAT recommends the following process and protocols take place as part of a successful managed move;

- Evidence of all initial interventions has been carried out and strategies exhausted, including, where relevant, multi-agency support, or any statutory assessments were done or explored prior to a managed move
- Both schools in agreement for the managed move to take place
- Parents or carers in agreement for the managed move to take place
- Meeting takes place to discuss; (with both schools, parents or carers, pupil and relevant external agencies if applicable)
  - Contract – responsibilities of both schools, parent and pupil (attendance, reporting and protocols, safeguarding duties, timely meeting reviews, [dates planned and agreed with at least four taking place], behaviour expectations, uniform arrangements, transport arrangements).
  - Sharing of full behaviour reports, support plans and attainment progress
  - If the pupil has an EHCP or has SEND, documentation for strategies must be communicated to further support the student.
  - Relevant documentation sharing that considers KCSiE and DfE policies
  - Clear understanding between all parties of why this is taking place and the potential outcome if the managed move fails.

If the pupil has an EHCP, the school should contact the local authority prior to the move and if the local authority, both schools and parents/carers are in agreement that there should be a managed move, the local authority will need to follow the process for amending the EHCP.

### Suspensions

Suspending a pupil from the school for a fixed term is a serious step to take. Only the headteacher has the authority to suspend a pupil. In all cases, the parents will be informed on the day the pupil is suspended and the reasons for the suspension. Suspensions can be up to 45 days in an academic year. A suspension may be given for one or more days depending on the behaviour demonstrated or the incident involved in. Emmaus CAT does not support suspending a pupil from their education for more than five days in one given period. The law does not allow for an extension of a suspension or a conversion to a permanent exclusion (unless new evidence becomes available).



On the pupil's return to the school, they should come in with a parent/carer to meet with a senior member of staff and set targets to avoid repeat suspensions. Pupils should receive extensive support on their return to help them to settle back into school and support their reintegration. Pupils should be monitored for a period of time following a suspension to support them to reintegrate successfully. Work will always be set for the pupil during the period of the suspension, this is the school's responsibility and the pupil's right.

Behaviour for which a suspension will be considered, but are not limited, to include:

- Verbal abuse/use of offensive language towards a member of staff;
- Using threatening/aggressive behaviour or fighting;
- Persistent breaches of the school's behaviour policy;
- Any behaviour which causes/is likely to cause danger or harm to others;
- Serious abuse or vandalism of school property;
- Bringing in or using illegal substances, including alcohol, in the school;
- Possession of any offensive weapons in the school;
- Using illegal substances or alcohol in the school;
- Supplying or selling illegal substances in the school;
- Persistent refusal to follow reasonable requests from staff;
- Disobedience, defiance or refusal to co-operate with members of staff;
- Serious incidents of Bullying;
- Theft;
- Abuse of the internet or IT facilities, e.g. viewing, accessing or downloading any inappropriate material from the internet including racist, homophobic, sexist or pornographic images or text;
- Cyberbullying or threatening behaviour towards another pupil;
- Taking or being in possession of images without consent;
- Behaviour which is discriminatory to others for example, in a racial, sexual, physical or mental capacity;
- Denying others access to their learning by persistently disrupting the learning of others;
- Serious intimidation of another pupil or member of staff, including of a sexual nature;
- Any other behaviour which may bring the name of the school into disrepute, this may occur inside or outside of the school.

Parents/carers have the right to make representations against a decision to suspend their child.

Where a pupil has been involved in an incident, there will be an investigation by members of staff. The investigation will usually be coordinated by a senior member of staff with pastoral staff supporting the investigation. Pupils should be asked if they feel comfortable with the member of staff who is conducting the investigation or supporting them with the statements process. Pupils involved in an incident may be placed separately from other pupils (such as an isolation/reflection provision) until the investigation is completed.

Pupils are given the opportunity to write a statement giving their version of events. If a pupil finds it difficult to write, an adult may scribe for them. Honesty is valued. Other pupils and staff involved will be asked to write statements. Other evidence may be gathered. If relevant, CCTV evidence will be used.

The headteacher will confer with the senior member of staff responsible for co-ordinating the investigation and will check a pupil's behaviour record to determine whether or not such an incident



is out of character. The headteacher will check whether the incident may have been provoked, for example by bullying, or by racial or sexual harassment. When establishing the facts in relation to a suspension decision the headteacher will 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.' The headteacher will accept that something happened if it is more likely that it happened than that it did not happen. All suspensions must be reported to the Emmaus CAT central team.

### Permanent Exclusions

A decision to exclude a pupil permanently is very serious and is considered as a last resort. Only the headteacher can make the decision to permanently exclude. All permanent exclusions must be reported to Emmaus CAT.

If a pupil does not respond to a number of reasonable strategies and to reasonable expectations, or indeed, if a pupil is involved in a serious incident, the headteacher may permanently exclude the pupil concerned. Permanent exclusion would only be considered for a serious breach or persistent breaches of the school's behaviour policy and where allowing the pupil to remain at the school would seriously harm the education or welfare of the pupil or others in the school. This policy adheres to the DfE Statutory guidance '[Exclusion from maintained schools, academies and pupil referral units in England: A guide for those with legal responsibilities in relation to exclusion](#)' published in September 2023. The school will use disciplinary sanctions to regulate the behaviour of pupils off-site when they are not under the lawful control of a member of the school staff if necessary. The school expects pupils to behave in a positive way at these times.

The headteacher will promptly notify the Local Governing Body, Emmaus CAT and the Local Authority of any permanent exclusions or any suspension which would result in the pupil being excluded for a total of more than five school days or more than ten lunchtimes if a lunchtime suspension, in a term. In addition to this, the headteacher will inform Emmaus CAT, the Local Governing Body and Local Authority of any suspension which would result in the pupil missing a public examination. Where a pupil is permanently excluded and lives outside the Local Authority area, the pupil's home Local Authority will be notified.

Once a term, the headteacher will notify the Local Governing Body of any other suspensions not already notified, i.e. those less than five school days for a fixed term or less than ten school days for a lunchtime suspension. All notifications will include the reason for the suspension and the duration.

### Unlawful Exclusions/Suspensions

'Informal' or 'unofficial' exclusions, such as sending pupils home 'to cool off' are unlawful, regardless of whether they occur with the agreement of parents or carers. If a student is sent home in response to a breach of discipline, even for a short period of time, this must be formally recorded as a suspension. A suspension must be a fixed period of time and pupils cannot be kept off school indefinitely. Students must also be allowed a reintegration back into the school even if the parent fails to attend the reintegration. Failure to comply will result in an unlawful exclusion. Students cannot be suspended.



## 18. Pastoral Investigation Process

Significant incidents or complaints from pupils and parents must be reported immediately and directly to a Head of Year and member of the Senior Leadership Team and, if appropriate, guided by [the Emmaus Complaints Policy](#). Regardless of the scenario, all school investigations should be handled with care, considering the well-being of all involved and with the employment of the relevant policies, if required. Issues relating to safeguarding concerns must always be reported to the DSL. This must always be logged using the school's appropriate electronic platform (CPOMS) and relevant policy must be followed.

Where mistakes are made in an investigation, an escalation of error can occur whereby the mistakes made earlier can come continually back to cause issues in later processes such as an exclusion, a bullying incident or conflict between peers. Not following a correct and thorough procedure, recorded in the appropriate way, can make the process unfair, lead to formal complaints or even subject to legal challenge. Therefore, taking all incidents seriously and having the correct practices right from the start is paramount.

The following principles should apply to all investigations:

- The welfare of pupils must always be the priority; this overrides all other considerations.
- All pupils have a right to be heard, to be listened to and to be taken seriously.
- Those persons with parental responsibility and those with day-to-day care of children have a right to respect and should be consulted and involved in matters which concern the children they have care of, with regular and timely updates.
- The investigation should be concluded in as short a time scale as possible, but without compromising the integrity of the process or the validity of the conclusions drawn.
- Accurate and timely record-keeping is essential. This must be kept safely on file (please see Emmaus CPOMS policy).
- In all cases where there is reasonable cause to suspect that a child has been subject, or is being subjected to neglect, physical abuse, sexual abuse or emotional abuse those concerns must formally be referred to the appropriate agencies. If there is illegal activity (i.e. racial/homophobic harassment and abuse) then the police must be informed and a crime reference number recorded.

A thorough investigation should involve the following;

1. An incident, allegation or complaint is received. This is passed on to the Head of Year and member of the senior leadership team leading pastoral care.
2. A decision is made to investigate the issue which inevitably involves appointing an investigator, setting out what precisely is being investigated, agreeing the methodology and setting a timeframe.
3. Parents are informed and the methods of evidence gathering are explained.
4. Agreement is made as to an appropriate member of staff to conduct any evidence gathering.
5. Evidence gathering: Statements and interviews comprise most of the investigation, as well as gathering and reviewing digital evidence (CCTV, video footage, images) and documents.
  - All statements should be taken on an appropriate, consistent proforma
  - Use of open questions is always recommended (TED: Tell, Explain, Describe)
  - Viewing/use of CCTV completed in line with school CCTV Policy
6. Analysis of the evidence. School investigations are determined on the civil law burden of proof "on the balance of probabilities"



7. Preparation of the report for the next stage.
8. Sanctions are agreed by the senior leadership team and the headteacher
9. Parents/carers are informed of their child's behaviour and the sanction and actions moving forward that have been agreed upon. Parental meetings are offered to parents to discuss further.
10. Individuals involved in making the complaint will be contacted with feedback from the investigation and agreed actions moving forward. Data protection policies must be adhered to protect all individuals.
11. The investigation log is updated with all evidence recorded safely on the school's chosen platform.
12. Resulting actions are recorded and followed by designated staff members to ensure the school is supporting all pupils.

## **19. Responding to Misbehaviour from Pupils with Special Educational Needs and Disabilities (SEND)**

### Recognising the Impact of SEND on Behaviour

Emmaus CAT is aware of the links between the SEND Code of Practice, our SEND processes and the whole school behaviour system outlined in this policy. Some special educational needs may pose a barrier or difficulty when applying the requirements of this policy and require suitable adaptations. The school and Emmaus CAT recognises that pupils' behaviour may be impacted by a special educational need or disability (SEND). When incidents of misbehaviour arise, we will consider them in relation to a pupil's SEND, although we recognise that not every incident of misbehaviour will be connected to their SEND. Decisions on whether a pupil's SEND had an impact on an incident of misbehaviour will be made on a case-by-case basis.

When dealing with misbehaviour from pupils with SEND, especially where their SEND affects their behaviour, the school will balance their legal duties when making decisions about enforcing the behaviour policy. The legal duties include:

- Taking reasonable steps to avoid causing any substantial disadvantage to a disabled pupil caused by the school's policies or practices (Equality Act 2010)
- Using our best endeavours to meet the needs of pupils with SEND (Children and Families Act 2014)
- If a pupil has an education, health and care (EHC) plan, all best endeavours by the school must be evident to meet the provisions set out in that plan in collaboration with the Local Authority

As part of meeting these duties, the school will anticipate, as far as possible, all likely triggers of misbehaviour, and put in place support to prevent these from occurring. Any preventative measures will take into account the specific circumstances and requirements of the pupil concerned. Where required, strategies will be put into place to address any issues and support the pupil, and reviewed using the graduated approach of the assess, plan, do and review cycle. Schools can adjust their sanctions and support for our pupils with SEND on a case-by-case basis. These adjustments may include:

- Short, planned movement breaks for a pupil with SEND who may find it difficult to sit still for longer periods
- A time out pass for pupils with SEND if appropriate and in line with school processes
- Augmented sanctions for pupils with SEND i.e. Inclusive learning and base room support
- Adjusting uniform requirements for a pupil with sensory differences or who has severe eczema



- Training for staff on pupils' specific needs
- Sharing pupils' individualised SEND profiles with staff and quality assuring the implementation of support strategies

#### Adapting Sanctions for Pupils with SEND

The school will assess if it is appropriate to use a sanction and if so, whether any reasonable adjustments need to be made to the sanction.

- When considering a behavioural sanction for a pupil with SEND, the school will take into account:
  - Whether the pupil was unable to understand the rule or instruction
  - Whether the pupil was unable to act differently at the time as a result of their SEND
  - Whether the pupil is likely to behave aggressively due to their SEND

Where pupils display behaviours which could put themselves, others or the order of the school at risk, positive handling plans and individual risk assessments will be put in place. Any restrictive physical intervention will be recorded in line with the school's positive handling policy/procedures/best practice and communicated to parents/carers.

#### Considering Whether a Pupil Displaying Challenging Behaviour May Have Unidentified SEND

The school's Special Educational Needs and Disabilities Co-ordinator (SENDCo) may be involved in the assessment of a pupil exhibiting challenging behaviour to determine whether they have any underlying additional needs that are not currently being met. Where necessary, support and advice will also be sought from specialist teachers, an educational psychologist, medical practitioners and/or other specialists, to help identify and support specific needs. Should any additional needs be identified, schools will liaise with external agencies, seek support from the Emmaus CAT central education team and plan a support programme for that child. Schools should work with parents and carers to create a plan, and review the impact to inform future actions.

#### Pupils With an Education, Health and Care Plan (EHCP).

The school will work with the Local Authority to ensure the school's best endeavours are made to meet the outcomes set out in the EHCP. If the school has a concern about the behaviour of a pupil with an EHCP, it will seek support from the Emmaus CAT central education team and then make contact with the Local Authority to discuss the concerns. If appropriate, the school may request an emergency review of the EHCP.

#### Supporting pupils following a sanction

Following a sanction, the school will consider strategies to help pupils understand how to improve their behaviour and meet the expectations of the school. Support can include, but not limited to:

- Reintegration meetings
- Behaviour contract in line with school expectations and home school agreement
- Head of Year report/SLT report
- Allocated link pastoral member of staff
- Further SEND support/assessment if appropriate
- Pastoral support plan
- Time spent in Inclusive learning
- Mentoring





- Positive report card
- Adapted rewards programme
- Mentoring with the lead of the behaviour and inclusion support service
- Behaviour focussed programmes (temporary short-term basis e.g. 6 weeks, 2 hours per week)



## Appendix A

**Permanent Exclusion Protocols**

When considering suspensions or exclusions, it is important to remind ourselves of the Emmaus mission and how this shapes our approach to behaviour policies in school.

Our aim is simple; to ensure we have great schools – strong in faith – serving society. The distinctive context of each school in the Emmaus Catholic Academy Trust (CAT) is unique and must be fully embraced and understood. Every school has strength and capacity. Every school has a part to play in developing the future strategy for Emmaus CAT.

Our mission is shaped through the values of humility, faithfulness and service. At the core of any decision taken in an Emmaus school is the commitment to inclusion and equality and this too must be central to the decision taken to exclude. We recognise that some young people will need more or different from their school than the core curriculum offer. We will work to adjust and support our approaches to facilitate access to learning and we will continually review and refine our own systems and structures to allow everyone to succeed. These protocols must be considered alongside the statutory guidance in relation to exclusions, and the school's policies including those related (and not limited) to behaviour, SEND and equality.

- We see exclusion as a last resort and ensure we are proactive in our care and support;
- We follow a graduated and scaled response to ensure we intervene as early as possible
- We are open and transparent in all our communication regarding exclusions; for instance, showing patience, understanding and compassion for families and carers.
- We will consider the mental health needs of any pupil facing permanent exclusion
- We will act fairly and proportionately with regard to exclusions
- A panel will be convened within 15 school days to review any permanent exclusion
- A panel will be convened within 15 school days if any suspensions would bring the pupil's total number of days out of school to more than 15 in a term
- A panel will be convened within 15 days if a suspension or an exclusion would result in a pupil missing a public examination or a national curriculum test
- The Director of Education must be notified of all suspensions and exclusions
- The local authorities must be notified of all suspensions and exclusions
- The Chair of Governors must be notified of any suspensions and exclusions
- Exclusions will follow Emmaus CAT protocols in line with DfE Guidance
- We will undertake 'lessons learned' reflections after any exclusions so we can learn from them and make improvements to our structures and systems to better support our young people.

We aim to ensure the exclusions process is fair and consistent; that pupils in our schools remain safe and happy and that they do not become NEET (no longer in the education system and who is not working or being trained for work).

**Only a headteacher can suspend or permanently exclude a pupil on disciplinary grounds. As such, the application of these protocols and the management of the process is not a task that can be delegated to another member of the Senior Leadership Team unless by prior agreement with the Director of Education. In every instance where a student is sent home for disciplinary reasons, it is the duty of the headteacher to formally record and specify the length of the exclusion.**



Schools must try and avoid the need to use suspensions if possible and where they are used, the impact must be closely monitored. For instance, if the suspensions are not leading to an improvement in the individuals' behaviour and attitude, or the overall climate to learning for other young people, the effectiveness of the sanction needs to be analysed. Below is a list of questions that a headteacher may use in considering a permanent exclusion as the appropriate next step.

Focus question	Y/N	staff
Has the school provided explicit teaching of behaviour expectations and the curriculum more widely? (i.e. has there been any impact with supply)		
Have appropriate scaffold and adjustments been made to learning in order to support the full access to the curriculum?		
Have staff received regular training on de-escalation techniques and promoting positive and respectful relationships?		
Have relevant interventions and support packages been put in place where there are external factors to consider? (such as safeguarding concerns or adverse childhood experiences)		
Does the young person have the appropriate social skills to interact positively with their peers? If not, what support has been put in place?		
Does the young person have a named adult in school (mentor, pastoral worker, LSA, Form Tutor) with whom they can consistently and reliably build a safe and trusting relationship 1 to 1?		
Has the young person's behaviour and attendance data been analysed and any ensuing patterns spotted and responded to?		
Has the young person provided a statement in relation to a specific incident?		
Has the young person contributed to a pastoral support plan in relation to ongoing concerns/decline in attitude?		
Have the parents/carers contributed to a pastoral support plan in relation to ongoing concerns/decline in attitude?		
Has a personalised reward system, above and beyond normal school systems, been implemented at all?		
Does the young person have a risk assessment in place including strategies to keep the child safe if physical restraint is likely to be required?		
Have all relevant stakeholders been consulted in the individualised planning regarding the young person's needs? (E.g. Head of Year, KS Lead, teachers, SENDCo, external professionals etc.)		
Has the young person's progress been reviewed by SLT and/or Governors?		
Have the CAT Central Team been involved (Executive Leaders, CAT Senior Leaders, Directors of Education or Directors of Safeguarding)		
Has the young person accessed any short-term alternative provision?		
Has the young person accessed any additional SEMH support in or outside of school?		
Has the young person had any high tariff internal sanctions (such as reflection/isolation – internal exclusion) previously?		
Has the young person had any suspensions previously?		
Has the young person attended another school on a step-out or a managed move?		

Assuming then the decision has been taken by the headteacher to permanently exclude a pupil, please use the table above as a final checklist before the preparation of the exclusion pack needed for the



panel. Schools must not use unlawful exclusions. If a student at any time is sent home in response to any breach of discipline, this must be formally recorded as a suspension.

The headteacher must issue the exclusion notification informing parents/carers by the end of the following school day. If parents are separated, but both have parental responsibility, it is the headteacher's responsibility to ensure both parents/carers are notified. The reason for the decision must be clearly communicated. This must also be communicated to the LA and, if applicable, the LASEND contact, social worker and virtual school headteacher. The exclusion needs to be communicated to the LA directly as per local arrangements and procedures.

The register must be updated and ensure that accurate coding is used (for example – E for exclusion, B for Alternative Provision and D for education off-site)

### Alternatives to suspensions/ permanent exclusions

**Internal exclusion:** Should a headteacher decide to use an internal exclusion unit, the same considerations should apply regarding the sanction. This sanction prevents pupils from accessing the taught curriculum so it is imperative that the impact of the sanction leads to an improvement in the young person's behaviour and the overall climate and culture of the school.

These must be restorative and not retributive. Every effort should be made so that the pupil does not fall behind with their schoolwork. It is still the responsibility of the class teacher to set and mark their work. There should also be the opportunity for the pupil to reflect and make amends (where appropriate) for their wrongdoing.

For pupils who are subject to a Child Protection Plan or a Child in Care – this may be the more appropriate way to safeguard than a suspension where the pupil is off-site.

Internal exclusion data and any arising trends should be analysed as robustly and rigorously as rates of external exclusions.

**Part-time timetables:** Part-time timetables may be used in very rare circumstances when students need time to reintegrate back into the mainstream, full-time education provision but must be used with caution and with appropriate authority.

Misuse of part-time timetables can constitute an unlawful exclusion as prohibiting a student from being at school for lessons/sessions because of their behaviour or special educational needs. Part-time timetables should not be used to manage behaviour and should always be a short-term measure (i.e. no more than 2-4 weeks) with a clear plan for reintegration to a full timetable.

Such an arrangement must be agreed between the parent/carer, school and student and this must be recorded and shared with the Director of Education and the Emmaus CAT Senior Leader for Behaviour & Personal Development (secondary). The school remains responsible for the child whilst they are on the roll – the written agreement must specify who is responsible for keeping the student safe during the time they would normally attend the school. Similarly, the school must ensure there is appropriate work provided. All part-time timetables must work to increase the time in school as the pupil works to towards attending full-time.

At the end of the agreed period, the school will hold a reintegration meeting and evaluate the impact of the timetable. For pupils at risk of exclusion, this is rarely a successful strategy – limiting their access can further then hinder their engagement with school.



**Early Help, SEND & working with other agencies:** Schools must seek to engage families frequently and openly to help those children at risk of exclusion. It may be appropriate to initiate the wider support accessed via Early Help. Similarly, whilst there is undoubtedly severe strain placed on local CAMHS services, schools should still make a referral if a student is presenting with possible mental health needs. If a student has an EHCP, SEN or a disability, schools should contact the Local Authority to request an emergency review of the plan to see if anything further can be done to meet their needs, for instance, alternative provision (AP) placements. For any child with an allocated social worker (e.g. subject to statutory child protection, looked-after plan), the school must engage the social worker as soon as possible.

**Alternative Provision:** Only alternative provision that is DfE registered should be used by Emmaus CAT schools. Any provision must be time-limited and kept under review. The school must undertake ongoing and rigorous checks regarding safeguarding, attendance and the quality of the curriculum. During the off-site direction to another school, the pupil must be dual registered. The length of time a pupil spends in another mainstream school (i.e. managed move) or at an AP must be reviewed by the headteacher with regular review meetings held with the parent/carer, headteacher and pupil (if appropriate). The meetings may involve other agencies such as CAMHS, MASH and the Local Authority (if a child has an EHCP). Frequent reviews should take place and should be recorded in writing.

Appropriate reintegration must take place to support the student returning from Alternative Provision or placement at another mainstream school.

All schools must share the details of any alternative provision and its suitability with the Director of Education at Emmaus CAT.

**Managed Moves/Step-outs:** Managed moves should be considered part of a measured and graduated response to a pupil's needs, it is likely to be a strategy considered at the later stages of a behaviour plan and it can be a fresh start for a pupil if undertaken alongside a high level of support. There must be a formal arrangement between the two schools, the student and their parent/carer and the local authority. Where a student has an EHCP, the relevant statutory duties will apply within the new school and so the Local Authority must be contacted ahead of any decision. Under no circumstance must a parent, carer or pupil be pressured into a managed move. This could lead to concerns regarding off-rolling during Ofsted's rigorous review process.

#### **Safeguarding implications of suspensions and exclusion**

When suspending or excluding, the headteacher should always give additional consideration to pupils from groups who are vulnerable. Headteachers must make sure they are meeting their legal duties pertaining to this. Parents/carers must be formally notified, and pupils should not be put at risk by sending them home without adequate supervision. Headteachers must take account of specific child protection issues – the DSL must be properly consulted along with the allocated social worker (where appropriate). The disciplinary process must be properly recorded on CPOMS. Similarly, the headteacher must consider whether the student is at risk of child criminal exploitation (CCE) including Child Sexual Exploitation (CSE) and County Lines, before taking the decision to suspend or exclude. The expectation is that a pupil on a child protection plan or child in need plan will receive additional support from social services whilst excluded.



### Gathering evidence and preparation for a Permanent Exclusion panel

Headteachers must collate evidence to establish the facts relating to a permanent exclusion. The civil standard of proof applies, i.e. 'on the balance of probabilities' it is more likely than not that an allegation is true. Sources of evidence could be:

- Witness statements from staff and pupils;
- CCTV footage stills (to comply with GDPR, images must be pixelated before the panel views it). Copies cannot be provided to panel members and cannot be viewed outside of the school premises.
- Screenshots from social media sites or messaging services.
- Behaviour incident records, particularly where physical behaviour or restraint has occurred.
- CPOMS records, where relevant (this must be carefully redacted if there are references made to other pupils).
- Attendance records
- Achievement record
- All home and school correspondence (including positive behaviour letters)
- Copies of any behaviour plans (agreed targets etc)
- Copies of any additional support/interventions in place both within the school and with other agencies.
- CAMHS referral
- Early Help referral
- Educational psychologist's report
- SEND information – pupil passport, EHCP where applicable. PSP documentation and the latest individual support plan and review.

### Collation of the pack

The pack should be printed and either hand delivered or sent via recorded mail to the parents/carers no later than 5 school days ahead of the agreed panel date. This should be followed up the next day by the headteacher's PA or the clerk to confirm receipt. Other panel members may receive an electronic copy. This needs to be password protected, with a covering email requesting a response to confirm receipt of the documentation.

The pack must follow the set table of contents listed below:

Document	Page
Cover sheet: name of student and year group	
EHCP/pupil passport (where applicable)	
Headteacher's statement – overview of the student's school experience leading up to and including the decision to exclude	
Chronology of impact (summary of interventions and any behaviour issues/serious sanctions to date)	
Attendance information	
Academic performance and school reports	
Specific incident details – including redacted/anonymised witness statements and any other sources of evidence	
PEX documentation including a letter to parents advising of the PEX	



Incidents relating to breaches of the school behaviour's policy – including redacted witness statements and any other sources of evidence (linked to the chronology mentioned above)	
Behaviour support plans	
Minutes of meetings with external agencies	
Minutes of meetings with parents/formal behaviour panel meetings with Governors	
Safeguarding information (CPOMs records)	
Copies of communication with home	

### Organisation of the panel

The school is responsible for ensuring that there is a clerk available for the meeting. This can be via Governor services (e.g. Trust GS) or a member of administrative staff from another Emmaus CAT school. Minutes will be taken of the meeting. The outcome will be recorded in the student's educational record.

The clerk will arrange a date within 15 school days of the headteacher's decision for the panel to convene. This will take place either at another Emmaus CAT school or within the school, but not in the headteacher's office. Due consideration must be given to make sure that the panel meets in a neutral environment.

The clerk is responsible for putting together the three colleagues who make up the Exclusion Panel. This can be supported by the Emmaus CAT Central Education Team. The panel can be comprised of:

- Chair of Governors from the school
- Emmaus Executive Leaders, CAT Senior Leaders or Director of Education (but not for the relevant phase; for example, the Director of Secondary can participate in the panel for a primary exclusion, but not for a secondary exclusion and vice versa).
- Governors from other Emmaus CAT schools
- Deputy headteacher or headteacher from other Emmaus CAT schools

All the colleagues above must have participated in the annual Emmaus CAT exclusion training. Where appropriate, a senior member of the school's leadership team can act as an advocate for the child regarding SEND and the protected characteristics during the meeting.

The clerk must check with all panel members and attendees if there are any concerns/anomalies about the pack at least 24 hours before the panel meeting takes place. This is also the opportunity to confirm attendance. If for instance additional evidence is subsequently provided, all parties must be given a further 5 school days to consider this and the panel meeting will be delayed allowing the time to do so.

The clerk must check if there are any reasonable adjustments that should be made to support the attendance and contribution of all attendees to the panel meeting. For instance, parents/carers and the pupil may wish to be accompanied by a representative. Or where a parent or a pupil has a disability with mobility or communication that impacts upon their ability to attend the meeting.

### Responsibilities and duties of the panel members

While DfE statutory guidance provides no example of what a serious breach of a school's behaviour policy might be, headteachers might consider permanent exclusion in the following circumstances:



- Serious or actual threatened violence against another student or a member of staff
- Sexual abuse or assault
- Supplying illegal drugs
- Carrying an offensive weapon with the intent to use

The Exclusions Panel has a duty to consider the reinstatement of an excluded pupil within 15 school days of receiving notification. The panel can decide whether to decline to reinstate the student or direct the school to reinstate the student immediately or on a specified date.

The permanent exclusion must not be discussed outside of the meeting. The pack will have been read by all members in advance of the panel so that questions can be thoughtfully posed and answered within the meeting. In reaching a decision, the panel will consider if the suspension and/or exclusion was lawful, reasonable, proportionate and procedurally fair and whether the headteacher has followed their legal duties in relation to the decision to exclude. The Chair of the Exclusions Panel (usually the Emmaus CAT Executive Leader or the Chair of Governors) will notify the Emmaus CAT Director of Education, the headteacher, the parent and the Local Authority if the decision was upheld, within 24 hours.

### **Independent Review Panel**

A written notification from the Chair of the Exclusions panel must be sent within 48 hours of the meeting to all those named above. The panel must make clear in the notification the following:

- The decision was upheld and this is permanent
- Parents/carers have the right to an independent review panel
- Support and guidance regarding the point above (including to whom an application for the IRP should be submitted)
- Regardless of whether the excluded student has recognised SEND, the parents have a right to require Emmaus CAT to appoint an SEND expert to attend the independent review panel.
- Parents/carers may appoint someone to make representations to the panel (at their own expense) and they may be accompanied by a representative.
- Parents/carers may request that the independent review panel be conducted using remote access
- If parents believe that the exclusion has occurred as a result of unlawful discrimination, they may make a claim under the Equality Act 2010 to the First Tier Tribunal (SEND), in the case of disability discrimination or the county court, in the case of other forms of discrimination. This must be done within 6 months of the date on which the discrimination is alleged to have occurred.

If parents apply for an independent review panel, the school must arrange for this to take place within 15 school days. The panel must comprise 3 members – one of whom must have been on the existing Exclusion Panel. The independent review panel can take the following actions:

1. Uphold the decision of the Exclusion panel
2. Recommend the Exclusion Panel reconsider reinstatement
3. Direct that the student be reinstated if the panel believe that the exclusion was not lawful, reasonable, proportionate and procedurally fair or the headteacher has not followed their legal duties in relation to the decision to exclude.

