

Behaviour and Exclusions (Annex to the Funding Agreement)

Serious incidents of misbehaviour leading to fixed period or permanent exclusion

General Duties

Subject to the exceptions in paragraph 4, the Hasting Academies Trust shall act and shall ensure that the Principal shall act in accordance with the law on exclusions as if the Academy were a maintained school. For this purpose, reference in the law on exclusions to the Head Teacher and Governing Body shall respectively be deemed to be the Principal and the Board of Directors of the Hastings Academy Trust.

Without limiting the generality of paragraph 1, the Academies Trust shall ensure that the Local Authority (East Sussex County Council) is informed of an exclusion decision in the same circumstances as required by a maintained school under the law on exclusions.

Subject to the exceptions in paragraph 4, the Academy Trust shall ensure that in carrying out their functions the Principal, the Local Governing Body and the Independent Appeal Panel (established in accordance with paragraph 5) have regard to the Secretary of State's guidance on exclusions¹ as if the Academy were a maintained school.

The exceptions to the duties imposed under paragraphs 1 and 3 are:

- The Academies Trust, and not the Local Authority (East Sussex County Council), is responsible for making arrangements for an Independent Appeal Panels to hear appeals against permanent exclusions where the governors do not direct reinstatement;
- The Local Governing Body is not expected to seek the advice of a Local Authority officer when considering an exclusion, although a Local Authority officer may attend any meeting to consider an exclusion at the request of a parent;
- Subject to the Academies Trust's obligations under clause 52 of this Agreement relating to an agreement with the LA on the flow of funds following exclusion, the arrangements for money to follow pupils who have been permanently excluded from school does not apply.

Independent Appeal Panels

The Academies Trust shall, in relation to the Academy, carry out the functions assigned to the Local Authority (East Sussex County Council) to establish and manage the appeal procedure for exclusions under the law on exclusions, as if the Academy were a maintained school.

Independent Appeals Panels must be impartial and constituted in accordance with the detailed provisions of paragraphs 123-126 of the Secretary of State's guidance on exclusions. The Academies Trust shall arrange suitable training for appeal panel members and clerks.

The Independent Appeal Panel's decision is final and binding on the Academies Trust. A parent may seek a judicial review of an Independent Appeal Panel's decision. A parent may not, however, appeal to the Commissioner for Local Administration (the Local Government Ombudsman) about maladministration because the Commissioner's remit is limited to considering the conduct of appeal panels constituted by local authorities.

Appendix 1

The Academy's policy on Exclusions which reflects the provision of this annex to the funding

agreement is attached at Appendix 1.

Appendix 2

The Academy's Behaviour to Achieve policy is attached at Appendix 2.

Appendix 1

1.1 Behaviour to Achieve

Aims

- To improve standards of behaviour in the learning environment and provide a platform for outstanding teaching;
- To enhance the learning opportunities of all students to make exceptional progress;
- To provide clearly defined boundaries for students and staff so that all feel safe and secure;
- To establish a consistent and whole staff approach to behaviour across the Academy;
- To encourage students to take responsibility for their actions and realize that poor behaviour is often the result of poor choices.

Remember:

- BTA is a whole school system which relies on staff using it in a fair and consistent way. No other classroom sanctions can be used;
- All consequences are given through a central school system and the data is carefully monitored;
- EVERYBODY must follow the system – no exceptions. As we know inconsistency is our biggest barrier in ensuring effective practice.

BTA out of lessons

- BTA in the corridors - All staff may give a straight C3 for not following the corridor code.

1.2 Consequences for disruption of learning

C1 Verbal warning - name / initials written on the board.

C2 Verbal warning - name / initials written on the board.

C3 Whole school detention - (40 minutes to an hour). Teacher inputs C3 data on SIMs (at the end of the lesson or as soon as possible). A detention letter is then generated and handed out by the tutor the next day. The detention is set for the day after. The student does not leave the lesson.

C4 Teacher sends for removal (email student reception/phone/send pupil). The student will be removed ASAP for the remainder of the lesson. No explanation is necessary for the person on call or student reception. This will result in isolation.

The student must wait to be collected not sent out.

The teacher then puts the red slip into the box in the staffroom before the end of the day.

Remember that consequences cannot be 'worked' off.

Consequences are for behaviour that disrupts the learning in the classroom.

The Process - C3s

1. C3 completed by teacher ASAP on SIMs / Same for corridor behaviour.
2. Admin staff print off the detention letters period 5 that day.
3. Letters distributed by tutors the next day and students sign a detention book to show they have received the letter.
4. Tutors keep the letters if the student is away.
5. If the tutor is away then the Student Support Managers give out the letters.
6. Detention served the next night from receipt of the letter
7. All detentions in the hall
8. Staffed by teams with a team leader
9. Targeted students informed by SSMs the day of the detention.
10. 40 minute detention – any behaviour issues will add an extra 10 minutes up to one hour.
11. No show = phone call the next morning and have one more chance to do the detention. Following that the student will come in the next day with parents. They will not be allowed to return to lessons until that meeting has taken place.
12. Students will be interviewed by the pastoral team about C3s and any necessary interventions put into place.
13. Weekly reports on C3s will be issued for departments and pastoral teams to reflect and evaluate.

The Process - C4s

1. All slips collected by senior staff at the end of the day.
2. Students with C4s interviewed by senior staff the following morning.
3. The C4 s will be discussed and students will be encouraged to reflect on events. A decision will be made if the student will sit the isolation or if an exclusion or alternative day is required.
4. Students stay all day. Water is provided. There is a toilet allocated for their use. Work is already in place. Food will be brought by the canteen.
5. Poor behaviour in isolation. Students are given two warnings. Then they are spoken to by a senior member of staff. After this any more issues and they will need to re sit the isolation the following day.

1.3 Guidance for using BTA data

- **Each lesson a fresh start:** The process means that students will reflect on their actions, in the case of C4s having an interview.
- **Choices:** students should have the opportunity to reflect on the choices that they make and given the opportunity to modify their behaviour.
- **Language:** Language should be non confrontational and focus on the behaviour rather than the individual. All consequences need to be related to learning. Staff should refer to the classroom rules where appropriate. Do not invade the student's personal space.
- Refer to learning when giving out consequences.
- Take up time. Allow students take up time.
- C4s should not be given 5 minutes before the end of the lesson / when packing up etc as the impact on learning is minimal.
- **Consequences:** This should not be a 'machine gun' approach! It is vital that students understand clearly what consequences they are on. There is no further consequence for a C1/ C2 – this is their opportunity to avoid consequences. So everyone has two clear warnings and has opportunities to make the right choices.
- **Behaviour Data:** This will trigger interventions for students. It is vital that there is a no blame approach to using the behaviour data. We are not blamed but are all accountable. We should all have an expectation that there will be a professional dialogue around the data. It may be the trigger for;
 - Reflection and trying different approaches;
 - Curriculum support or intervention from the pastoral team to resolve issues;
 - Group / Class changes – looking at student groupings;
 - Support / coaching and discussion of classroom practice;
 - Coaching observation to look at behaviour issues and provide support;
 - Looking at differentiation;
 - Looking at lesson planning / activities.