

POLICY FOR	BEHAVIOUR
PERSON RESPONSIBLE	DEPUTY HEADTEACHER PASTORAL
REVIEW DATE	DECEMBER 2022
NEXT REVIEW DATE	DECEMBER 2023
APPROVED BY	GOVERNING BODY
APPROVAL DATE	DECEMBER 2022

BEHAVIOUR

This policy has been put in place to promote good behaviour, self-discipline and respect. It is to be used in conjunction with the school Rewards Policy and the focus is on the correction and prevention of incidences of poor behaviour. It will ensure that our students and staff follow a strict, consistent and caring behaviour policy that compliments 'The Malling School Way'.

Aims of Behaviour Policy

The DFE guidance states that the behaviour policy must set out to:

- Promote good behaviour, self-discipline, respect, develops character and promotes personal development;
- Prevent bullying;
- Ensure that pupils complete assigned work;
- Regulate pupils' conduct.

Have regard to the Governing Body's guidance on:

- Screening and searching pupils;
- The use of reasonable force;
- Disciplining pupils beyond the school gate;
- Working with other local agencies to assess the needs of pupils who display continuous disruptive behaviour;
- Pastoral care for staff accused of misconduct.

Key Principles

The Malling School believes in a supportive, friendly and hard-working community, in which all members are valued equally. Pupils should be encouraged to regulate their own behaviour, and positive behaviours are recognised and rewarded. Prevention of poor behaviours is better than sanctions; where the curriculum is

differentiated and teaching styles and approaches accommodate individuals there is likely to be fewer incidences of poor behaviour.

- Consistency of approach and application of policy provides support for all members of staff and pupils;
- High quality planning and methods of teaching will prevent low level disruption;
- Pupils are received into a classroom where routines are established and high standards are expected;
- The curriculum will provide opportunities for student to develop SMSC skills and will be monitored continuously;
- The policy is a pupil centred policy. The expectation is that pupils will self-manage. Consequently, instances of poor behaviour will be few;
- Where possible this policy will also cover behaviour incidents that occur outside of school, but there will be liaison with other authorities if deemed necessary.

Implementation of the policy

- Staff will record all sanctions on SIMS;
- Staff training will be put in place to promote consistency of application of behaviour management systems with a focus on Positive Behaviour Strategies (PBS);
- The policy will be communicated to pupils through the assembly programme, Period One curriculum and through classroom displays;
- The policy will be communicated to parents through the school website and direct communication;
- Monitoring of the policy will be through tracking by year group teams, Middle Leadership and Senior Leadership and developmental learning walks.

ROLES AND RESPONSIBILITIES

Staff:

- Staff are in a position of trust and are expected to work within the agreed parameters of this document;
- Teachers should plan effective, challenging and scaffolded lessons, catering for those foreseeable situations in which poor behaviour may arise.
- Staff should model expected behaviours such as punctuality, appropriate dress and respect.
- Staff should look for opportunities to praise and reward excellence.
- Staff should follow the behaviour policy consistently, asking for advice if in doubt and recording all incidents in a timely manner.

Parents:

- Parents are expected to support the school behaviour systems, and reinforce expectations of pupils when in school, as stipulated in the home-school agreement.
- Parents are free to contact staff in regard to behaviour incidents, but this should usually be through the Guidance Manager in the first instance.
- Parents of pupils at risk of exclusion will be involved in The Malling School 360 Support meetings and there may be a referral to the Maidstone and Malling Inclusion Panel (IYFA) if the behaviour policy is not adhered to.

Pupils:

- Pupils need to be made aware that this policy exists, its rationale and implications
- Pupils are responsible for their own actions and are expected to behave in a manner that shows pride and respect for all members of the school community
- Pupils are expected to work hard in lessons, be polite and respectful in their manner and treat all property and equipment in a way that ensures that all members of the community can enjoy what the school has to offer
- Pupils are expected to follow The Malling School Way and show our core values of being caring, determined and reflective
- Pupils should celebrate the success of others

Governors

- Governors should monitor the implementation of this policy
- Governors should support the school to implement this policy, including sitting on an appeals panel if required

Positive Behaviour Strategies

Teachers should plan lessons that are engaging and challenging to support all pupils to engage effectively and to minimise disruptive behaviour.

In instances where there is concern over the behaviour of a pupil, staff should employ every method to de-escalate the behaviour and support the pupil to reintegrate into the learning.

REWARDS

A focus on rewarding positive behaviour for all pupils will result in a classroom environment that supports progress and high achievement.

Our Rewards system includes:

- Points on a Reward Card for excellent contribution in lesson
- Public recognition of showing a good piece of classwork under the classroom visualiser. This results in points on a Reward Card
- Letter of congratulations sent home at the end of every term to praise a student for not receiving a single late mark, equipment mark, transfer from lesson or knowledge organiser mark
- Letter of congratulations sent home at the end of every term to praise a student for producing a piece of work to such a high standard that it is displayed in a subject's termly Gallery of Excellence
- Bi-termly House Rewards Assembly
- Annual Rewards Day
- Reward trips
- Articles written into the school newsletter
- Pupils may be recognised in assembly through a certificate, prize or public congratulation

Recording

Guidance on how to record incidents.

- Incidents (both rewards and sanctions) should be recorded on SIMS;
- All records should be completed by the end of the day of the incident;
- Staff should not enter more than one sanction for any incident, and should look for the most appropriate level;
- Form Tutors should complete SIMS for any pupil who has attained a full reward card.

SANCTIONS

Sanctions are needed to respond to inappropriate behaviour. A range of sanctions is clearly defined in these procedures and the consistency of their use will be monitored carefully. The procedures make a clear distinction between the sanctions applied for minor and major offences.

Uniform

At The Malling School, we believe that uniform is an essential part of the ethos and discipline structure and that all pupils in Years 7 to 13 manage the way in which they present themselves and comply with the school uniform rules. As a school, we firmly believe that our school uniform, and our rules regarding it, help to promote a sense of pride in The Malling School. It supports our commitment to inclusion as it is practical, smart and is considered good value for money. In addition to this, our uniform establishes a clear sense of identity and fosters a clear sense of inclusive belonging as well as encouraging positive behaviour and self-discipline, which in turn supports teaching and learning. Our uniform expectations are a choice of two options:

Option 1	Option 2
TMS black blazer, badged	TMS black blazer, badged
Black or dark grey trousers	TMS plaid kilt skirt
White shirt, long or short sleeved (always tucked-in and top button fastened)	White blouse, long or short sleeved, revers collar OR white shirt, long or short sleeved
TMS tie (TMS logo showing below the knot)	Plain black V-neck long-sleeved jumper (optional)
Plain black V-neck long-sleeved jumper (optional)	Black or navy socks OR black or natural tights
Black or navy socks	Black school shoes
Black school shoes	<i>Alternatively, girls may wear school blazer, white shirt with tie and black or grey school trousers</i>

In addition to the above, the following points are also rules regarding our uniform:

- Cardigans are **not** allowed instead of the optional jumper
- **No jewellery** may be worn except a wristwatch and one pair of plain earlobe studs
- **Piercings**, other than one in each earlobe, are **not allowed**
- **Discreet** make-up may be worn
- Hair colour must be **natural**
- **False nails** are **not** allowed
- **Baseball caps** are **not** to be worn with the school uniform **at any time**
- **Hooded tops** are **not** to be worn with the school uniform **at any time**
- School shoes are **leather** and **not canvas** or **trainer** style

Uniform non-compliance:

No pupil will be allowed to remain in their timetabled classes should they not arrive to school in the correct school uniform without a genuine and legitimate reason. Each case will be considered individually but one of the following decisions will be taken, in no particular order:

1. **Parents/carers** informed and asked **to bring the correct item(s) to school** so that their child may return to their timetabled lessons with the rest of their class.
2. **Spare laundered uniform** will be provided when available and pupils will be expected to wear this. If a pupil refuses to wear items of uniform provided by the school, we will impose sanctions according to our behaviour policy.
3. If points 1 or 2 do not rectify the situation then a pupil may be **placed in the Internal Reflection Unit** in order to complete their schoolwork. This may result in them moving to the school's first behaviour stage or to the next stage. When the correct uniform is being worn the pupil will be allowed to return to their timetabled lessons with the rest of their class.

Inside the classroom

All staff are given clear guidance on how to use our procedure for using assertive discipline techniques to manage low level disruption in the classroom. Our approach when classroom rules are broken is to apply SWAT:

1. **State** the rule that is being broken
2. **Warn** of the consequences if the rule continues to be broken
3. **Apply** the sanction – move seats, 10-minute detention with the classroom teacher and logged in SIMS.
4. **Transfer** the student to another classroom – SIMS logged as *Lesson Transfer*, classroom teacher contacts parents, automatic 40 minute after-school reflection with duty member

Consistency and uniformity is the key to successful implementation of the policy.

Sanctions for persistent disruption to learning

Number of lesson transfers in one term	Sanction
3	Supportive meeting held with parents/carers and member of SLT
10	Supportive meeting held with parents/carers and Pastoral Leader and Guidance Manager
15	Tier II Behaviour Support intervention
20	Tier II Behaviour Support continues
25	Tier III Behaviour intervention with parents/carers
30	Possible IYFA referral for Off-site Direction or MMAP placement

Mobile Phones

At The Malling School, the misuse of mobile phones will not be tolerated. Pupils are allowed to bring mobile phones into school. If they choose to do so it is on the understanding that they agree with the following limitations on its use, namely:

- During school hours mobile phones must be switched off at all times.
- The phone must be kept out of sight during school hours.
- No pupil may take a mobile phone into a room or other area where examinations are being held.

If a pupil is in breach of the above guidelines they will have their phone confiscated. Pupils and their parents should be very clear that the school is within its rights to confiscate the phone where the guidelines have been breached.

Confiscation of mobile phone procedure

If a mobile phone is confiscated at The Malling School then:

- at the discretion of the teacher the mobile phone will be returned at the end of the school day
- OR
- the pupil will be informed that the phone can be collected at the end of school day *from the Head of Department, Head of House or nominated Senior member of staff.*
- the confiscation will be recorded in SIMS for monitoring purposes
- the school will ensure that confiscated equipment is stored in such a way that it is returned to the correct person
- in the case of repeated or serious misuse the phone will only be returned to a parent/carer who will be required to visit the school by appointment to collect the phone. This may be at the end of a week, a half term or longer. At the discretion of the Headteacher the phone may be returned to the pupil at the end of the confiscation period.

- where a pupil persistently breaches the expectations, following a clear warning, the Headteacher may impose an outright ban from bringing a mobile phone to school. This may be a fixed period or permanent ban.

In addition to the above, using a mobile phone outside school hours to intimidate or upset staff and pupils of The Malling School or undermine the stability of the school in any way will be considered a breach of these guidelines in the same way as unacceptable use which takes place in school time. With regards to this point, the following should be noted:

- Pupils should be aware that the police will be informed if there is a serious misuse of the mobile phone where criminal activity is suspected
- If a pupil commits an act which causes serious harassment, alarm or distress to another pupil or member of staff, the ultimate sanction may be permanent exclusion. School will consider the impact on the victim of the act in deciding the sanction.

Differentiation

In extreme or particular circumstances our behaviour policy is differentiated to ensure that our more vulnerable pupils are not discriminated against. Any differentiation to the application of the behaviour policy will be agreed via consultation with all stakeholders. The final decision will be made by the SLT.

Isolation 'Reflection' Room

The Malling School uses the Isolation 'Reflection' Room when it is appropriate to remove pupils from their lessons to enable other pupils to work effectively. This is a major sanction and is used as an alternative to Exclusion.

Repeat visits by pupils are monitored, and Senior Staff will look to find other routes and support for pupils where this sanction does not work.

Referrals are only made the duty member of staff or Pastoral Leader, in conjunction with the Lead Guidance Manager and the Deputy Headteacher Pastoral. The Behaviour Support Manager, Guidance Managers and members of SLT staff the Isolation Room and are able to ensure consistency of approach and support the pupils who are present.

Non-Classroom Time

At break time and lunch time, the member of staff witnessing the incident should deal with it appropriately using the sanctions/rewards list. If it requires intervention from a more senior member of staff then the Duty Team Leader should be informed.

Teachers take action themselves and enter the details on SIMS on the day of the incident.

Action could be:

- a verbal warning
- phone call home
- Detention: 10 or 20 minutes
- Detention: 40 minutes after-school with duty member
- One week's worth of lunchtime detentions

If a pupil is offsite at lunch time the pupil will receive an after-school detention and be taken out of circulation for the rest of the lunch/break

Pupils should not be allowed to go to the toilet unless absolutely necessary or with a toilet pass. However, we will always use our professional discretion.

Staff should meet and greet pupils in the corridor, and when walking between lessons should pick up on any issues quickly. Staff are expected to greet pupils in a positive and welcoming manner. They should deal with them and record them as appropriate.

Pupils should not be sent outside classrooms to work unsupervised. Cooling off in the corridor should only be used. If this is needed, then please use SWAT to alert the duty member of staff who will support.

Confiscation and Searching Pupils

In accordance with the DfE guidance:

- Staff may search pupils with their verbal consent. Written permission does not need to be sought. Should the pupil not comply with this request then the usual sanctions procedure will be put into place;
- Only the Headteacher, or a member of staff appointed by the Headteacher can search a pupil without their consent.
 - The only exception to this is if the member of staff feels there is an immediate threat to the pupil or others;
 - The only articles that can be search for without consent are:
 - Articles that are suspected to have been used to commit an offence (see DfE guidance);
 - Articles that are banned from school (drugs, alcohol, cigarettes etc).
- During a search only pupils' outer clothing (eg coats and blazers) can be removed and the search must be conducted in their presence;
- Reasonable force can only be used if searching for prohibited items listed in the DfE guidance.

After the search:

- Confiscated items such as alcohol, tobacco and fireworks should be disposed of and not returned to the pupil;
- Pornographic images must be locked and stored as they could form part of a criminal enquiry; electronic pornographic images seen on computer must not be viewed, the device must be closed, locked and the ICT Strategy Manager informed immediately as they could form part of a criminal enquiry
- Offensive weapons and controlled drugs should be passed to the police as soon as possible;
- Whilst informing the police of low-level stolen items is not necessary, the school may deem it necessary to inform the police of other stolen items.

USE OF REASONABLE FORCE

The Malling School recognises that there may be occasions when a member of staff has to take action that involves a degree of physical contact with a pupil.

The Malling School uses the definition of reasonable force as being *"no more than is necessary in the circumstances"*. The Malling School recognises the DfE guidance contained in the 2013 document *Use of Reasonable Force* that reasonable force is used most often to restrain or to control a pupil.

All member of staff at The Malling School have the power to use reasonable force.

The Malling School may use reasonable force to:

- Prevent pupils committing an offence.
- Prevent pupils injuring themselves or others.
- Damaging property.

PROCEDURE FOR MAJOR OFFENCES

A major incident would be classed as being:

- An unprovoked assault on a pupil and/or member of staff.
- Criminal damage to personal and/or school property
- Intimidation of a member of staff, verbally, physically or virtually
- Defiant or continued refusal to obey a reasonable instruction
- Any criminal act including drug abuse, extortion, pornography, bringing a knife or weapon into school, malicious allegations or slander etc.

Not all major incidents will lead to exclusion or referral to the Internal Reflection room, with every case being assessed on an individual basis, but consistency of sanctions will be maintained. Under no circumstances should pupils be placed unsupervised outside the classroom, but there may be some special circumstances when pupils

are taken from the classroom to another supervised teaching area e.g., a heated argument, dangerous behaviour, violent conduct etc. If the pupil cannot be quickly returned to their classroom, the HOD, PL or SLT member on call should be immediately contacted. This may be recorded on SIMS as a lesson transfer.

Pupil statements should be taken by the person dealing with the incident who then refers it to their line manager.

EXCLUSIONS

The school is committed to a policy of inclusion. The Head Teacher will normally only resort to a suspension or permanent exclusion when all other methods of support and sanction have failed or are deemed inappropriate. The Head Teacher may also decide that an exclusion is warranted in the case of a first offence, or a pupil who has not been previously monitored for behaviour, if the offence is of a sufficiently serious nature. The Head Teacher will follow the guidance in DfE Circular 10/99 in reaching the decision to exclude and will follow the procedures set out in Annex D of Circular 10/99 and its revisions ('2012 Guidance' on the 2006 Education Act) with regard to 6th day exclusions.

A decision to suspend or exclude a pupil will only be taken in response to serious breaches of the school's discipline policy and/or where, if allowing the pupil to remain in school it would seriously harm the educational welfare of the pupil themselves or others in the school.

The school participates in the Maidstone and Malling protocols for Managed Moves, by which pupils may transfer to other schools initially for a six-week trial period as an alternative to permanent exclusion in certain cases.

Suspension (previously referred to as 'Fixed Term Exclusion')

If the behaviour is so serious it may be appropriate to suspend a pupil from the school for a fixed period. Under the *Education and Inspections Act 2006*, parents are responsible for ensuring their children are supervised during the first five days of a suspension. If pupils on suspension are seen by staff or police unsupervised, then parents or guardians will be liable to a penalty fine. For suspensions that last for more than six days, the school is responsible for providing full time education from day six onwards.

Following any suspension, parents or guardians will be expected to attend a reintegration interview with a member of staff at the school to discuss the reason for the suspension and seek reassurances from the pupil about their future conduct.

Permanent Exclusion

Some behaviour types may result in permanent exclusion. These include:

- The use or possession of illegal substances or paraphernalia on the school grounds or while wearing school uniform
- The use or possession of any object deemed to be a weapon by the police (including any blade or knife) on school grounds or while wearing school uniform
- Serious threatened or actual violence towards another student or member of staff



- Sexual harassment or persistent bullying.
- Serious online abuse of a student or member of staff
- Persistent and systematic disruptive behaviour resulting in the learning of others being significantly affected.

VIOLENCE

Physical violence of any sort has no place at The Malling School. All cases of violence will be subject to a consequence and the more serious examples will lead to either fixed term or permanent exclusion and, for the severest cases, referral to the police.

DRUG RELATED INCIDENTS

The school's policy and practice on drug related incidents is based on DfE Circular 4/95.

The school is committed to tackling misuse among young people and any incidences of possession, use, supply or agreement to supply illegal drugs on the school's premises will be regarded with the utmost seriousness.

The Head Teacher has the responsibility of deciding how to respond to particular incidents taking account of factors such as the age of the pupil concerned, whether the incident involved one pupil or a group of pupils and whether there is evidence of particular peer group pressure.

Possession of drugs on the school premises may well lead to permanent exclusion and in cases where it is clear that a pupil is selling illegal drugs and the health and safety of other pupils is directly at risk permanent exclusion will always be an option the Head Teacher will consider. For a second offence permanent exclusion will be almost inevitable.

Where a pupil has been excluded for a drug related offence there is clearly a particular continued need to provide drug education and support. The Head Teacher may well wish to refer the student to a drug support programme such as one run by Kent County Council's Youth and Community Service and in some cases may make a reintegration into the school conditional on attendance on such a programme.

DfE Circular 4/95 states that "the Secretary of State for Education would expect the police to be informed when drugs are found on a pupil or on the school premises" and it also states that "where a teacher is told, or is aware of possible criminal activity outside the school premises, the Secretary of State would also expect the police to be informed in the interests of safeguarding the health and safety of young people in the area". The school will inform the police in both these incidences and co-operate fully in any enquiries they may wish to carry out.

DfE Guidance (2004) states Head Teachers are within their rights to test pupils on the school premises. The Malling School does not carry out random drug testing but reserves the right to test pupils who are suspected of contact with illegal drugs or alcohol. In such cases parents will always be informed of the outcome of such a test.



Smoking or the consumption of alcohol are not permitted on the school premises. Parents will always be informed of such incidents and, if necessary, the police. The range of sanctions will depend on the circumstances but serious incidents could lead to exclusion.

BULLYING

The Malling School has a zero-tolerance approach to bullying. Sanctions and support are put in place for both victim and bully. A full anti-bullying programme is delivered to through our school curriculum and assembly programme. Please see separate anti bullying policy for full details.

RACISM

The school believes that all pupils, regardless of their ethnicity, colour or creed should be treated equally.

The school has adopted the definition of racism found in law following the Stephen Lawrence inquiry. This deems that if an incident is perceived to be racist by the victim then it must be treated as such.

Racist remarks and behaviour at The Malling School ranging from the unintentionally hurtful comment to the outright malicious act, will always be challenged and, where necessary, sanctions will be applied.

All racist incidents are reported to and audited annually by the LEA. They also are included in a regular pastoral report to governors.

SEXISM and SEXUAL HARASSMENT

The School's Equal Opportunities policy underpins the school's position on discrimination on the grounds of gender and sexual harassment. Neither will be tolerated by anyone in The Malling School community and will be recorded, investigated and actioned in the same way as other breaches of the school's code of conduct.

BEHAVIOUR WHEN TRAVELLING TO AND FROM SCHOOL

Poor behaviour on the way to and from school and any behaviour that brings the school into disrepute will be taken very seriously. Full uniform should be worn on the way to and from school. Poor behaviour on school buses or public transport may result in removal of the right to travel.

STAFF TRAINING

Staff training will be conducted annually and will be bespoke for some members of staff.

LIAISON WITH PARENTS

The school will liaise with parents when the pupil's behaviour necessitates the need to implement further strategies. This may result in the implementation of The Malling School 360 Support Meetings.



Parents will be informed by letter and or email when there is an after-school reflection or an internal suspension (reflection).

A Pastoral Support Programme may form part of the 360 support meetings and may be put in place for pupils who have been excluded to mitigate the possibility of a repeat exclusion. Parents will be fully involved in this process. This plan will actively seek to support pupils to pre-empt escalating negative behaviour, truancy and attendance problems.

A referral to Early Help or other agencies may be made, and parents will be fully involved in this process. The Home School Agreement outlines the expectation of pupils in and around the school. Expectations are also made available on the school website.

TRANSITION OF PUPILS

Clear transition for pupils between schools and years, with communication between staff, will ensure that there can be support in place. This will minimise some behaviours. Liaison with the Transition Co-ordinator (also Year 7 Pastoral Leader) and the SENCo will be important at difficult times for pupils. The school have a year group system and the Guidance Managers are supportive of the pupils.

MALICIOUS ALLEGATIONS

Pupils found to have made malicious allegations, either direct or inferred through online postings, against school staff will be sanctioned through the normal behaviour system. If this allegation is thought to be damaging, then an alternative place for the pupil may be sought at another institution through the In-Year Fair Access (IYFA) process or a permanent exclusion could be considered.

The pupil may be offered support through 360 support meetings, Early Help, Social Services or referred to CAMHS if mental health issues or safeguarding concerns are raised.

COMPLAINTS

The availability of a clear policy about behaviour and involvement of parents should reduce the likelihood of complaints but may not eliminate them.

Any complaints about staff will be investigated through the school's Complaints Policy. If necessary the complaint will be dealt with by the Staff Disciplinary Procedures and/or Safeguarding Policy.

MONITORING AND EVALUATION

The school acknowledges the school's legal duties under the Equality Act 2010, and those in respect of safeguarding and supporting pupils with special educational needs.

The school recognises that all pupils are individuals, and some pupils require a more sensitive and differentiated approach.

This policy will be reviewed in line with the review procedures of The Malling School Governing Body.