Behaviour Policy including Exclusion Policy

Status: Statutory

Review: Every 2 years

1. Aims

This policy aims to:

- Establish a clear and consistent approach to behaviour management
- Make clear what sort of behaviour we expect and promote and which types of behaviour we will not accept
- Summarise the roles and responsibilities of different people in school with respect to behaviour
- Outline how we will record, reward and sanction

2. Legislation and statutory requirements

In devising this policy the school has considered advice from the Department for Education (DfE) and the relevant legislation:

- Searching, screening and confiscation at school (non statutory for 16-19 academies)
- The Equality Act 2010
- Use of reasonable force in schools

- Supporting pupils with medical conditions at school (non statutory for 16-19 academies)

We also note that:

- The exclusion framework set out in the 2002 Education Act does not apply to this setting
- We need to take note of the special educational needs and disability (SEND) code of practice in the way we manage the behaviour of students with Special Educational Needs.
- There is a requirement in our Funding Agreement that the Secretary of State will need to be in agreement with our policy around exclusions.

3. Monitoring arrangements

This behaviour policy will be reviewed by the headteacher and the Board of Trustees every 2 years.

4. Linked Policies

This behaviour policy is linked to the following policies:

- Child Protection and Safeguarding policy (including E-safety)
- SEN policy
- Data Protection policy
- Behaviour Policy Interventions

5. The ethos of ULMaS (Behaviour Principles)

What sort of behaviour is expected and promoted in this school?

Students at this school have applied for a place after being provided with information about the special character of the school. As students they benefit from attending a specialist school which has significant expertise to support their individual needs and from being part of a student body which is both able and highly motivated. The students and the staff of this school are therefore in the privileged position of being part of a very positive, self disciplined and talented community. We expect everyone to seek to make the most of membership of that community and to work to maintain and, where possible, improve the quality of the learning and wellbeing in this community for the benefit of all its current and future members.

It is important to us that this school is a place of excellent teaching and learning, high academic standards and genuine enthusiasm for learning in the mathematical sciences and beyond. Just as importantly, this school is a place where everyone is welcome, where we behave with respect for each other and where we behave in ways that encourage everyone to feel safe, well-regarded and highly valued. No one should be made to feel like an outsider, and all students and staff members should be able to feel that they are safe and belong here.

We therefore expect the following of all members of the school community (Student Code of Conduct):

- That they will work hard to learn well and to support each other both in learning and in wellbeing
- That they will subscribe to the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance for those of different faiths and beliefs
- That they will comply with the school's policies and procedures in ensuring that the school is a safe and welcoming place for everyone
- That they will always treat each other with politeness and respect
- That they will be honest in their dealings with each other
- That they will never place each other in danger

6. Definitions

The following are examples of matters that will normally be regarded as **Misbehaviour**:

- Disruption, rudeness or lack of proper respect for other members of the school community
- Failure to complete set work with due care without good reason
- Dressing in a way that is intended to push boundaries or provoke a response
- Being repeatedly unpunctual
- Failing to comply with reasonable expectations around use of the school's systems and procedures including (but not limited to) meetings with pastoral tutors, wearing identity badges and use of the school network
- Online activity that undermines the cohesion of the school community

The following are examples of matters that will normally be regarded as **Serious misbehaviour**:

- Repeated breaches of the school rules
- Any form of bullying
- Sexual assault, which is any unwanted sexual behaviour that, for example, causes humiliation, pain, fear or intimidation
- Deception, including lying to a member of staff and using someone else's computer login / identity to send messages or edit documents

- Vandalism
- Theft
- Fighting
- Smoking or vaping on the school premises
- Discriminatory behaviour, such as racist, sexist, homophobic behaviour
- Online behaviour that leads to members of the school community or anyone else feeling harassed, targeted, embarrassed or anxious.
- Possession of any prohibited items. These are:
    - Knives or weapons
    - Alcohol
    - Illegal drugs
    - Stolen items
    - Fireworks
    - Pornographic images
    - Any article a staff member reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of, any person (including the student)

7. Bullying

Bullying is a significant risk for the wellbeing of school students and we have therefore developed a policy specifically to address the risk of bullying. See ULMaS Anti-bullying policy**.**

8. Roles and responsibilities

The board of trustees

- The board of trustees is responsible for reviewing the written statement of behaviour principles: *The ethos of ULMaS*
- reviewing and approving the exclusion and suspension aspects of this policy

The Board of Trustees will monitor the policy's effectiveness, holding the headteacher to account for its implementation.

The headteacher

The headteacher is responsible for:

- Reviewing and approving the behaviour aspects of this policy
- Monitoring the implementation of this behaviour policy
- Ensuring that the school environment encourages positive behaviour and that staff deal effectively with poor behaviour and recognise and celebrate positive behaviour
- Giving clear leadership on behaviour to both students and staff through setting an excellent example and delivering clear messages in assemblies and staff meetings

Members of staff

Members of staff are responsible for:

- Implementing the behaviour policy and related procedures consistently
- Modelling the behaviour we want from our students
- Intelligently adapting expectations for particular students at certain times, as needed, to accommodate students with Special Educational Needs and students suffering emotional distress
- Recording behaviour incidents as required in this policy
- Supporting each other in managing student's behaviour, intervening when necessary and maintaining consistent, high expectations of student conduct and engagement

- Adopting a positive, welcoming and appropriately forgiving approach with students
- Showing leadership to students in order to teach them well and keep them safe, setting an excellent example in their own behaviour and delivering clear messages in their teaching and assemblies

Parents/ carers
Parents/ carers are responsible for:

- Supporting their child in working hard, behaving well and adhering to the student code of conduct
- Informing the school of any changes in circumstances that may affect their child's behaviour
- Discussing any behavioural concerns with the relevant members of staff promptly

9. Student code of conduct

Students are expected:

- To behave in a manner consistent with the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs
- To behave in an orderly and sensible way in and around the school buildings
- To behave with respect and tolerance towards all members of the school community, the university community and the local community
- To support other students in their learning
- Never to engage in any unfair or dishonest behaviour
- To treat the school buildings and school property with respect
- To dress sensibly and appropriately
- To comply with sanctions when given
- Never to behave in a way that might bring the school into disrepute, including when outside school
- To consider others in their use of technology, adhering to the school's etiquette around the use of mobile phones and similar devices
- To comply with the Acceptable Use Policy for ICT

10. Rewards and sanctions

Our students are 16-19 years old and normally are of well above average academic ability. Our approach to rewards and sanctions is therefore quite different to that of most schools. We seek to remind students of their privileged position and to take on the responsibilities that come with that privilege. Our students are treated as young adults and will be expected to respond to that with mature and considerate behaviour. Mistakes will still be made and it is therefore necessary for us to log incidents of poor behaviour so that we can become aware of patterns and have appropriate records to refer to in the case that serious incidents occur and significant sanctions are necessary.

List of normal rewards and sanctions
Appropriate rewards:

- Sincere verbal praise which identifies what has been done well and why it is praiseworthy and worth repeating
- Community recognition in which a student's good efforts and achievements are publicly recognised in an assembly, school event, school publication or acknowledged by a senior member of staff via email or in person
- Contact with family to note a student's success or special efforts, but with sensitivity to the possibility that some students may find this patronising if done in the wrong way

- Positive achievement notes in a student's record that can be considered for inclusion in references for university and job applications

Appropriate sanctions:

- Polite but clear public advice to students at the time an incident happened, or soon after
- A verbal reprimand to a student/s at the time the incident happened that makes clear it was unacceptable and prompts an apology
- A private conversation in which the student's mistake/ poor judgement is noted, along with an explanation of the negative effect of the behaviour and a clear direction about how the student can avoid making this mistake in future
- A conversation such as the one above with an incident also being logged in the MIS
- Logging in the MIS without a discussion with the student for a minor event such as non-completion of homework, or poor punctuality
- A meeting with the member of staff who has witnessed the incident during a break / after school
- Elevation to a meeting with a more senior member of staff
- Contact with parents to request their assistance in addressing the behaviour with students aged under 18, or those aged 18 or over who have consented for their parents to continue to be involved in their education
- Supervised study period/s at lunchtime or after school
- Being placed on a monitoring report to ensure a student is adopting the right approach to study or behaviour
- In the case of Serious Misbehaviour the Deputy Headteacher will consider whether to recommend that a student should be excluded from school permanently or suspended for a fixed period of time.

Other sanctions may be considered and issued in order to address specific instances or the needs of particular students.

Off-site behaviour
Sanctions may be applied where a student has misbehaved off-site if:

- The student's behaviour could have brought the school into disrepute
- The student's behaviour could affect another member of the school community (e.g. through "cyber-bullying" or other contact)
- The student is on an educational visit or is on the way to or from school
- The behaviour suggests that the student may represent a risk to the safety of the school
- The behaviour is otherwise a legitimate concern of the school

Malicious allegations
Where a student makes an accusation against a member of staff and that accusation is shown on a balance of probabilities to have been malicious, the headteacher will discipline the student in accordance with this policy. Malicious allegations will be considered to be a very serious incident.

Please refer to our child protection policy for more information on responding to allegations of abuse.

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

11. Behaviour management

School staff members are responsible for setting and maintaining the ethos of good behaviour in the school. They will:

- Adopt a positive, optimistic approach when working with students which treats them as mature young people whilst recognising that they are still learning how to behave as adults.
- Work to develop a positive relationship with all students through:
    - Having clear, consistent and reasonable expectations;
    - Taking note of students' needs and showing emotional intelligence in their dealings with them;
    - Welcoming students to lessons;
    - Being understanding when things don't always go to plan for students;
    - Highlighting and promoting effective learning behaviour, good manners and kindness;
    - Concluding lessons and meetings positively and looking to the future optimistically;
    - Planning and delivering engaging and thought-provoking and useful lessons.
- Record minor and major disciplinary concerns in BROMCOM.
- Raise major disciplinary concerns with the Deputy Headteacher directly.

12. Physical restraint

In some circumstances, staff may use reasonable force to restrain a student to prevent them from:

- Causing disorder
- Hurting themselves or others
- Damaging property

Incidents of physical restraint must:

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

13. Searching and Confiscation

Any prohibited items (listed in section 4) found in a student's possession will be confiscated. These items will not be returned to students.

We will also confiscate any item which at a staff member's absolute discretion is considered to be harmful or detrimental to school discipline. These items will be returned to students after discussion with senior leaders and parents, if appropriate.

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

14. Individual student support

The school recognises its legal duty under the Equality Act 2010 to prevent students with a protected characteristic from being at a disadvantage. It also recognises its general public sector equality duty. Consequently, our approach to challenging behaviour may be differentiated to cater to the needs of the student and will have due regard to the aim to:

- eliminate unlawful discrimination, harassment, victimisation and any other unlawful conduct prohibited by the Equality Act 2010;
- advance equality of opportunity between people who share and people who do not share a relevant protected characteristic;
- foster good relations between people who share and people who do not share a relevant protected characteristic.

The school's pastoral team will consider whether the special educational needs co-ordinator (SENCo) should be asked to evaluate a student who exhibits challenging behaviour to determine whether they have any underlying needs that are not currently being met. Where the student is known to have Special Educational Needs, the SENCo's advice should always be sought.

Where necessary, support and advice will also be sought from specialist teachers, an educational psychologist, medical practitioners and/or others, to identify or support specific needs.

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

15. Transition between phases and sharing information about behaviour

We will routinely request Educational Records from students' prior schools. If those records include information about behaviour that may be relevant for a student's ongoing education or the safety of other members of the school community, we will retain that information and make appropriate plans in order to manage risk.

As ULMaS is a small school there will be no formal transition plans for transfer between classes and years in school, but colleagues will collaborate to ensure smooth transition where needed.

We will support students as they move to the next stage of their education or career and provide such information to future employers or educational institutions as is requested by our students or is required for the process of transition. In doing so we will comply with the relevant laws on data protection.

If we receive a request from the police for information about any of our students, we will comply where the law obliges us to do so and provide appropriate and relevant information only.

16. Training

Our staff will be provided with training on managing behaviour, including proper use of restraint, as part of their induction process.

Behaviour management will also form part of continuing professional development and will be focused on developing effective learner behaviour including developing effective self-regulation strategies.

17. Drugs and illegal substances

Definition: the school defines the term 'drug' as any substance, which affects the way in which the body functions physically, emotionally or mentally and includes tobacco, alcohol, solvents, over-the-counter and prescribed medicines as well as illegal substances. This policy will apply on the school premises and beyond, whenever students are within the care of school staff. The school also has an interest in the health and well-being of our students beyond the school boundaries.

This policy also applies to students, staff, volunteers, parents/carers, governors and partner agencies working with the school on the school premises and within the perimeters and also includes any journeys made in school time, trips and work experience.

Terms

The possession, use or supply of illegal and other unauthorised[1] drugs by any person within school/academy boundaries is unacceptable. It is unacceptable for any person to be under the influence of alcohol on the school site.

Smoking and vaping are not permitted inside the school building or on Back Bedford Street. Failure to follow the regulation regarding smoking and vaping will be considered a breach of this behaviour policy and may result in disciplinary action.

In every case of an incident involving drugs, the school's priority is the health and safety of the students and staff, meeting any medical emergency with first aid and summoning appropriate help before addressing further issues.

Procedures

Drug education will be delivered by the school's pastoral team as part of the PPEP programme and will focus on increasing our students' knowledge and understanding of drugs, drug usage, the health consequences of this and the risks entailed.

Procedures for dealing with drug-related incidents: The designated senior members of staff with overall responsibility for all drug issues within the school are the Headteacher and the Deputy Headteacher.

Anyone who suspects individuals of taking, possessing or supplying drugs should inform any member of the Senior Leadership Team or the Safeguarding Team

Students under the influence of drugs

Any student under the influence of illegal substances will be dealt with in accordance with the school's Disciplinary Policies. The police may also be involved although the school is under no legal obligation to do this. Students will be suspended pending investigation unless doing so would put them at risk of serious harm. The risk of harm will be assessed by the school's safeguarding team.

A careful investigation will take place to judge the nature and seriousness of each incident, the needs of those involved and the most appropriate response. If during the course of the investigation the school decides that the police should be involved they should cease their investigation immediately, to enable the police to conduct a full detailed enquiry. Any response will balance the needs of the individual with those of the wider school community, and aim to provide students with the opportunity to learn from their mistakes and develop as individuals.

Possible responses may include:

- early intervention and targeted prevention,
- referral,
- counselling and agency programmes,
- suspension, or
- permanent exclusion.

[1] Authorised drugs are over the counter medicines, prescribed medicines and everyday stimulants such as tea and coffee. All psycho-active substances that cannot be legally purchased over the counter in a shop such as a supermarket or pharmacy are considered unauthorised.

Students suspected of supplying drugs to other students inside

The supply or possession of any illegal substances on the school site will be viewed as a criminal offence and the police will normally be contacted immediately. Individuals who pass illegal substances onto another, even without reward, would be deemed to be someone who is supplying drugs.

Parents/carers of students under 18, and those aged 18 or over who have not withdrawn permission for parental communication will be notified. Students will be suspended pending investigation. Where a student is sent home, parents/carers of students under 18 will be informed that they are being sent home and given the reason why.

Dealing with substances and paraphernalia

If any paraphernalia associated with drugs is found by anyone on the school site, under no circumstances should it be touched. The designated senior members of staff should be contacted immediately, who will arrange for its safe removal.

The law permits the school to take temporary possession of a substance suspected of being an illegal substance.

In taking temporary possession and disposing of suspected illegal substances, members of staff must:

- Ensure that a second adult witness is present throughout
- Without delay notify the police, and take guidance on the next steps to be taken. The law does not require a school to divulge to the police the name of the student from whom the drugs were taken.
- Record full details of the safeguarding aspects of the incident on CPOMS
- Record the behaviour incident against any relevant students in Bromcom
- Inform parents/carers if the student is under 18, unless this would jeopardise the safety/welfare of the student

If necessary and where well justified by evidence, such as witness statements, a search of student property will be made without permission, in line with section 11 above. Where possible the student will be invited to hand over any drugs voluntarily.

The police may be called if there is good reason to believe that a student is in possession of drugs but has declined to hand them over to the designated senior member of staff.

Members of staff cannot and should not promise total confidentiality. The boundaries of confidentiality should be made clear to the student.

If the student discloses information about drug use or procurement that is sensitive, not generally known and which the student asks not to be passed on, the request should be honoured unless this is unavoidable in order for teachers to fulfil their professional responsibilities in relation to safeguarding, cooperation with a police investigation and referral to external agencies.

Prescription drugs are allowed on the school site when a doctor has prescribed these to that named individual. If a student has medication prescribed for a known condition which they need to take in school, they should inform their Form Tutor and the Office Manager, who will make suitable arrangements in line with our Supporting Students with Medical Conditions Policy. Unauthorised prescription drugs could be viewed as possession of a class C substance and therefore may result in disciplinary action.

18. Serious Behaviour Concerns: procedures that could lead to permanent exclusion

If serious misconduct is observed by a member of staff or by a member of the public or a student, or a student fails repeatedly to meet our expectations the Deputy Headteacher (or designated senior leader) should be informed giving the name of the student and details of the incident/ pattern of behaviour.

The Deputy Headteacher (or, in their absence, another appropriate member of staff designated by the Headteacher) will decide whether the formal disciplinary procedure needs to be followed.

In considering the matter, they will have due regard to the school's obligations under the Equality Act 2010 and make a note of such consideration and their conclusions in this regard.

If not, they will communicate with the Form Tutor and decide on an appropriate action and record their decision and outcomes against the behaviour log recorded in Bromcom.

Two types of disciplinary circumstances might lead to consideration of suspension or permanent exclusion:

- One or more incidents of *gross misconduct* (see Appendix 1)
- Repeated failure to follow instructions and/ or comply with school systems over an extended period of time such as a half term or a term

The first of these will be addressed using the Gross Misconduct Process (GMP). The second will be addressed through the Behaviour Contract Process. The Behaviour Contract Process (BCP) is designed to support the student to improve their behaviour so that it supports high quality learning for all, including the student concerned. The GMP is designed to manage risk to staff and other students, including the risk of school standards being damaged by instances of poor behaviour. Both the GMP and the BCP may result in permanent exclusion from school.

Permanent exclusion could also result from processes described in the Academic Progression Policy, as an absolute last resort. In this case the process will be based on the BCP and this is detailed in the Academic Progression Policy.

Where a student is not permanently excluded as a result of the GMP, but their behaviour or attitude is still of concern they will be provided with ongoing support through the BCP.

Where a student has not been responsible for gross misconduct but has a pattern of unsatisfactory behaviour or non compliance that has not been successfully addressed by the normal pastoral processes in school, the BCP will seek to correct that pattern. If it is determined that in spite of the school's best efforts, the student's behaviour and/ or attitudes have not improved to a satisfactory level then the student may be permanently excluded from school.

Gross Misconduct Process (GMP)

GMP Stage 1: Is suspension necessary?

1. On being informed of the circumstances the Deputy Headteacher (or the Headteacher, or other senior member of staff in the absence of the DHT and HT) will decide, on the basis of the immediately available information, whether the issue is sufficiently serious as to require an immediate suspension from school for the student. At this stage suspension is a neutral act which is designed to ensure that
    - Risk to students and staff is managed as effectively as possible
    - There is time for all parties to gather their thoughts and reflect on what has happened before taking any further action
    - The incident alleged to have happened is seen by all as being treated with the seriousness and prompt action that it deserves.
2. In making the decision to suspend, no pre-judgement is made as to the guilt or innocence of any party. However, we will still want to ensure that suspension is being used as a reasonable and fair response to the situation. In considering the matter of whether to suspend, the senior member of staff will have due regard to the school's obligations under the Equality Act 2010 and make a note of such consideration and their conclusions in this regard. the DHT or other senior member of staff will send an email to the school's leadership team to explain their decision to suspend, including their reflections on whether the school has met its obligations with regard to equality.

    The following points should be considered by the senior member of staff in making this decision:

    - In the event that violent or aggressive behaviour has been witnessed/ reported, can we be confident that it is safe for the student to remain on the school premises? Students who are believed to have recently behaved in a violent or abusive way should normally be sent home as soon as possible.
    - Might the student be under the influence of drugs or alcohol: do they need to be supervised to ensure that they come to no harm and are unable to harm others? If so, is there a responsible person to supervise their journey home and then keep them safe? The school should not keep a student who is under the influence on the premises unless there is no alternative.
    - Could the student be kept safely in school but in a different class, or working outside the classroom? Would this put anyone at risk? We should not be keeping a student in school if we are not confident that those around them will not be put in danger.
    - Have the student's special educational needs (where these exist) or disabilities been properly considered in making this decision? If the situation can be addressed by a reasonable adjustment then this should be considered before going to a suspension. Students with SEN are still expected to abide by the behavioural expectations of the school but there may be circumstances in which it is understandable that their behaviour has deviated from the normal expectations and improvements can easily be made to help them to comply with expectations.
    - Is the student being treated differently because of any protected characteristics such as sex, gender or ethnicity?
3. If the Deputy Headteacher decides that the student will be suspended they will normally communicate that verbally to the student and, where appropriate, parents or guardians via a telephone call. There will then be a written communication, normally via email, which sets

out what the reasons for the suspension are, what the next steps will be and what the timescales are for these steps. This letter will also normally state that permanent exclusion is a possible outcome of the investigation and provide a link to a copy of this policy on the school's website. This email should be sent as soon as possible, and always within 3 working days of the decision to suspend.

Travel when Suspended

It is normally expected that parents/carers are contacted and the student will be collected from school and taken home by a responsible adult. If no suitable person is able to collect the student then parents may give their permission for the student to travel home alone, provided to do so would be safe. Students who are estranged or otherwise not under the guidance of parents will arrange their own transport provided they are not considered to be unwell or unsafe by the school's safeguarding team.

Setting work for suspended students

During suspension, it is expected that a student will work from home and respond to email communications from staff members within one working day. Because of the clear structure to our curriculum and the independence required in their studies here, when a student is suspended they will normally have enough work already planned for them to continue in their studies for 3 days with no additional instructions needed. However, teachers may also be asked to send additional work to help the student to stay up to date. Students will not be expected to liaise with peers to stay up to date with lessons in this circumstance.

If a student is suspended their absence will be recorded using the 'E' register mark.

GMP Stage 2: Investigation

Under the leadership of the investigating officer (who will be the Deputy Headteacher or another person designated by the Headteacher or Deputy Headteacher) interviews will be held with the student and any witnesses and detailed notes will be recorded. Witness statements will be signed and dated by both the witness and the member of staff taking the statement. Statements may be taken verbally and written down by a member of staff and then checked by the witness before signing, or may be written directly by the witness.

GMP Stage 3: Recommendation to the Headteacher

The investigating officer (who will be the Deputy Headteacher or another person determined by the Headteacher or Deputy Headteacher) will gather all the statements along with any further evidence and will write a report for the headteacher that summarises what happened, who was at fault (on the balance of probabilities) and what the recommended sanction or other course of action is.

GMP Stage 4: Decision by the Headteacher

Following investigation, and having had due regard to the school's obligations under the Equality Act 2010 and made a note of such consideration and their conclusions in this regard. the decision will be made either

I. That the matter can be resolved without considering possible permanent exclusion. In this case any student who is deemed to have breached the behaviour code may need to move into a Stage 1 or 2 Contract and be monitored closely for an agreed period of time.
II. That the student will need to be suspended for up to three days while further investigations are made. (Return to GMP stage 2)

III. That there is already sufficient evidence of such serious misbehaviour that permanent exclusion should now be considered. The process then proceeds to a Permanent Exclusion Decision Meeting.

GMP Stage 5: The Permanent Exclusion Decision Meeting

The protocol for the Decision Meeting is set out in the appendices of this policy.

Behaviour Contract Process (BCP)

BCP Stage 1: Weekly Review Contract

I. The student will be made aware that they have entered the formal disciplinary procedure, and their future at the school could ultimately be at risk if they fail to comply. They will be reminded about this policy and told that they can find it on the school website.

II. A behaviour log should be made in Bromcom detailing why the student is being placed on a stage one contract, the actions which have already been taken and the requirements of the contract.

III. The contract will be drafted by the Deputy Headteacher or another appropriate member of staff designated by the headteacher . It should be a written statement of the expectations and improvements required from the student, and should be tailored to address the details of the specific case. The expectations must be reasonable in the sense that they could reasonably be expected of any student and are not designed to be punitive or unusual. They must not be directly or indirectly discriminatory.

IV. If it is deemed appropriate by the Deputy Headteacher (or designate) that the parents/carers should be invited to attend then they will be invited. For the purposes of this policy it is not necessary to invite parents to a stage 1 contract meeting, but they should be made aware that the meeting is taking place.

V. The student and, where relevant, the parent(s) may make suggestions about revisions to the contract. The Deputy Headteacher will consider these suggestions and may adjust the contract in line with suggestions made if he/she believes that they are beneficial to the student and the school.

VI. Two copies of the contract must be printed off and both will be signed by the student and the Deputy Headteacher. The student will be expected to share the details of the contract with parents/ guardians. The school may choose to send parents/ guardians a copy of the contract.

VII. If the student declines to sign a contract that contains reasonable expectations then this will be considered gross misconduct and the Gross Misconduct Policy will be applied. Expectations will be considered reasonable if they are in line with the school's ethos, in line with the school's behaviour policy and not in breach of equal opportunities legislation.

VIII. The contract (see appendices) will have a review date usually within 2 to 4 weeks of being signed and the school's pastoral team should arrange weekly meetings with the student to discuss progress against the targets set. A concise summary of each meeting will be documented. At the final review date, depending on the level of improvement made, the Deputy Headteacher (or designate) may decide to

   A. extend the contract to give the student longer to demonstrate their commitment to improving their behaviour,
   B. move the contract to stage two or
   C. conclude the contract so that the requirements would end and the student returns to their normal status in terms of behavioural expectations.

In considering the matter, the Deputy Headteacher or designated staff member will have due regard to the school's obligations under the Equality Act 2010 and make a note of such consideration and their conclusions in this regard.

BCP Stage 2: Daily Review Contract

The Stage 2 contract follows the same procedure as the Stage 1 contract, however, it

- includes an explicit statement that failure to meet its requirements could result in a recommendation for permanent exclusion;
- parents will be invited to attend the contract arrangement meeting, and to sign the contract, if they are involved with their child's education (this may not be the case where a student is estranged from their parents or is aged 18 or over and has elected for their parents no to be involved in their education)
- includes daily reviews with a member of the pastoral team
- has a review date of at least one working week and no more than 2 working weeks from the date of being signed.
- At the final review date, depending on the level of improvement made, the Deputy Headteacher (or designate) may decide to
    a. extend the contract by a further week to give the student longer to demonstrate their commitment to improving their behaviour,
    b. return the student to a Stage 1 BCP
    c. recommend a permanent exclusion to the headteacher (see below)
    d. conclude the contract so that the requirements would end and the student returns to their normal status in terms of behavioural expectations.

In considering the matter, the Deputy Headteacher will have due regard to the school's obligations under the Equality Act 2010 and make a note of such consideration and their conclusions in this regard.

Decision Meeting (to consider the recommendation to permanently exclude a student)

The meeting will be chaired by the Headteacher and will provide an opportunity for the evidence to be presented by the SLT member who conducted the investigation and the student.

If the student or their parents/ guardians/ advisors fail to attend, after receiving at least 5 working days' notice, and without giving a good reason for absence (such as illness or an essential medical appointment) the meeting may take place in his/her absence.

The outcome of the meeting will be either to exclude the student permanently or, to allow the student to return to school either immediately or at a date determined by the Headteacher or their designate.

Where a student is allowed to return to school the student may be placed on a contract in line with the BCP set out above.

Where a student is permanently excluded, they will also be withdrawn from all examinations. Following the meeting, a letter will be sent to the student, copied to the parent/carer, outlining the reason for the decision, the next steps including the right to an appeal and the means to do that, any additional sanctions/conditions/actions as appropriate, and the timescales for these things. The letter should be sent within 10 working days of the meeting.

In exceptional circumstances a student might be permitted by the Headteacher to sit their examinations as an external candidate. Where this is the case the student will be required to pay their examination entry fees plus the costs associated with any additional invigilation arrangements, up to a maximum of £50 per paper. Circumstances that would justify such an arrangement would be:

- The student is in Year 13 and has been making academic progress in line with or above their target grades up to the point of exclusion
- Their behaviour poses no additional risk to the school (including reputational risk as well as the safety of the students and members of staff)
- The student has been completely honest and open in the investigation process and recognises that their behaviour was unacceptable
- It is practical to accommodate them separately from other candidates (this may not be possible if we have insufficient invigilators).

The meeting will follow the format set out in the appendices.

Right to Appeal

An appeal may be made by the student (or their parents, if the student is aged under 18) against a permanent exclusion. This must be made in writing to the Chair of the Board of Trustees via reception@liverpoolmathematicsschool.org **within 5 working days** of the meeting.

Appeals Process

Where an appeal is made to the Chair of the Board of Trustees, they will form an appeal panel. An appeal hearing will normally be held within 10 working days of receipt of the request. The student and their parents/carers will be informed in writing of the date, time and place of the appeal hearing and may attend the meeting.

The student will be set academic work to be completed in the interim. The hearing will follow the format set out in the appendices. In considering the matter, the Chair of the Board of Trustees and those assembled will have due regard to the school's obligations under the Equality Act 2010 and make a note of such consideration and their conclusions in this regard. The outcome of the appeal hearing will be provided in writing within 5 working days of the date of the hearing. There is no further right of appeal from the decision of the appeal panel.

Appendix 1: Gross Misconduct

Instances, which might be considered gross misconduct, and therefore sufficiently serious to lead to suspension or permanent exclusion and referral to an investigation/disciplinary meeting include the following:

- Violent, dangerous, threatening or intimidating conduct.
- Bringing onto the school site any knives or other weapons
- Sexual, racial or other harassment of a member of the public, another student or a member of staff. (Verbal and/or through social media/electronic means)
- Theft or unauthorised possession of any property of a student, the school or a member of staff or damage to school property (including the school building)
- Persistent refusal to carry out reasonable instructions of a member of staff
- Refusing to sign a Behaviour Contract that requires compliance with the reasonable expectations of the school
- Abuse of, or dealing in, illegal or non-prescribed drugs, serious incapability because of being intoxicated because of alcohol or illegal or non-prescribed drugs
- Serious misconduct when the student is involved in an off-site activity organised by the school (misconduct that puts the safety or wellbeing of others at risk, or risks seriously damaging the reputation of the school)
- Abuse of school computer systems, involving for example, interference with or destruction of files, security or operating systems, and downloading or processing obscene or offensive materials.
- Involvement in any activity which may bring the school into disrepute or impact negatively on other students
- Cheating in examinations and/or plagiarism
- Smoking or vaping anywhere on the school site (except the designated smoking area).
- Inappropriate dress which is not corrected when instructed, or part of a pattern of behaviour
- Inappropriate sexual behaviour

This is not an exhaustive list and the school's leadership team will determine whether an incident is of sufficient seriousness to warrant a permanent exclusion.

In relevant instances of gross misconduct or suspected criminal behaviour, the headteacher may refer the issue to the police or other relevant outside agency.

Appendix 2: Notifications and Forms

- Link here for Witness Statement Proforma
- Link here for BCP Stage 1 template
- Link here for BCP Stage 2 template

Appendix 3: The Permanent Exclusion Decision Meeting

1. Those invited are:
    a. The student
    b. The student's parents or legal guardians, or in the case of students who are estranged or otherwise separated from their parents, a friend or advisor nominated by the student.
    c. The Deputy Headteacher or other designated member of staff who has overseen the Process that has led to the recommendation to permanently exclude the student.
    d. The student's Form Tutor
    e. The Headteacher
    f. The student's social worker, if they have one
    g. The Virtual School Headteacher, if they are in a virtual school
    h. Another member of staff attending in a clerical capacity to take the minutes of the meeting
2. Legal representatives will not normally be allowed to attend this meeting but both sides are free to obtain legal advice prior to the meeting, or afterwards.
3. The meeting will be chaired by the Headteacher who will ensure that everyone understands the process and who the other people in the meeting are.
4. The Deputy Head/ designated member of staff will explain why they are recommending the Permanent Exclusion in the following way:
    a. What behaviour led to the student being put on the Gross Misconduct or Behaviour Contract Process
    b. What the GMP Investigation found/ what the outcomes of the BCP have been/ what support and guidance has been given through the PRP process (see Academic Progression Policy)
    c. Why they are recommending that the student should be excluded from the school, including key evidence in support of that proposal (evidence may be anonymised and summarised where this is considered absolutely necessary to protect the identity of individuals because there is evidence of threats or intimidation but in normal circumstances the evidence that has led to the recommendation to exclude will be shared with all attendees, during the meeting)
    d. Where appropriate the Deputy Head will share the other courses of action have been tried or considered and why these are not now considered to be suitable resolutions to the issues at hand.
5. The student and their parents/ guardians/ advisor may then ask questions through the chair, and the chair will, if they deem it to be appropriate, ask the Deputy Headteacher (/ designate) to respond to those questions.
6. The chair may ask their own questions of the Deputy Headteacher (/ designate).
7. The student and their parents/ guardians/ advisor may then make a case for why the student should be allowed to continue to attend the school. This should include:
    a. Any challenges to the factual accuracy of the account given by the Deputy Headteacher;
    b. Any additional evidence they wish to provide that supports their account of what happened, or supports a different interpretation of the events;
    c. Any explanation for the behaviour that has been observed that could lead to it being interpreted more positively;
    d. Any alternative proposals for improving the student's behaviour and, where relevant, an explanation of why these have not been tried or implemented at an earlier stage

    e. Any evidence that the permanent exclusion has occurred as a result of unlawful discrimination.
8. The Deputy Headteacher (/ designate) may then ask questions or respond to points made through the chair, and the chair will, if they deem it to be appropriate, ask for the student or parent's response.
9. The chair may ask their own questions of the student.
10. The student will be given an opportunity to make a final statement before the chair pauses to consider the case.
11. The chair may then pause proceedings for up to one hour while they consider the issue and, if necessary, seek advice. In considering the matter, the Headteacher and those assembled will have due regard to the school's obligations under the Equality Act 2010 and make a note of such consideration and their conclusions in this regard.
12. When the meeting is reconvened the chair will announce the outcome of the meeting. This will be one of the following:
    a. That the student is not to be permanently excluded from the school and will return to lessons either immediately, or as soon as certain conditions have been met: this may include a further period of suspension from the school as a behavioural sanction; such a suspension will not normally exceed 3 days;
    b. That further investigation or advice is needed and the decision on whether to exclude will be deferred to a specified future date;
    c. That the student is to be permanently excluded and will not be allowed to return to school.
13. Minutes will be taken of the meeting, and a record kept of the evidence that was considered. The outcome will also be recorded on the student's educational record, and copies of relevant papers will be kept with this record.
14. Within 5 working days of the decision meeting, a letter will be sent to the student, copied to the parent/carer, outlining
    a. any findings of fact, on the basis of the civil standard of proof (balance of probabilities)
    b. the reasons for the decision;
    c. details of the consideration of any possible discrimination and how this has been avoided;
    d. the next steps including the right to appeal the decision and how to do that;
    e. any additional sanctions/conditions/actions related to the student continuing in school, where this is the case;
    f. the timescales for these things.

Appendix 4: The Appeal Review Meeting

- Those invited are:
    a. The lead Trustee appointed by the Board of Trustees to oversee the appeal review
    b. Two other trustees appointed by the Board of Trustees
    c. The student
    d. The student's parents or legal guardians, or in the case of students who are estranged or otherwise separated from their parents, a friend or advisor nominated by the student.
    e. The Headteacher (or their Deputy in the event that they are unable to attend the meeting)
    f. The student's social worker, if they have one
    g. The Virtual School Headteacher, if they are in a virtual school
    h. Another member of staff attending in a clerical capacity to take the minutes of the meeting
- Legal representation will not be allowed in this meeting but all papers to be considered by the appeals panel will be circulated at least 5 working days in advance of the meeting in order to allow for legal consultation where this is desired.
- The meeting will be chaired by the lead Trustee who will ensure that everyone understands the process and who the other people in the meeting are.
- Appeal Review meetings can be held remotely at the request of trustees, parents/carers, or students if they are 18 or older. The Chair will determine whether the meeting will be entirely online, or will be in person with one or more people joining online or by phone.
- The governing board will try to arrange the meeting within the time limits set out above and must try to have it at a time that suits all relevant parties. However, its decision will not be invalid simply on the grounds that it was not made within these time limits.
- The Headteacher will be invited to explain why the decision to permanently exclude was reasonable and fair.
- The chair may ask their own questions of the Headteacher, and will invite the other trustees present to ask questions.
- The student and their parents/ guardians/ advisor will be invited to explain why the decision of the headteacher to permanently exclude the student was unfair, illegal, unsafe, based on factually incorrect information or an incorrect reading of the information presented.
- The chair may ask their own questions of the student/ parent/ guardian/ advisor, and will invite the other trustees present to ask questions.
- The headteacher will then be invited to respond to the information and arguments presented.
- The student will then be invited to respond to the information and arguments presented.
- The chair will then ask the Headteacher and student/ parents/ guardians/ advisors to leave the meeting while the trustees present to consider the issue and, if necessary, seek advice.
- The trustees will make a decision about the review. In considering the matter, the trustees will have due regard to the school's obligations under the Equality Act 2010 and make a note of such consideration and their conclusions in this regard. The clerk will remain present for this section of the meeting, but no other members of school staff.
- The Chair and Trustees will decide:
    a. Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair
    b. Whether any evidence that was presented shows 'on the balance of probabilities' that the decision to exclude was unfair, incorrect or needs to be reconsidered

- When the meeting is reconvened the chair will announce the outcome of the meeting. This will be one of the following:
    a. That the Permanent Exclusion is upheld
    b. That the exclusion should be overturned and the student reinstated on a date specified by the trustees present in the meeting.
- Minutes will be taken of the meeting, and a record kept of the evidence that was considered. The outcome will also be recorded on the student's educational record, and copies of relevant papers will be kept with this record.

- The Lead Trustee will then write a letter to the Headteacher and the student (and their parents/ guardians where the student is under 18). The letter will set out:
    a. The decision made by the appeals committee;
    b. The reasons for this decision;
    c. Any findings of fact;
    d. That this is the end of the process and no further right of appeal is available.