



Lumen Learning Trust



Learning together for a brighter future



Ewell Grove

Primary & Nursery School

Behaviour Management Policy

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| SIGNED EXECUTIVE PRINCIPAL | Mary Ellen McCarthy  | DATE | 15/03/2025 |
| SIGNED CHAIR OF DIRECTORS | Jo Roberts  | DATE | 15/03/2025 |

Positive Behaviour Management Policy

Our Vision

Lumen Learning Trust puts the children's needs at the heart of its provision. Our whole school community is committed to enabling the children to become successful lifelong learners and happy, fulfilled adults who can make positive choices about their future.

"Good behaviour in schools is central to a good education. Schools need to manage behaviour well so they can provide calm, safe and supportive environments which children and young people want to attend and where they can learn and thrive. Being taught how to behave well and appropriately within the context they're in is vital for all pupils to succeed personally" DfE Behaviour in Schools, Advice for Headteachers and School Staff, Sept 2022

This policy takes account of our individual schools' public sector equality duty set out in section 149 of the Equality Act 2010.

A Whole School Approach

Good behaviour is the expected norm and children should feel secure and happy in school. They should become increasingly aware of their responsibilities to themselves and to others, with moral and social values being understood and cherished. Staff, parents, governors and the community should work towards these valued goals for the children.

The behaviour management policy enables this and is characterised by particular emphasis on:

- unconditional positive regard – all individuals are valued equally by the whole school community
- the development of each child's capacity to regulate one's emotions and control impulses
- the need to manage feelings in a way that enables positive choices to be made
- the consequences of actions – both positive and negative

It is based on the principles of restorative practice and has restorative approaches at the heart of its philosophy.

The aims of this policy are:

- To develop a safe, calm, purposeful and happy atmosphere where children can grow personally, socially and academically
- To support the way in which all members of the school can work and learn together in a supportive environment where everyone feels they belong, they are respected and they feel safe
- To help children to grow and learn in a safe and secure environment, enabling them to become positive and increasingly independent members of the school community who take responsibility for their own behaviour
- To support children in developing resilience and ability to develop the skills they need to work collaboratively and respectfully with all members of the school community.
- To support staff to be consistent in managing children's behaviour, establishing a shared understanding of expectations of positive behaviour choices and how they can be achieved
- To help parents and school work together in partnership of shared expectations in order to enable positive behaviour for learning
- To promote good relationships, so that children can work together with the common purpose of helping everyone to learn.

Rights and Responsibilities

Everyone in the school community has rights and responsibilities to ensure that Lumen Learning Trust schools are a safe place to learn and play.

Children, staff and adults in the school community **all** have the right to flourish in safety and dignity. The school has a responsibility to ensure the climate is one where children are responded to promptly, predictably and with confidence.

Expectations

It is an expectation of Lumen Learning Trust that every member of our school communities feels valued, respected and safe.

It is an expectation that all employed adults in the school community, regardless of their role, take responsibility for managing the children's behaviour and supporting their understanding of making the right choices in this context.

It is an expectation that all staff, when celebrating positive behaviour and addressing inappropriate behaviour, use the language of 'choice' with the children. This is to help children realise that they have a choice of behaviours – positive or negative - when involved in or reacting to different situations.

It is an expectation that all staff will attend behaviour and relationships training with an openness to their own development. Staff are also expected to be reflective and to consider a range of strategies that may require them to flex their style. For instance, staff repeatedly shouting at children is deemed unacceptable and staff managing behaviour in this way would be expected to accept support in gaining competence in alternative strategies.

It is an expectation that every adult in school sees themselves as a role model in terms of managing their own and others' behaviour. Therefore it is understood that adults in our school always behave in a calm, assertive way. We understand that only a regulated adult can co-regulate with a child.

It is an expectation that all members of the community support the aims of this policy by implementing it with rigour and consistency in all areas of school life. It is understood that all adults in school must support the needs of all pupils, enabling them to be treated with respect and fairness. All adults will be open to adapting behaviour strategies to support vulnerable learners.

Staff training will support understanding that behaviour management strategies in school are framed in accordance with our statutory duties/requirements.

Whole School Agreement

Each school has their own Whole School Agreement. This is a list of promises, written using the positive language of "we will" rather than "don't". This is also shared and agreed with staff.

The Whole School Agreement is central to Lumen's Behaviour Management Policy. Below is an example of this agreement:

- We will respect everyone and value them as an individual.
- We will ask an adult to help if we can't sort out a problem and not retaliate with words or physical actions.
- We will be truthful when we are talking about things that have happened to us and things that we have done.
- We will use our self-control to manage our feelings so we can make positive choices
- We will help each other to keep to our Behaviour for Learning expectations.
- We will take pride in our school and look after everything in it.
- We will work with the adults in our school, as well as each other, to make sure our school is a safe, happy place where the best learning happens for everyone.

Individual classrooms may also have their own Classroom Agreement which is agreed by the children and displayed on the wall of the classroom. This is different from the Whole School Agreement because it reflects the operational aspects of life in the classroom including looking after resources for example.

Schools in the Trust will devise their whole school behaviour policy and publish it to children, staff and families. Training will be provided to children, staff and families and it will be easily accessible and kept live in conversation and training.

The schools' behaviour policies may operationally be different, but the central tenet is that all the behaviour management is based on the restorative approach. Children are given reminders, warnings and the opportunity

to repair any harm that has arisen from a poor behaviour choice.

Overview

The principles behind this system are:

- That all pupils have the opportunity to make positive choices about their behaviour and influence outcomes.
- That staff integrate a system within daily teaching in order to promote positive behaviour and effective behaviour management skills.
- Pupils who regularly follow the rules are noticed and rewarded.
- That the approach enables staff to integrate their training on emotion coaching and zones of regulation which are central to the Trusts ethos.

The system allows for the following:

- A consistent approach that can be used by all staff.
- Whole class and individual reward system.
- Least intrusive approaches are used to manage behaviour.
- Teaching of specific behaviours and routines.

Why Positive Behaviour Management?

It is vital that children learn that they have agency over their behaviour. Praise for making positive choices is the most powerful form of influence.

In the world around them children see many different examples of how people behave. We have a responsibility to help children understand that they have choices about how to behave and help them develop the strategies to make appropriate choices. We also need to help children to recognise when they have made poor choices and help them to put this right using restorative approaches.

Our aim at Lumen is to create an environment where children feel valued, safe and ready to learn. We believe that good behaviour and self-control are the foundation of all learning, and without a calm, orderly atmosphere, effective teaching and learning cannot take place.

We believe that children respond best to praise and encouragement. We must try to find every opportunity to praise children when they are showing appropriate behaviour.

Children learn by example. Staff and parents/carers have a responsibility in setting a good example as well as ensuring that expectations are followed.

To enable staff to model expectations it is imperative that they approach situations asking themselves two questions:

- what they are worried about? and
- is the behaviour respectful and safe?

When these questions have been answered in the mind of the staff member, they avoid being drawn into negotiations with children and can ensure the conversation focuses on restoring calm and repairing harm. If children are not ready to do this, they must be given time – emotion coaching and zones of regulation are the tools staff have to support children in regulating their emotions. Sanctions are available when appropriate.

Celebrating positive behaviours

School staff will work to promote positive behaviours at every opportunity.

School assemblies provide a focal point for talking about and reinforcing aspects of school ethos.

The SLT will hold regular assemblies to revise with children what is meant by positive behaviours and what this will look like.

Staff will discuss positive behaviours with their pupils and ensure that the school rules and any supporting

resources e.g. behaviour charts are displayed and used consistently. Staff should regularly review the behaviour policy with the children to ensure that everyone is clear about our expectations.

Rewards

Lumen Learning Trust schools understand rewards are an integral element to any behaviour management policy. Rewards are considered both on an individual basis, as well as whole class. The rewards might look different in different schools, but the principle remains the same: positive behaviour choices which support the learning environment and positive relationships are rewarded.

In-class Consequences

Staff use least intrusive skills to redirect behaviour.

If a child's behaviour requires them to be reminded of the expectations the member of staff must be clear with the pupil what is happening, and what the pupil can do to get back on track to meeting the behaviour expectations.

At least one warning is always provided for pupils in between each stage of a behaviour management system.

The expectation is that staff constantly help pupils make the right choices and work to 'catch' them doing this.

Further consequences

It is an expectation that children respond to reasonable requests from all adults in school. If a child ignores a reasonable request, the school's behaviour policy should be followed in terms of escalation. In the event that they have already reached the extent of the policy, failure to comply with a reasonable request will result in a strengthening of the consequence.

- It is important for staff to **wait** and give enough time for the child to regulate and begin to engage in the process of improving their behaviour.
- Staff should **watch** the child without communicating unless it is necessary or helpful.
- Staff should **wonder** aloud using emotion coaching and zones of regulation to support the child to engage when they appear ready.

Staff training will be given to support staff in understanding how to carry this out in different scenarios e.g. when teaching the whole class, when working in small groups, when working 1:1.

Repeated behaviours that are the limit of the school's behaviour policy will require further out-of-class sanctions.

Whilst the school aims for a consistent approach in delivering consequences the intention, context and severity of the incident will be taken into account when delivering further consequences.

Reflection Time

When pupils return from an out-of-class consequence, it is an expectation that the adults focus on noticing and rewarding positive behaviour choices – this may begin with coming into the room calmly and sitting down.

Pupils could be referred to the Senior Leadership Team with written reflections if necessary. The staff member will record the pupil's name and action.

Pupil behaviour will be discussed alongside them with a view to one of three outcomes.

1. Reflection time with SLT (using a restorative conversation)
The pupil thinks of strategies to repair the situation and reports back to the SLT member at the end of the day. The pupil returns to class to aim to get back to green.

2. Phone call, email or letter home
Parents/carers are informed of the situation, the steps required for improvement and next steps if there is no improvement in pupil behaviour. The pupil returns to class to aim to get back to green.
3. Parent / Carer meeting
This may include reviewing and developing pupil targets or developing an individualised plan.

Suspensions and Permanent Exclusion

Lumen Learning Trust will follow government guidance on suspension and permanent exclusion, unless there is a good reason to depart from it. Lumen aims to operate within the principles of fairness and natural justice.

In rare circumstances, behaviour may be deemed to be so significant that it warrants a suspension or even permanent exclusion. Typically a permanent exclusion is the outcome of a number of suspensions however on occasion, should the behaviour be so extreme, then a permanent exclusion can be the consequence. In the case of exclusions, DfE and local authority guidance always underpins the decision-making process and actions.

Lumen's policy on exclusions applies to serious breaches of school discipline occurring on school premises and also outside of the school as set out below. Please see Appendix 1 for Lumen Learning Trust's exclusions procedure.

Serious breaches: Racist, homophobic, transphobic, sexist, discriminatory behaviour, bullying, acts of physical harm or threats of physical harm, peer on peer sexual abuse, attempts to leave the school premises, any threat to the well-being of another.

When a serious breach of the behaviour policy occurs, the context in which it has happened will be considered. This means that a serious breach does not have a pre-determined outcome.

When a serious breach of the policy is alleged, it will be looked into. Accounts of the incident will be taken by a senior leader and accounts may be from children and adults. The investigating member of staff will decide, using the balance of probability methodology, whether the incident did take place as per the allegation and, if so, who was responsible. At that point they will record the incident in the relevant logs e.g. Racist incident form etc. The child responsible will be fully involved in the process and guidance will be given to show them why these remarks or actions are so damaging. Parents/Carers will be informed and asked to support the school in challenging these unwanted behaviours.

Pupil Behaviour Log

Incidents of pupil behaviour will be recorded in CPOMS. These will be collated on a regular basis to ensure focused provision for pupil support.

Any member of staff involved in an incident can log it on CPOMS. SLT will collate entries and review them within SLT meetings for behaviour conversations and within DSL meetings for safeguarding conversations.

Vulnerable Pupils

During their time at school some pupils will require support in managing their behaviour. At these times the behaviour strategy may need to be adapted to support vulnerable pupils and this will be overseen by the Inclusion Leader.

The CPOMS log from staff and SLT will be collated to provide the SLT with an overview of pupil progress. This will enable targeted support for vulnerable pupils.

This information will contribute towards:

- Individual Pathway Plan and/or Behaviour Plan
- Pastoral Support Programmes
- Risk assessments
- Support from the Specialist Teachers Inclusive Practice (STIPs) team and other agencies

Behaviour that causes particular concern must always be reported and discussed with one of the school's DSLs (Designated Safeguarding Leads) who may feel it appropriate to address it in context of a Child Protection issue. Please refer to Lumen's Child Protection Policy for more information.

Equality and Inclusion

Our schools make reasonable, 'best endeavours' to avoid any substantial disadvantage to children.

General equality duties include:

- Eliminate discrimination, harassment, victimisation, and other conduct that is prohibited by the Equality Act 2010;
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it;
- Foster good relations across all protected characteristics between people who share a protected characteristic and people who do not share it.

Details of our specific duties are published under Lumen Learning Trust's equality statement and measurable objectives. These are available on our website here: <https://www.lumenlearningtrust.co.uk/about-us/lumen-learning-trust-policies>.

Curriculum

We recognise that well planned, motivating lessons have a positive impact on pupil behaviour. Whilst holding high expectations we ensure that lessons are adapted to meet individual pupil needs and abilities.

Through all Wave 1 provision and the PSHE curriculum, staff explicitly teach the pupils a range of social and emotional skills to support their behaviour and learning. We implement the Jigsaw PSHE curriculum to support this and build a positive school ethos.

Use of Positive Touch and Safe Holding

Please see separate policies.

Searching Pupils

- Informed consent
The Academy staff may search a pupil with their consent for any item. Appropriate consideration will be given to factors that may influence the pupil's ability to give consent. If the pupil refuses, sanctions will be applied in accordance with this policy.
- Searches without consent
In relation to prohibited items, as defined below, the Head, and staff authorised by the Head, may search a pupil or a pupil's possessions, without their consent, where they have reasonable grounds for suspecting that a pupil has a prohibited item in their possession. Searches without consent will only be carried out on the school premises or where the member of staff has lawful control or charge over the pupil, for example, on school trips.
- Prohibited items
Means knives or weapons, lighters, alcohol, illegal drugs and stolen items, tobacco and cigarette papers, fireworks, pornographic images and any other items as defined as such from time to time. It shall also include any article that a member of staff reasonably suspects has been, or is likely to be, used to commit an offence or to cause personal injury to, or damage to the property of, any person including the pupil; any item banned by the School rules identified as being an item which may be searched for; and any other items as defined in law as such from time to time.
- Searches generally
If staff believe a pupil is in possession of a prohibited item, it may be appropriate for a member of staff to carry out:
 - a search of outer clothing; and / or
 - a search of Academy property, e.g. pupils' lockers or desks; and / or a search of personal

property (e.g. bag or pencil case within a locker).

Searches will be conducted in such a manner as to minimise embarrassment or distress. Any search of a pupil or their possessions will be carried out in the presence of the pupil and another member of staff.

Where a pupil is searched, the searcher, where practicable, will ensure there is a second member of staff present and that at least one is the same sex as the pupil. Searches by only one member of staff should only be carried out in exceptional circumstances - that is, if there is a belief that there is an immediate and severe risk of harm in delaying.

All searches should be reported to SLT immediately.

Where the Head, or staff authorised by the Head, find anything which they have reasonable grounds for suspecting is a prohibited item, they may seize, retain and dispose of that item as appropriate in accordance with the DfE guidance *Screening, searching and confiscation*.

The remit of this policy

This policy covers the management of behaviour of children on the school roll whilst they are in the school's care; this includes whilst off site on school-arranged trips. This also includes the conduct of the children whilst travelling to and from school, and children's online behaviour if it is threatening or causes harm to another pupil <https://www.gov.uk/school-behaviour-exclusions>.

The school does not expect to be involved in the management of behaviour incidents between pupils outside of school unless there is a safeguarding concern, in which case the school will refer to the relevant agency (e.g. Police, Children's Services). All other incidents between pupils outside of the school fall within the responsibility of the respective parents, and the school does not expect to be involved, unless in exceptional circumstances. This decision is made by the Headteacher in consultation with the Executive Principal.

Monitoring and Review

Delivery of the behaviour policy will be monitored within the school monitoring cycle and analysis of the behaviour log.

Appendix 1

Exclusions Procedure

1.1 **Interpretation:** The definitions in this clause apply in this policy.

Institution: Lumen Learning Trust schools

Head: references to the Head include deputies.

Parent: includes one or both of the parents or a legal guardian.

Exclusion: means removal from the Academy for a fixed period or permanently following serious misconduct.

1.2 **Misconduct:** The main categories of misconduct which may result in exclusion are:

- serious misconduct which affects the welfare of a member or members of the **Academy Community** (single or repeated episodes) on or off academy premises including putting themselves or others at risk of harm, causing physical harm to others, persistent disruption of the learning environment.
- vandalism or computer hacking.
- supply / possession / use of certain drugs and solvents or their paraphernalia or substances intended to resemble them, or alcohol or tobacco.
- theft, blackmail, intimidation, racism or persistent bullying.
- misconduct of a sexual nature, supply or possession of pornography.
- possession or use of unauthorised firearms or other weapons.

1.3 **Behaviour related to a disability:** the Academy will make reasonable adjustments for managing behaviour which is related to a pupil's disability. Where exclusion needs to be considered, the Academy will ensure that a disabled pupil is able to present his or her case fully where the disability might hinder this, and that the review procedure is made accessible for parents.

2 Investigation procedure

2.1 **Complaint(s):** Investigation of a complaint or rumour about serious misconduct will normally be co-ordinated by a member of SLT and its outcome will be reported to the Head. Parents will be informed as soon as reasonably practicable if a complaint under investigation is of a nature that could result in the pupil being suspended or permanently excluded.

2.2 **Suspension:** A pupil may be subject to a suspension and required to stay at home while a complaint is being investigated or while an investigation is adjourned (see section 2.6 below). Should a suspension continue for a period of more than five school days or, consecutive suspensions in total exceed five school days, the Academy will take reasonable steps to put in place arrangements to ensure the continuing education of the pupil. The relevant Senior Leader will co-ordinate these arrangements with the pupil's parents or guardians. Parents or guardians should note that there may be a delay in providing work whilst teaching staff are given the opportunity to determine what work should be set. Alternatively, the pupil may be placed under segregated arrangements on school premises.

2.3 **Search:** We may decide to search a pupil's space and belongings and ask him / her to turn out the contents of pockets or a bag, if we consider there is reasonable cause to do so. Clothing will not be searched until it has been removed from the wearer and care will be taken to ensure reasonable privacy. This policy does not authorise an intimate search or physical compulsion in removing clothing. Only outer clothing will be searched. If necessary, the police would be called.

- 2.4 **Interview:** A pupil may be interviewed informally by a member of staff to establish whether there are grounds for a formal investigation. If the pupil is then interviewed formally about a complaint or rumour, arrangements will be made for him / her to be accompanied by a member of staff of his / her choice and / or by a parent (if available at the relevant time). A pupil who is waiting to be interviewed may be segregated but made as comfortable as possible, accompanied or visited regularly by a member of staff, and given access to a toilet and adequate food and drink. Minutes of the interview will be recorded in writing by the interviewing member of staff.
- 2.5 **Ethos:** An investigation and any subsequent meeting will be conducted fairly and in a way which is appropriate to a school, without formal legal procedures.
- 2.6 **Adjournment of an investigation:** It may be necessary to adjourn an investigation, for example where external agencies such as the police or social services are involved and have advised that this is necessary. A decision to adjourn an investigation will take into account advice from an appropriate external agency and will be subject to periodic review.

3 **Disciplinary meeting before the Head**

- 3.1 **Preparation:** Documents available at the disciplinary meeting before the Head will include:
- a statement setting out the points of complaint against the pupil.
 - written statements and notes of the evidence supporting the complaint, and any relevant correspondence.
 - the relevant SLT member's Investigation Report.
 - the pupil's file and conduct record.
 - the relevant Academy policies and procedures.
- 3.2 **Attendance:** The pupil and his / her parents (if available) will be asked to attend the disciplinary meeting with the Head at which the relevant SLT member will explain the circumstances of the complaint and his / her investigation.
- 3.3 If the parents or the pupil have any special needs or disability which call for additional facilities or adjustments (e.g. parking or the provision of documents in large print or other accessible format) those requirements should be made known to the Head or Deputy Head so that appropriate arrangements can be made.
- 3.4 If the pupil or the pupil's parents experience difficulty in attending due to a disability, the Academy will make reasonable alternative arrangements to accommodate the disability. If a parent is unable to attend because of, for example, travel and working commitments, the Academy will make reasonable alternative arrangements to ensure the parent can be involved with the disciplinary process and their child's education.
- 3.5 **Proceedings:** The Head will consider the complaint(s) and the evidence, including statements made by and / or on behalf of the pupil. Unless the Head considers that further investigation is needed, he / she will decide whether the complaint has been sufficiently proved. The standard of proof shall normally be the civil standard, i.e. 'the balance of probabilities'.
- 3.6 If the complaint has been proved, the Head will outline the range of disciplinary sanctions which he / she considers are open to him / her. The pupil's disciplinary record will be taken into account. Then, or at some later time, normally within 24 hours, the Head will give his or her decision, with reasons.
- 3.7 **Notification:** The parents will be notified immediately by telephone, where possible, and followed up with a letter including the reasons for the exclusion, the date it will take effect and the period of the exclusion.
- 3.8 The Head will inform the Executive Principal and the relevant local authorities of permanent

exclusions, and suspensions which would result in the pupil being excluded for more than five school days in any one term, within one school day of the decision and will provide detailed exclusion reports.

- 3.9 Where the suspensions result in the pupil missing between five and a half and 15 school days in the term, the parents may make representation to the governing body for them to consider the suspensions and whether the pupil should be reinstated. In the absence of any representations from the parents, the governing board is not required to meet and cannot direct the reinstatement of the pupil. The letter informing the parents of the suspension will explain who the parents should contact to make their representations.
- 3.10 The local governing body will automatically meet to review permanent exclusions and suspensions which result in the pupil missing more than 15 school days in the term or a public exam or national curriculum test.
- 3.11 Parents of a pupil suspended for five days or less may make representations to the local governing body about the suspension but the local governing body is not required to meet with the parents and cannot direct reinstatement.

4 Review by the local governing body

- 4.1 Under the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012, the responsibility to review a decision to permanently exclude a pupil falls upon the 'governing body'. As the governing body of Lumen Learning Trust (a multi-academy trust), the Board of Directors delegates this responsibility to a panel drawn from Trust members, comprising either trustees, Local Governing Body members ('LGB governors'), or a combination of both, in accordance with the Trust's Scheme of Delegation. Where a panel is convened to review a decision to permanently exclude, a meeting of a committee of at least three members — drawn from trustees, LGB governors, or both — will be held within 15 school days of the date on which the governing body received notice of the exclusion. The panel is not required to include a LGB governor from the Local Governing Body of the pupil's school. Parents will be invited to the meeting, informed in advance of the date and location, and given the opportunity to make representations at the meeting.
- 4.2 Where an exclusion would result in a pupil missing a public exam or national curriculum test, the governors will take reasonable steps to meet before the date of the examination. If this is not practical, the chair of the governing body may consider the pupil's reinstatement independently and decide whether or not to reinstate the pupil.
- 4.3 The role of the governing body is to:
- 4.3.1 decline to reinstate; or
 - 4.3.2 direct the pupil's reinstatement either immediately or on a particular date.
- 4.4 The governing body will consider representations made by the parents and the Head and will make its decision on the balance of probabilities.
- 4.5 Where the governing body decline to reinstate a pupil, the parents will be informed by letter without delay, explaining the reasons for the decision and details of the review procedure.
















5 Independent Review Panel

- 5.1 **Independent Review Panel (IRP):** The Academy will conduct this procedure for the review of permanent exclusions in accordance with the law and relevant guidance.
- 5.2 **Request for a review:** A request for a review of the decision of the Governors not to reinstate

the permanently excluded pupil must be made in writing setting out the grounds on which it is made and whether or not the parents require an SEN expert at the hearing. The letter from the Governors will indicate the latest date by which an appeal may be lodged.

- 5.3 **Timing:** An IRP will meet to consider the appeal no later than the 15th school day after the day on which the application for the review was lodged. Parents will be informed of the date and location of the hearing. The hearing may be adjourned if the panel consider that it would not be appropriate to proceed, for example where additional information is required.
- 5.4 **Composition of the panel:** The IRP will consist of three or five members and will be appointed in accordance with government guidance. A clerk to the panel will also be appointed, who can provide independent advice to all of the parties and will circulate all relevant papers to the parties at least five school days before the hearing. Parents should contact the clerk if they have any questions about this procedure.
- 5.5 **Role of the panel:** The IRP will review the governing body's decision not to reinstate the permanently excluded pupil taking into account the evidence available, including any fresh evidence. An IRP may decide, on the balance of probabilities, to:
- 5.5.1 uphold the decision to exclude;
 - 5.5.2 recommend that the governing body reconsiders their decision; or
 - 5.5.3 quash the decision and direct that the governing body considers the exclusion again.
- 5.6 **Conduct of hearing:** The hearing will be conducted in a suitable venue and in an informal manner. Parents may be accompanied by a friend or representative. All parties will have the opportunity to put forward their case.
- 5.7 **Procedure:** The IRP will decide whether the governing body's decision was flawed having regard to the evidence that was available to it at the time of the decision and, where applicable, the SEN expert's view of how SEN might be relevant to the pupil's exclusion. The IRP will apply the following tests:
- 5.7.1 Did the Head and / or governing body act outside the scope of their legal powers in taking the decision to exclude?
 - 5.7.2 Was the decision of the governing body not to reinstate the pupil so unreasonable that it was not one a sensible person could have made?
 - 5.7.3 Was the process of exclusion and the governing body's consideration so unfair or flawed that justice was clearly not done?
- 5.8 **Record:** The Clerk to the IRP will take minutes of the proceedings, including details of attendance, the voting and the decision.
- 5.9 **Decision:** The IRP's decision does not have to be unanimous and can be decided by a majority vote. The decision is binding on the pupil, the parents, the governing body and the Head. All parties will be informed of the decision without delay and the reasons for it. If the exclusion is upheld, the clerk will immediately inform the relevant local authorities.
- 5.10 **Reconsideration by the governing body:** Where the IRP directs or recommends that the governing body reconsiders their decision, the governing body must reconvene within 10 school days of being given notice of the IRP's decision. The parents, the Head and the relevant local authority will be informed of the governing body's decision.
- 5.11 **Complaint:** If parents have a complaint about maladministration by the IRP, they should contact the Education Funding Agency (**EFA**).

Appendix 2 - Local arrangements: Ewell Grove Primary and Nursery School Whole School Behaviour Policy

|  EWELL GROVE PRIMARY AND NURSERY SCHOOL BEHAVIOUR POLICY SUMMARY  | | | | | | | | | | |
|---|--|--|--|--|---|--|---|---|--|--|
| Redirection | The Reminder | The Warning | A Reflection Time | Repair and Restore | | | | | | |
| <p>Refer to class visual timetable, now/next cards and use visual instructions. Stop/start Positive framing – We like gentle hands/I need to see all eyes on me.</p> <div style="display: flex; justify-content: space-around;">   </div> <div style="display: flex; justify-content: space-around;">   </div> <table border="1" style="width: 100%; text-align: center;"> <tr> <td style="width: 50%;"> Now  Phonics </td> <td style="width: 50%;"> Next  Lego </td> </tr> </table> <div style="text-align: center;">  https://widgitonline.com </div> <table border="1" style="width: 100%; text-align: center;"> <tr> <td style="width: 25%;"> Blue Zone Sad Bored Tired Sick </td> <td style="width: 25%;"> Green Zone Happy Excited Calm Proud </td> <td style="width: 25%;"> Yellow Zone Nervous Embarrassed Shy Confused </td> <td style="width: 25%;"> Red Zone Jealous/Hurt Shocked Angry Terrified </td> </tr> </table> <p style="text-align: center;">Zones of Regulation</p> | Now  Phonics | Next  Lego | Blue Zone Sad Bored Tired Sick | Green Zone Happy Excited Calm Proud | Yellow Zone Nervous Embarrassed Shy Confused | Red Zone Jealous/Hurt Shocked Angry Terrified | <p>A reminder of the expectations for learners should be delivered privately to the child.</p> <p>Make the child aware of their behaviour - <i>the child has a choice to do the right thing.</i></p> <p>Be mindful of proximity to the child and use a clear, positive and non-threatening tone.</p> <p>A verbal reminder is given to the child e.g. "Bob, I can see you are finding this activity difficult, but I can't allow you to keep interrupting your neighbour."</p> <p>Reinforce the golden rule and give a clear instruction of what they should be doing.</p> <div style="text-align: center;">  </div> <p>Always end the reminder with a thank you as this gives the expectation they will comply.</p> | <p>A clear verbal warning delivered privately to the child making them aware of their behaviour and clearly outlining the consequences if they continue.</p> <p>Reminded of their previous good behaviour to prove that they can make good choices.</p> <p><u>30 second intervention</u></p> <ol style="list-style-type: none"> Gentle approach, personal, non-threatening, side on, eye level or lower. State the behaviour that was observed and which rule/expectation/routine it contravenes. Tell the child what the consequences of their action is. Refer to previous positive behaviour/learning as a model for the desired behaviour. Walk away and allow the child time to decide what to do next. If there are comments, as you walk away write them down and follow up later. <p><i>Resist endless discussions around behaviour and spend your energy returning children to their learning.</i></p> | <p>A period of their golden time removed (proportionate to the misdemeanour) and 'Thinking time' should also be encouraged. It is dependent on the age and needs of the child if 'reflection time' is instant or during golden time.</p> <div style="text-align: center;">  </div> <p><u>Reflection Time</u></p> <ul style="list-style-type: none"> ➤ The child is asked to speak to the teacher away from others. ➤ Boundaries are reset. ➤ Child to reflect on their next step. ➤ Child reminded of previous positive conduct, attitude and learning. ➤ Final opportunity to re-engage with the learning / follow instructions. <p><i>Adults to consider adaptations and support needed to encourage success.</i></p> <p>After 'reflection time' the child should return to their activity. Adult to notice and reward improved behaviour</p> | <p>Choose your restorative three to five from the suggestions below:</p> <p>What happened? <i>Listen carefully and dispassionately to the child's account without interrupting or disagreeing. It is equally as important to give your account from your perspective without judgement.</i></p> <p>What were you thinking at the time? <i>An opportunity to reflect on thought processes and reconsider their actions.</i></p> <p>What have you thought since? <i>Allow the change of attitude, a shift in explanation or even the possibility of an apology.</i></p> <p>How did this make people feel? <i>An opportunity to consider others and think about the impact of their behaviour on peers.</i></p> <p>Who has been affected? <i>Teaching the child to use their conscience by listing the people who have been impacted.</i></p> <p>How have they been affected? <i>Encourage empathy with other people.</i></p> <p>What should we do to put things right? Do not demand an apology. Find solutions to put things right.</p> <p>How can we do things differently in the future? <i>Help them to recognise when their behaviour pattern begins.</i></p> |
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