

Marlborough Road Academy

# BEHAVIOUR POLICY



## United Learning Behaviour Policy

### Marlborough Road Academy February 2026

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## United Learning Behaviour Policy – Academies

### 1. Expectations

“This policy sets out how the school will promote good behaviour, self-discipline and respect, prevent bullying, ensure that pupils complete assigned work, and regulate the conduct of pupils.

At Marlborough Road Academy, our aim is to promote a positive school climate where learning is at the heart of all we do, based on a sense of community, mutual respect and shared values. We aim for all our pupils to leave us as mature young people, able to act and interact in all social settings in a manner that reflects their core values of integrity and respect. We believe that children should be intrinsically motivated to do the right thing. All children have the entitlement to learn in an environment that is free from disruption. Clear boundaries that are consistently enforced alongside a culture of high expectations and excellent role modelling help in ensuring that all children understand the behaviours that are expected of them and most importantly why these behaviours will help them to be successful in their learning and with their future lives. We have a responsibility to ensure that all children develop the ability to regulate their own behaviour. The over explanation of decision making, and expectations plays an important part in helping pupil’s understanding of why certain behaviours are expected; this in turn helps them to make positive decisions around their own conduct as we prepare them for life and learning. Instilling and developing characteristics and values that will allow pupils to be successful learners and result in them leading a rewarding and fulfilling life, is very simply the purpose of our behaviour systems.

This policy sets out how the school will promote good behaviour, self-discipline and respect, prevent bullying, ensure that pupils complete assigned work, and regulate their conduct. In applying this policy, the

School will take into account the needs of pupils with special educational needs. Furthermore, that the school is strongly committed to promoting equal opportunities for all and takes its duties under the Equality Act 2010 seriously and makes appropriate reasonable adjustments for pupils with disabilities. The school will also have regard to its safeguarding policy where appropriate.

### 2. Policy Implementation

At Marlborough Road Academy, we believe that everyone has a right to feel secure and to be treated with respect, particularly the vulnerable, and that harassment and bullying in any form will not be tolerated, including online, or outside of school. Furthermore, the School is strongly committed to promoting equal opportunities for all and takes its duties under the Equality Act 2010 seriously and makes appropriate reasonable adjustments for pupils with disabilities.

Responsibility for implementing the policy:

**All staff** will implement the academy policy consistently and fairly throughout the school by setting the standards required to promote positive behaviour.<sup>1</sup>

Ensure that the environment is attractive, welcoming and reflects the involvement and participation of the children and their families.

Provide good role models showing consideration and respect for each other, for children and their families. All adults will model the language of respect, tolerance and kindness.

**The senior leadership** team of the academy will ensure all staff adhere to the behaviour policy and implement effective systems for keeping records of all reported incidents, reporting to governors and parents

<sup>3</sup> Further detail is contained at paragraphs 32-33 in the DfE Behaviour Guidance



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parents when required. In accordance with the DfE Behaviour Guidance, senior leaders will be highly visible and engage with all stake holders in setting and maintaining a behaviour culture<sup>2</sup>

**Students** are responsible for:

- Understanding what kind of behaviour is acceptable and the reasons why some behaviours are not acceptable and take responsibility for their own behaviour and follow the school rules.

**Parents** are responsible for:

- Helping the school develop and maintain good behaviour.
- Supporting the school - parents are encouraged to get to know the school's behaviour policy and where possible, take part in the life of the school and its culture.<sup>3</sup>

School will place value in a close relationship with parents and encourage parents to work in partnership with the school to assist in maintaining high standards of behaviour both inside and outside of school. In particular, the school expects parents to support the school's values in matters such as attendance and punctuality, behaviour and conduct, uniform/dress and appearance, standards of academic work, extra-curricular activities, and homework/private study.

In the event of any behaviour management issue, the school will liaise closely with parents where practical and, if relevant, other local or national support agencies. We have the highest expectations for all our children and expect them to conduct themselves in the best possible way, at all times. We acknowledge that children are not the same and that in some instances our expectations for behaviour may have to be differentiated to meet individual needs. However, staff will not permit behaviour to impact on the learning and progress of others and steps will be put in place to address this, should it become apparent. We believe that the times when children do not make positive choices about their behaviour are opportunities to learn and for members of staff to teach them a better way of handling their emotions. We do not believe in shouting at children as this leads to humiliation and embarrassment. Children at Marlborough Road Academy will be treated with kindness, love and respect at all times and will know that mistakes with behaviour/relationships can always be repaired and overcome.

### **3. Behaviour expectations**

School aspires to develop strong relationships between all members of our school family. We want to help children cope when things go wrong (resilience) to know the difference between right and wrong and to make good choices even when no one is looking.

Our approach is research based and is centered around three rules:

- Choose Kind
- Work Hard
- Be Safe

We expect everyone to reflect on their behaviour when things go wrong and to consider how they might do things differently in the future. We instruct by giving clear and concise directions in a simple common language that is shared throughout the school. We expect adults to model good behaviour and to take collective responsibility for behaviour throughout school. Pupil support systems include; quiet rooms

<sup>3</sup> Further detail is contained at paragraphs 32-33 in the DfE Behaviour Guidance



that are available at playtime and lunchtime; key workers who are available to support when necessary; and external agencies. All staff are trained in emotional coaching and a team of staff are Level 1 resilience trained.

Pupils have access to a Mental Health lead and deputy within school. Place2Be counsellors are also available for 2 days per week.

In applying this policy, schools draw a distinction between behaviour which intentionally breaches school policy and rules, and that which arises from a pupil's support needs. Whilst the consequences for different misbehaviours will therefore vary according to the context and circumstances, all school interventions are designed to teach the expected behaviour.

At Marlborough Road Academy we make it clear that the school rules and policies concerning behaviour and discipline apply at all times when a pupil is at the school, representing the school, travelling to and from the school, and associated with the school at any time. This includes conduct online, such as in any written or electronic communication concerning the school and United Learning.

Where pupils have unexplained absences, the school will firstly contact the parents/carers. This may be followed by a home visit if contact cannot be made and may ultimately result in the school reporting child as missing education. For more information, please refer to the Safeguarding policy.

New pupils are briefed about the expectations of their behaviour at induction. A home/school agreement is in place and must be signed by both parents and the child. New pupils are encouraged to copy the example set by others in terms of meeting the behaviour expectations and reminders are given to all pupils in assemblies and class family meetings. If the new pupil would like, a buddy is assigned to help them settle in and get used to the expectations. Displays in corridors reinforce the message around desired behaviour and all adults use the phrase 'You did it' to exemplify good choices.

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<sup>3</sup> Further detail is contained at paragraphs 32-33 in the DfE Behaviour Guidance



#### 4. Bullying

At Marlborough Road Academy we ensure parents and pupils are aware of the procedures to follow if they believe their child is being bullied/they are being bullied and that the school community are clear on what disciplinary sanctions may be imposed.

Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. It may involve an imbalance of power between the perpetrator and the victim. Bullying will not be tolerated at the academy. School also has clear policies and processes in place to deal with incidents of peer-on-peer abuse. Bullying can come in many different forms:

- Physical e.g. punching, kicking, hitting, spitting at another person,
- Verbal e.g. name-calling and/or offensive, discriminatory verbal abuse, taunting, mocking, making
- offensive comments; producing offensive graffiti; gossiping; excluding people from groups and
- spreading hurtful and untruthful rumours.
- Exclusion e.g. deliberately excluding a person or encouraging another person to exclude a person
- from discussions/activities,
- Damage to property or theft e.g. deliberately damaging someone's or taking personal belongings.
- Physical or verbal threats might be used to force the person to hand over their property,
- Face-to-face or remote e.g. via the internet or text, including unacceptable behaviours expressed
- online, sometimes called online or cyberbullying. This can include sending offensive, upsetting and
- inappropriate messages by phone, text, instant messenger, through gaming, websites, social media
- sites and apps and sending offensive or degrading photos or videos.
- Prejudice-based bullying against groups, for example, on grounds of special educational need, race,
- gender, religion and belief, sexual orientation, disability

All cases of alleged bullying should be reported to the Headteacher/Deputy Headteacher or senior member of staff. In any case of alleged bullying, either the Class teacher, the Headteacher, or a senior member of staff should first establish the facts, and build an accurate picture of events over time, through speaking to the alleged perpetrator(s), victim(s) and adult witnesses, as well as parents and pupil witnesses if necessary and appropriate. If the allegation of bullying is upheld, the Headteacher (or senior leader) should seek to use a restorative approach with the perpetrator(s) and victim(s) together.



The perpetrator(s) should fully understand the consequences of their actions on the victim(s) and apologise without reservation. Both parties should be clear that a repeat of these behaviours will not be acceptable. All bullying incidents must be recorded on Arbor. Parents of both parties should be informed. If the situation does not improve, the Headteacher (or senior leader) should meet with the parent(s) of the bullying child(ren) and agree clear expectations and boundaries which would be shared with the pupils involved. Any further incidents should lead to intervention (e.g. through outside agencies), further monitoring, support and punitive sanctions as deemed necessary. Any necessary action should be taken until the bullying has stopped.

Bullying will not be tolerated at Marlborough Road Academy.

This policy should be read in conjunction with the school's Anti Bullying Policy and Safeguarding Policy.

## 5. Contextual Safeguarding

Staff always consider the context and motive of a pupil's misbehaviour and whether it raises any concerns for the welfare of the pupil. Also, if staff reasonably suspect that a pupil may be suffering, or is likely to suffer significant harm, whether inside or outside of school, they should follow the procedures set out in the Safeguarding / Child Protection Policy and discuss their concerns with the school's Designated Safeguarding Lead, without delay.

School will take into consideration of whether any disruptive behaviour might be the result of unmet educational needs, or any other needs, and will discuss concerns with the pupil's parents accordingly and include any local or school specific arrangements.

## 6. Supporting Students with Special Educational Needs and Disabilities (SEND)

[SEND Information | School Information | Marlborough Road Academy](#)]

The SEND Code of Practice (2014) states that, '*Persistent disruptive or withdrawn behaviours do not necessarily mean that a child or young person has SEN. Where there are concerns, there should be an assessment to determine whether there are any causal factors such as undiagnosed learning difficulties, difficulties with communication or mental health issues. If it is thought housing, family or other domestic circumstances may be contributing to the presenting behaviour a multi-agency approach, supported by the use of approaches such as the Early Help Assessment, may be appropriate. In all cases, early identification and intervention can significantly reduce the use of more costly intervention at a later stage.*'

### Adaptations / Reasonable Adjustments

At Marlborough Road Academy we make adaptations / reasonable adjustments for managing behaviour which is related to a students' Special Educational Need (SEN) or disability, in accordance with the Equality Act 2010. These adaptations / reasonable adjustments are tailored to the individual student and consider the advice of professionals as required. These adaptations may relate to the way that instructions are given, the way that behaviour is managed or the consequences and rewards that are used. We are committed to providing early intervention to support student behaviour and to ensure that students are supported in improving their behaviour ([see Annex A](#)).

### Considering whether a student may have unidentified SEND

Where there are concerns that a young person may have unidentified SEND, the school will adhere to its SEND referral and identification processes in line with the graduated approach ([see SEND Information Report / SEND Policy and Annex A for further information.](#)) A meeting with the special educational needs co-ordinator (SENCO) may be arranged to discuss further.



## **7. Consequences or Sanctions**

### ***Allegations against staff***

The school takes its responsibilities for safeguarding extremely seriously, and that all members of the school community should be aware that any allegation of improper behaviour or unprofessional conduct made against a member of staff will be treated with the utmost seriousness and will be managed in accordance with the procedures set out in the appropriate school policies and procedures, in particular the Child Protection / Safeguarding Policy.

### ***Malicious accusations against staff***

The school has the right to take disciplinary action against pupils who are found to have deliberately invented or made malicious accusations, whether against other pupils, staff or other individuals, and Sanctions for making allegations found to be malicious will be proportionate to the allegation made and take the advice given into account. Parents will be informed and informed about any consequences (up to and including suspension/exclusion).

## **8 Supporting pupils following a sanction**

The following strategies will be considered to help all pupils to understand how to improve their behaviour and meet behaviour expectations of the school:

- Restorative conversation/reflection on the impact of their actions and how to behave should a similar situation reoccur
- Access to on going support from Key Workers – check ins, dedicated time, direct work
- The chance to start again the following day
- A phone call with parents/carers or the virtual school for cared for pupils
- Consideration in the weekly triangulation meeting between DSL, Principal, SENDCo and Key Workers around possible circumstances inside and outside of school and an appropriate care package to be put in place
- Possible risk management/handling plan
- Possible interventions/involvement of external agencies

## **9 Use of reasonable force**

The school will follow the Department of Education advice [‘Use of Reasonable Force - advice for school leaders, staff and governing bodies’](#).

Teachers and members of staff authorised by the Principal have the power to use reasonable force and the policy can provide that they may use reasonable force to prevent pupils from committing an offence, injuring themselves or others, to prevent damage to property and to maintain discipline. Members of staff (including non-teaching staff) may also use such reasonable force at any time off the school premises when they have lawful charge of the pupil elsewhere (e.g., on a school trip or other authorised out of school activity).

The description of use of force works alongside and cross refers to the use of force during searches described in the separate section on searches above. The use of reasonable force means using no more force than needed and will always depend on the circumstances of the case.

Where the use of force, i.e. restrictive physical intervention has been used more than once with a particular child it starts to become a foreseeable risk and therefore requires planning to reduce the chances of it being used again. Where restrictive physical intervention has been used more than once



with a particular child, the school will write a positive handling plan (essentially an appendix to a behaviour plan) and share this with the parents/carers and relevant school staff. Parents will always be told when it has been necessary to use physical restraint on their child. Parents of EYFS pupils will be informed of the incident on the same day or as soon as is reasonably practicable. Staff training on use of reasonable force should deal with factors that must be considered in reaching a judgement as to whether the use of physical restraint is appropriate, including in light of any vulnerability or SEND of the pupil concerned.

Every member of staff will inform the Principal immediately after s/he has needed to restrain a pupil physically.

## **10 Prohibited items and searches The law relating to searches**

Principals/Headteachers (or authorised members of staff) have the statutory power to undertake a search of a pupil or their possessions (without their consent) if there are reasonable grounds to believe that the pupil has in their possession an item that has been, or is likely to be, used to commit an offence, or to cause personal injury to any person (including the pupil being searched), or cause damage to property, or the pupil has, or is reasonably suspected to have in their possession e.g. a weapon or illegal drug.

The specific items which can be searched for without consent are provided in [Screening, Searching and Confiscation – advice for Headteachers, staff and governing bodies](#) This includes “any item banned by the school rules which has been identified in the rules as an item which may be searched for” (“Specific Banned Items”).

The screening and searching advice details what should be done with items that have been confiscated during a search, including the circumstances under which the police should be involved, and when the use of force can be applied.

Consequently, schools should note that it may also be necessary to undertake a search of a pupil’s possessions to check for property not covered by the statutory power but identified in the school’s behaviour policy as an item which may be searched for. If an item is **not** listed in the school’s behaviour policy under this heading (or included in a separate document<sup>7</sup>) then a search cannot be conducted without consent from the pupil. Consequently, it is vital to include any specific banned item not on the DfE’s standard list in the school’s policy if it is likely to cause a problem to maintaining order in the school to the extent where a search without consent may be needed.

Only the Principal/Headteacher<sup>8</sup> or a member of school staff authorised by the Principal/Headteacher, can undertake the search of a pupil and there must be a witness (also a staff member). The person carrying out the search should be the same sex as the pupil being searched, as, ideally should be the witness. There is a limited exception to this rule (where a search can be carried out on a pupil of the opposite sex and / or without a witness) only where the Principal or authorised member of staff reasonably believes that there is a risk that serious harm will be caused to the person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.

Any searches of a pupil’s own person or of their possessions must be carried out with due consideration for the pupil’s personal dignity, health and safety, the school’s Safeguarding policy, United Learning staff-pupil relations guidance, and the school’s own Equal Opportunities policy. There may be rare instances where a child with a specific SEND diagnosis requires a different approach. For example, the school may refrain from searching, unless in an emergency, if a child is tactile defensive or has a sensory sensitivity which means that a search may significantly escalate a situation. This would mean dealing



with the situation in a different way, bespoke to the needs of the child.

The school will inform the pupil's parents of a search conducted after the event, particularly where alcohol, drugs or potentially harmful substances have been found as a result of the search. The parent's prior consent to undertake a search is not required.

Any such searches must always be viewed as a last resort, when other methods of investigation and communication have failed and only if absolutely necessary, such as in extreme situations where leaving a pupil with such a suspected item could pose risks to others (or to that pupil). It is hoped that in the great majority of instances, there will be no need for a search to be carried out.

Any staff authorised to carry out searches must have had sufficient training to enable them to carry out their responsibilities.

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<sup>7</sup> If including in a separate document, this should be referenced in the behaviour policy.

<sup>8</sup> Schools which have different tiers / leadership titles such as Executive Principal or Head of School



## Searches without Consent

The following items are banned in school and students may be searched for them without their consent and without the consent of their parents:

- Knives or weapons
- Alcohol
- Tobacco (including vapes and other liquid electronic smoking materials)
- Illegal drugs (see Home Office controlled drugs list [here](#)) including drugs paraphernalia
- stolen items
- fireworks
- pornographic images
- any article that the member of staff reasonably suspects has been, or is likely to be, used:
- to commit an offence,
- to cause personal injury to, or damage to the property of, any person (including the pupil).

United Learning also asks all schools to include the following in this list:

- So-called “legal high” drugs including those which are edible (regardless of whether they are technically legal or illegal) and/or anything pertaining to be a drug.

### **Searches for things not specified in the policy without consent are unlawful.**

Members of staff can use such force as is reasonable given the circumstances when conducting a search for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm. Such force **cannot** be used to search for other items that a school has decided to ban under its behaviour policy. However physical resistance by a student to a search for those latter items can itself be subject to behavioural sanctions.

Before a member of staff carries out a search without consent, the member of staff must reasonably suspect that the student has the prohibited item in his/her possession. Only staff members authorised by the [Head Teacher/Principal] may carry out searches without consent.

Where an item prohibited by this behaviour policy is seized as the result of a search and it is an electronic device such as a mobile telephone, the member of staff who seized the item may inspect the data on it, if he/she thinks that there is a good reason to do so. For this purpose, the member of staff has a good reason if he/she reasonably suspects that the data or file on the device in question has been or could be used to cause harm, to disrupt teaching or break the school rules. The school also reserves the right to inspect data<sup>9</sup> on any electronic device which is confiscated by a member of staff. The school is entitled to retain the device if it contains material which has been or could be used to cause harm to disrupt teaching or break the school rules.

Any decision to search a pupil's device should be based on the professional judgement of the DSL and will comply with the school's Child Protection / Safeguarding Policy.

The school may erase any data or files from the device if the school considers there to be good reason to do so, unless there are reasonable grounds to suspect that the device contains material that has been or could be used to cause harm or may contain evidence in relation to a breach of the School Policy (where a decision may be made whether to delete or retain the material) or of a criminal offence (for example, certain pornographic material including nudes or semi-nudes of a pupil or another pupil), where the files should not be deleted and the device must be given to the Police without delay.



If, following a search, the member of staff determines that the device does not contain any evidence in relation to a criminal offence, the school can decide whether it is appropriate to delete any files or data from the device, and may confiscate the device as evidence of a breach of this policy and the School Policy, and may then punish the pupil in accordance with this policy [and, Exclusions and Policy], where appropriate.

School staff can seize any prohibited item found as a result of a search and can also seize any item, however found, which they consider harmful or detrimental to school discipline. When deciding what to do with a prohibited item, the school will act in line with statutory guidance issued by the Department for Education.

### **Searches with consent**

The school may search students with their consent for any item. A pupil's possessions can only be searched in the presence of the pupil and another member of staff, except where there is a risk that **serious harm** will be caused to a person if the search is not conducted immediately and where it is **not reasonably practicable** to summon another member of staff.

### **Extent of search**

The person conducting the search may not require the pupil to remove any clothing other than outer clothing. 'Outer clothing' means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear but 'outer clothing' includes hats; shoes; boots; gloves and scarves. 'Possessions' means any goods over which the pupil has or appears to have control – this includes bags, lockers and desks.

It is a condition of having a locker in school that the student gives their consent to it being searched.

Any formal complaints about searches should be made in accordance with the school's usual complaints policy.

### **Confiscation of articles**

School staff have the power to confiscate property from students under their general right to discipline contained in s91 of the Education and Inspections Act 2006.

### **Disposal or retention of articles confiscated from students**

The academy will follow the Department for Education guidance '[Screening Searching and Confiscation = advice for headteachers, staff and governing bodies](#)' in deciding what to do with confiscated items.



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<sup>9</sup> All schools should also have regard to DfE guidance

<https://www.gov.uk/government/publications/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people/sharing-nudes-and-semi-nudes-advice-for-education-settings-working-with-children-and-young-people>



**United Learning**  
The best in everyone™

■ Ambition ■ Confidence ■ Creativity ■ Respect ■ Enthusiasm ■ Determination

## 11 Drugs

**Marlborough Road Academy operates a zero-tolerance policy on drugs for the health and safety of all staff, pupils and visitors.** The school policy on drugs applies to all school and school-related activities whether on or off site. This includes the journey to and from school. The word 'drugs' used in this policy does not just mean illegal drugs. It extends to alcohol, tobacco products, volatile substances and so-called 'legal highs', and any substance pertaining to be a drug. Over the counter and prescription medicines should be dealt with in the school's [Supporting Pupils with Medical Needs Policy](#).

The school takes into account guidance issued by the Department for Education. The school will monitor and deal with any drugs issues promptly and be proactive in trying to prevent any future drugs incidents. Pupils will receive drugs education as part of the PSHE programme and the school will also involve outside agencies such as drugs education charities. Any incidents will be reported to the governors for their consideration.

Any pupil found to be involved in a drugs-related incident will be disciplined in accordance with the school's behaviour policy and also in line with the Substance Misuse Policy. The sanction is likely to include a suspension or permanent exclusion from school.

Sometimes, it will also be necessary to involve the police. The school will discuss this and take advice as necessary. It is important to note that whilst the school may, on the balance of probabilities, label behaviour as the supply of drugs (i.e. "dealing") this does not in any way confer a criminal judgment or conviction. This can be a matter which causes some confusion and upset with parents and pupils concerned.

The school will take a contextual approach to where pupils are affected by their own or other's drug misuse, which may include early access to support through the school and other local services as appropriate.

### **Confiscation of drugs**

Any drugs or suspected drugs found will be confiscated by staff who will dispose of them in accordance with guidance issued by the Department for Education.

Similarly, any drugs-related paraphernalia such as needles will be disposed of in a prudent manner. The school may carry out searches for drugs in accordance with this policy.

### **Parental involvement**

Usually the school will inform parents/carers when their child has been found to be involved in drugs but where there are potential safeguarding issues the school must act in the best interests of the child which may mean a decision not to inform parents/carers. Such a decision will be taken very seriously and usually with the benefit of legal advice.



## 12 Removal from classrooms<sup>10</sup>

Careful consideration needs to be given to how and in what circumstances this sanction is used. The use of removal should allow for continuation of the pupil's education in a supervised setting. The continuous education provided may differ to the mainstream curriculum but should still be meaningful for the pupil.

## 13 Suspensions and Permanent Exclusions

### 1. *Executive Summary or Explanatory Note*

The school is committed to providing inclusive education for all pupils. Expectations for behaviour are clearly set out in the behaviour policy, school ethos, Code of Conduct and the home/school agreement. The school adopts an approach that positively reinforces desired behaviours rather than highlighting negative behaviours. However, in order to ensure good order and behaviour for learning it may be necessary to suspend students from attending school or to permanently exclude them. That any form exclusion is the ultimate sanction. That the decision to exclude is the Principal's alone or in his/her absence, the designated teacher in charge.

### 2. *Legislation and Guidance*

Note that in applying this policy, the school will adhere to current legislation, including the Equality Act 2010. The school is obliged to have regard to the DfE Exclusions Guidance; Section 1 of this makes specific reference to the Equalities Act.

Sanctions should be applied fairly, reasonably and proportionately and after due investigative action has taken place.

Particular care should be taken when taking decisions to exclude children with Special Education Needs and/or Disability (SEND) and those groups with disproportionately high rates of exclusion, paying particular regard to the school's duties under the Equality Act 2010. These duties need to be complied with when deciding whether to exclude a pupil. Schools policies and practices do not discriminate against pupils by **unfairly increasing their risk of exclusion**. Provisions within the Equality Act allow schools to take positive action to deal with particular disadvantages, needs, or low participation affecting one group, where this can be shown to be a proportionate way of dealing with such issues.

The Principal/Headteacher and governing body comply with their statutory duties in relation to SEND when administering the exclusion process. This includes having regard to the SEND Code of Practice.

The exclusion policy relates to behaviour not only in school but also to behaviour out of school: for example travelling to and from school; on school trips; work experience placement; over the telephone or online (such as on social media) etc.

<sup>10</sup> Further detail is contained at paragraphs 79-88 of the DfE Behaviour Guidance



## Types of exclusion Suspension

A fixed period of exclusion may apply, for a single occurrence of serious misconduct or for persistent misbehaviour. State that lunchtime exclusion is equivalent to a half day exclusion.

Repeated use of suspension for children with an EHCP (and potentially those on SEN Support (especially those undergoing statutory assessment and likely to get an EHCP)), or where the school knows or could reasonably be expected to know, that the child has a disability, could be considered ineffective or failing to sufficiently meet a child's needs. There is an expectation that where this is occurring, schools should ensure the SENCO is involved as part of a behaviour intervention and planning process to elicit different approaches to improving the child's behaviour. This may involve advice from colleagues / specialists such as an educational psychologist, speech and language therapist, literacy specialist etc.

### *Permanent exclusion*

Exclusion will normally be used as a last resort in response to a serious breach or persistent breaches of the school's behaviour policy and where allowing the pupil to remain in the academy would seriously harm the learning or welfare of the pupil or others in the school. It may, however, be an appropriate sanction for a single one off incident or extreme misconduct. Examples of one-off extreme misconduct may include offenses such as: threatening to use or using a weapon on another child or adult, drugs related offenses, serious physical assault.

**This list of examples is not exhaustive.**

### 3. *The Investigation*

There are two ways to approach this stage. One is simply to state that any investigation will be conducted in accordance with DfE guidance to be lawful<sup>11</sup>, reasonable, fair and proportionate. The other is to set out the principles that will be applied which should be as follows:

To be thorough: witnesses to be questioned and statements taken; the accused to be given the opportunity to have his/her say.

Each case will be judged on the facts and the context taking into account:

- The degree of severity of the offence
- The likelihood of re-occurrence (including a consideration of the student's previous behavioural record – taking care to be clear what behavioural incidents the pupil is actually being excluded for);
- Contributory factors (e.g. recent bereavement, mental health issues, bullying, special educational needs and disabilities, peer on peer abuse, harassment);
- Support/or adjustments previously provided;
- The school behaviour policy, special educational needs policy and equality law obligations.

<sup>11</sup> with respect to the legislation relating directly to suspensions and permanent exclusions and a school's wider legal duties



#### 4. *Principal/Headteacher's Decision*

The decision to exclude will be made after a review of the evidence available and will be on the balance of probabilities - i.e. is it more probable than not that the accused acted as alleged – and in response to a serious breach or persistent breaches of the school's behaviour policy and where allowing the student to remain in school would seriously harm the education or welfare of the student or others in the school.

#### 5. *Notification*

Once a decision to exclude has been made, parents to be contacted at the earliest possible opportunity, by telephone if possible. The exclusion to be confirmed (without delay) by a letter signed by the Principal/Headteacher, or designated teacher in charge. The key points the letter is to address:

- The reason for the exclusion
- Date of the exclusion- start and end time
- Supervision responsibilities of the parent during the period of exclusion
- How to register their view if they believe the exclusion to be unlawful

#### 6. *Role of the Local Governing Body*

The role and responsibilities of the Governing Body in the exclusion process including:

- the duty to facilitate and consider the representations of the parents;
- that the Governing Body can either uphold the exclusion or direct reinstatement (and if the latter is not practical still consider if the decision to exclude was justified);
- that the decision of the Governing Body will be given in writing and without delay and will give the reasons for the decision.

#### 7. *Additional Requirements for Permanent Exclusion*

Where the Governing Body has upheld the decision of the Principal to exclude, set out:

- the statutory timeframe for applying to an independent review panel;
  - to whom an application must be sent, together with the grounds and evidence;
  - the right for parents to request a special educational needs expert;
  - the right for parents to bring an Equality Act claim for discrimination to the First Tier Tribunal (for disability discrimination) or to the County Court (for other forms of discrimination).
- *Independent Review Panel Procedure*

The set up and process of the IRP is set out in the DfE Exclusions Guidance and emphasise in the policy the important aspects in terms of timeframe, constitution, and the powers of the IRP. Make it clear that it cannot compel reinstatement.

- *Monitoring and Review*

The school will continue to monitor behavioural issues and evaluate the effectiveness of the behaviour policy. This will help the school consider whether there are patterns of concerning, problematic or inappropriate behaviour among pupils which may indicate that there are possible cultural issues within the school which may be enabling inappropriate behaviour to occur. When patterns are identified, the school should decide an appropriate course of action, which may include more staff training,



incorporating learning points into pupil's PSHE/RSE lessons, or amending the policy.

#### 8. *Managed Moves*<sup>12</sup>

Managed moves will only be used on a voluntary basis and with the agreement of all parties (including parents) and the admission authority of the new school and only where it is in the best interests of the pupil.

Managed moves will only be offered as part of a planned intervention.

#### 9. *Behaviour outside of school premises*

The behaviour policy can extend to activities outside the school day and off the school premises- or online when the pupil is:

- taking part in any school organised or school related activity;
- travelling to or from school;
- wearing school uniform;
- in some other way identifiable as a pupil at the school;
- that could have repercussions for the orderly running of the school;
- that poses a threat to another pupil; or,
- that could adversely affect the reputation of the school.

Even where the four conditions above do not apply, the behaviour policy can extend to any misbehaviour which could have repercussions for the orderly running of the school, pose a threat to another pupil, or member of the public, or could adversely affect the reputation of the school, and that broad definition should be included to give the school maximum control over issues such as bullying. The decision to sanction a pupil will be lawful if it is made on the school premises or elsewhere at a time when the pupil is under the control or charge of a member of school staff.

### **Preventing recurrence of misbehaviour**

#### 10. *Initial intervention following behavioural incidents*<sup>13</sup>

- Restorative conversations
- Class family meeting
- Time with key workers
- Direct work – circle of friends, cooperative team building exercises, breathing techniques
- Access to safe spaces in classrooms and at breaktimes for self referral
- Therapeutic responses – Drawing and Talking, Lego therapy
- Access to outside agencies – Place2Be, Educational Psychologist, CAMHS, LSS, ACE Team
- Liaising with parents/carers

All incidents and actions taken are recorded on Arbor. Incidents are escalated from class teacher to phase leader to Vice Principal and then to the Principal or are directed straight to the principal if serious enough. Arbor is monitored weekly by the behaviour lead in school and data is analysed termly.

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<sup>13</sup> Further detail is contained at paragraphs 96-100 in the DfE Behaviour Guidance



## 11. Pupil Support Units<sup>14</sup>

Marlborough Road Academy also has a small nurture classroom. To access this provision, all advice will be considered from key workers and external agencies, including Salford's Primary inclusion team, CAMHS and the educational psychologist. Three members of staff have completed training from Nurture Network UK and the nurture classroom provision is based around the 6 principles of nurture:

1. Learning is understood developmentally
2. The classroom offers a safe base
3. The importance of nurture for the development of self-esteem
4. Language as a vital means of communication
5. All behaviour is communication
6. The importance of transition in the lives of children and young people.

The nurture group classroom is a hybrid of home and school environments, with soft furnishings, kitchen and dining facilities – a space the students have to share with two nurture group staff and up to 5 other children. At Marlborough Road Academy, we also have a separate outdoor space where children can play and access outdoor learning such as gardening and den building. The two adults are always present in the room and their positive interactions serve as a model for cooperation. The nurture group staff engage intensely with each student within a daily routine that is clear and predictable; activities undertaken include emotional nurture sessions, news-sharing, group activities, curriculum tasks and nurture breakfasts, as required. The social and developmental targets for each student in the nurture group are devised on the Boxall Profile, which is a detailed assessment of their social, emotional and behavioural functioning (as well as academic progress). Integrating students back into mainstream classes is a fundamental priority of nurture groups.

Pupils who receive nurture support are part of their class for learning and are supported to access the curriculum. They access the nurture space for therapeutic intervention, rest breaks and tailored adult support in a quiet environment and reduced cognitive/sensory overload, where this cannot be provided in their classroom e.g. using the sensory room. The principles of conscious discipline and emotion coaching are used throughout school.

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<sup>14</sup> Further detail is contained at paragraphs 101-107 in the DfE Behaviour Guidance



## 12. Reintegration

Following removal from classroom, time spent in pupil support unit, another setting following an off-site direction or a suspension the following process is adhered to:

- A reintegration meeting is held with the child, parents/carers and the Principal
- Reminders are given about the expectations of the pupil's behaviour and a plan of support is put into place to help the child be successful in meeting the behaviour expectations
- A review date is set to assess how well the strategies are working and to make any required changes
- Where a child has been absent from school for a longer period of time and dual registered, a phased reintroduction may be put in place.
- On going support is provided, usually in the form of Key Worker time, by this may also involve outside agencies

## 13. Monitoring and evaluating school behaviour<sup>15</sup>

All behaviour incidents are recorded and categorised on Arbor MIS system. This data is reviewed weekly by the behaviour lead and a report is created termly. The data forms part of a weekly meeting between the DSL, Attendance officer, Principal, SENDCo and key workers. Support is agreed and targeted where it is needed.

Attendance in the Quiet Room is recorded and monitored weekly by the DSL and this information feeds into the triangulation meeting. The Principal reports on behaviour to the LGB termly and an annual report is presented to the SLT by the behaviour lead. This determines future strategy. Monitoring visits both in house and externally, focus on behaviour for learning and this culture is reinforced in assemblies, displays, modelled by adults .

### Specific behaviour issues

## 14. Child-on-child sexual violence and sexual harassment<sup>16</sup>

In every aspect of the school's culture that sexual violence and sexual harassment are never acceptable, will not be tolerated and that pupils whose behaviour falls below expectations will be sanctioned. Leaders make clear to all staff the importance of challenging all inappropriate language and behaviour between pupils.

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<sup>15</sup> Further detail is contained at paragraphs 109-111 in the DfE Behaviour Guidance

<sup>17</sup> Further detail is contained at paragraphs 119-122 in the DfE Behaviour Guidance



## 15. Behaviour incidents online<sup>17</sup>

The provisions apply to all activity online including all forms of social media and that they apply to online activity for both school purposes and personal use that may affect the school, pupils or staff in any way.

Set out instances of prohibited use, e.g.:

- damage to the school or its reputation, even indirectly
- use that may defame school staff or any third party
- use that may harass, bully or unlawfully discriminate against staff, other pupils or third parties
- false or misleading statements
- use that impersonates staff, other pupils or third parties
- expressing opinions on the school's behalf
- using school logos or trademarks.

Where a pupil commits inappropriate online behaviour whilst not at school, these actions may be considered under the behaviour policy where that behaviour poses a threat or causes harm to another pupil, and/or could have repercussions for the orderly running of the school when the pupil is identifiable as a member of the school or if the behaviour could adversely affect the reputation of the school.

The provisions apply to all forms of social media and that they apply to the use of social media for both school purposes and personal use that may affect the school, pupils or staff in any way.

Instances of prohibited use:

- damage to the school or its reputation, even indirectly
- use that may defame school staff or any third party
- use that may harass, bully or unlawfully discriminate against staff, other pupils or third parties
- false or misleading statements
- use that impersonates staff, other pupils or third parties
- expressing opinions on the school's behalf
- using school logos or trademarks.

Misuse of social media should be reported to a member of the safeguarding team.

Guidelines for responsible use of social media can be found in the ICT and Acceptable Use Policy and the Safeguarding Policy. A breach of the policy on the use of social media will result in disciplinary sanctions.

In line with government guidance relating to the Prevent Duty, children will be kept safe from terrorist and extremist material and suitable filtering within school is in place.

In line with government guidance relating to the Prevent Duty, children must be kept safe from terrorist and extremist material and suitable filtering within school is in place.

Although the online space differs in many ways, the same standards of behaviour are expected online as apply offline and that everyone should be treated with kindness, respect and dignity.

<sup>17</sup> Further detail is contained at paragraphs 119-122 in the DfE Behaviour Guidance



Where an incident involves nudes or semi-nude images and/or videos, the member of staff should refer the incident to the designated safeguarding lead (or deputy) when an incident raises a safeguarding concern.

#### *16. Mobile Phones*

Pupils are only permitted to bring mobile phones to school in Year 6. They must be handed in to the school office for the duration of the school day and switched off.

Adults are not permitted to use mobile phones in the teaching space. Instead, lockers are provided in the staffroom or phones can be stored securely in the school office. This applies to visitors and tradespeople operating during the school day. Periodically mobile phones are required to re set two factor authentication but must be removed from the teaching arena as soon as this has been completed.

#### *17. Suspected Criminal Behaviour*

The school will consider the need to report to police and preserve evidence; whether a tandem report to children's social care is required, DSL to take lead following KCSIE; and with specific regard to Part 5 of KCSIE re child-on-child sexual violence. School follows the DfE Behaviour Guidance.

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<sup>17</sup> Further detail is contained at paragraphs 119-122 in the DfE Behaviour Guidance





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## Annex A - The Graduated Approach

Behaviour is influenced by many complex factors, and it is important not to issue consequences or sanction where support is the appropriate response. Schools should demonstrate high expectations of all students. At all times, schools should scaffold the best behaviour that a student is capable of. The flowchart on the final page may be helpful for schools in devising their approach.

### Adaptations or Reasonable Adjustments

In addition to early intervention, we will consider the following areas in making adaptations or reasonable adjustments. This is not a prescriptive or exhaustive list and will be decided dependent on an individual's needs.

Any adaptation will be agreed between the school, student and parent/carer and recorded on the student's Individual Education Plan (or equivalent). These plans will be reviewed regularly (at a minimum, every 12 weeks in line with guidance from the SEND Code of Practice, 'Assess Plan Do Review' cycle).

Adaptations will be applied as consistently as possible across all aspects of school provision: lessons, social times, extra-curricular activities, lesson removal / internal suspension rooms.

### General Adjustments (where additional behaviour support may be needed)

- Work in collaboration with students and parents/carers to agree an overall approach.
- Identify a key adult and supervised safe space to go to in school. Agree when and how this support can be accessed (for example, weekly check in meetings)
- Agree daily / weekly home-school reports or home-school mood diary / tracking

### Transitions

Starting a new school, returning after an absence, changes to routine or even moving between lessons / activities can be a real challenge for some students. At such times, we will use inclusive strategies such as effective routines, visual timetables or step by step instructions for those students who may need extra support.

### Learning Environment

- Where applicable, we will consider the student's sensory needs – smells, sounds, lighting, temperature, and complete a sensory profile, if needed.
- Seating plan adaptations / position in room will be considered where necessary.

### Learning Strategies

- Cue student to stay on task with agreed non-verbal / private signal
- Provide additional think time or pre-prepare student prior to reading aloud / questioning
- Increase immediacy / frequency of bespoke rewards
- Provide exam access arrangements (see below) as normal working practice

### Exam Access Arrangements

We will support students with exam access arrangements, either across all subjects or for specific subjects, as required. We will ensure early application for such arrangements (where necessary) in line with the JCQ guidance. Examples include:

- Reader / computer reader / read aloud



- Scribe
- Supervised rest breaks (brain breaks / movement breaks). Pre-agree the frequency and length of these
- Prompter
- Visual timer / individual timer on student's desk
- Access to word processor
- Separate room
- White noise / music through headphones (*JCQ update 24/25*)
- Allow the student to see the exam room / meet their invigilator prior to the exam/s

The JCQ guidance here gives further information and is used by school to determine what arrangements individual students may need: [JCQ-AARA-24-25 FINAL.pdf](#)

### **Internal suspension (reflection) room**

*All other pre-agreed reasonable adjustments applied as normal working practice. Additionally:*

- Key worker support / extraction to enable success
- Completion of a problem-solving frame / reflection document with key worker

### **SENCo / External Professional Input**

- Solution focused planning session
- Further recommended staff CPD



## Annex B – Internal Guidance on Managed Moves and Off Site Direction

### Guidance for Academies on Managed Moves and Off-Site Direction (including Cluster Cross-Site Direction)

#### Introduction

Managed moves, off-site direction, and cluster cross-site direction can all play an important part in approaches to behaviour management. They can help maintain high standards of behaviour and ensure a safe and supportive learning environment for all students. This guidance outlines the principles, processes, and best practices for implementing these strategies effectively.

Schools must ensure they follow the DFE's [Suspension and permanent exclusion guidance](#) when using any of these strategies.

#### 1. Managed Moves

##### Definition

A managed move is a voluntary **but permanent** agreement between schools, parents/carers, and the pupil for the pupil to move to another school permanently. This is usually considered when all other behaviour management strategies have been exhausted.

Managed moves should be offered as part of a planned intervention. The original school should be able to evidence that appropriate initial intervention has been carried out, including, where relevant, multi-agency support, or any statutory assessments have been completed or explored prior to a managed move. (para 50 DfE suspensions and exclusions guidance).

##### Key Principles

- **Permanent:** As made clear in the DFE guidance, managed moves are permanent arrangements. There is no such thing in DFE guidance as a 'failed' managed move where the student returns to the original school without the new school having issued a PEX.
- **Voluntary Agreement:** Managed moves should be agreed upon by all parties involved, including the pupil, parents/carers, and both schools. It requires the consent of parents and the mutual agreement this is the right thing for the child. Parents should not be coerced into a managed move and it should never be offered 'to avoid an exclusion'. DFE guidance is clear that if a parent is pressured to accept a managed move this could be considered off-rolling.
- **Be in the Best Interests of the Pupil:** The move should be in the best interests of the pupil, providing them with a fresh start in a new environment. They should not be used as a consequence of or sanction for previous poor behaviour.
- **Clear Objectives:** The objectives of the move should be clearly defined, including expected behaviour improvements and academic goals.



## Process

1. **Initial Discussion:** The current school discusses the possibility of a managed move with the pupil and their parents/carers. The rationale and purpose for the move should be clearly explained, and documented.
2. **Agreement:** If all parties agree, the current school contacts potential receiving schools.
3. **Consider Off Site Direction:** Managed moves are permanent arrangements, and there can be no trial period. However, an off-site direction could be used to test the water before progressing to a managed move. In which case the process relating to an Off Site Direction (see below) should still be followed.
4. **Final Decision:** Following careful discussions and mutual agreement the move would be in the best interests of the pupil, the move is confirmed and induction arrangements made for the pupil to start at the new school.
5. **Document all discussions and decisions:** All meetings relating to a potential managed move should be carefully minuted. It is very important that all parties agree and that the decision is arrived at on a collective basis and that all parties are of the view the move best serves the child.
6. **Change in Registration:** As a managed move is permanent, it involves a move from the home school's admission register to the admission register of the new school.
7. **Information Sharing:** Any managed move should be preceded by information sharing between the home school and the new school, including data on prior and current attainment, academic potential, a risk assessment and advice on effective risk management strategies. It is also important for the new school to ensure that the child is provided with an effective integration strategy.

## Safeguarding and Attendance

- As a managed move is a permanent arrangement, the new school assumes responsibility for safeguarding and attendance at the outset.

## 2. Off-Site Direction

### Definition

Off-site direction is a temporary measure where a pupil is directed to attend another educational setting to improve their behaviour or seek a fresh start opportunity (**previously referred to as a managed move**). This can include alternative provision or another mainstream school. Principals of United Learning Academies have delegated powers (through our Scheme of Delegation) to direct off site where appropriate. *Please be aware that if schools continue to refer to such temporary placements as 'managed moves' – which has been the case in the past – they risk running into difficulties with potential complaints as the arrangements for managed moves are different – as set out above.*

Directions offsite can be an effective way to manage behaviour in a planned and strategic way rather than as a response to a single incident. They should be short term and remain under review. The arrangements for this should be stated overtly in a letter to parents that follows the direction.

### Key Principles



- **Temporary Measure:** Unlike managed moves, off-site direction should be used as a short-term intervention only. Neither parents nor pupils have to agree to the direction (again, unlike a managed move), although it is in the best interests of all parties if agreement can be reached.
- **Clear Objectives:** The purpose and duration of the off-site direction should be clearly communicated to the pupil and their parents/carers.
- **Support and Reintegration:** Pupils should be supported by the school during the off-site period and a plan must be put in place for their reintegration back into the home school at the end of the off-site direction period.

## Process

1. **Assessment:** Assess the pupil's behaviour, what intervention is needed to address it and determine if off-site direction is appropriate.
2. **Selection of Provision:** Choose an appropriate off-site provision that meets the pupil's needs as determined at 1. above. Off-site direction into alternative provision can be full-time or a combination of part-time support in alternative provision and continued mainstream education.
3. **Parental Involvement:** Inform and involve parents/carers in the decision-making process. Whilst consent is not a pre-requisite for an off-site direction, schools must ensure parents (and the local authority, where the child has an EHCP) are notified in writing and provided with information about the placement as soon as practicable after the decision to give a direction has been made and no later than two school days before the day the pupil is required to start attending the placement. Whilst consent is not required, schools should be mindful of the individual needs and circumstances of the family before finalising arrangements.
4. **Monitoring:** Regularly monitor the pupil's progress and behaviour at the off-site provision.
5. **Dual Registration:** The child must be dual registered during any period of off-site direction.
6. **Review:** The placement should be kept regularly under review to ensure it is meeting the intended objectives. Parents should be invited to each review. Although parental consent is not needed, parents (and, where the child has an EHCP, the local authority) can request, in writing, that a review meeting takes place. When this happens, schools must comply with the request as soon as reasonably practicable, unless there has already been a review meeting in the previous 10 weeks.
7. **Extension:** If the placement is to continue beyond the original timelines, schools must give written notification to parents (within six days of the review meeting where the decision to continue the placement is agreed) including their reasons for the extension and how long the extension will last.
8. **Reintegration:** Review the pupil's progress and plan for their reintegration into the home school.
9. **Failure:** If the direction fails (i.e. breaks down before the off-site direction is due to end), the child must return to their home school. Significant care should be taken in such circumstances with regards any subsequent sanctions. An immediate PEX should only be issued if the behaviour that triggered the off-site direction was extreme or dangerous and the school can demonstrate the risk of keeping the child in school is too severe (i.e. the case meets all the thresholds of a PEX and isn't a result of the failure of an off-site direction). The risk of this occurrence happening is minimised if off-site direction is used as a carefully considered approach to improving behaviour, rather than a reactive response to an isolated incident.



## Safeguarding and Attendance

- The home school retains safeguarding responsibilities for the child for the time they spend in another setting. The school must ensure that the off-site provision has robust safeguarding policies. Safeguarding measures must be put in place during the transition.
- Both schools must be communicating and safeguarding the child at all times. The home school must take proactive measures to ensure the child is safe, such as setting up a weekly attendance call between the school and setting, and/or a weekly DSL catch up between the home school and the receiving setting for a child identified as vulnerable.
- Attendance must be monitored closely to ensure the pupil is engaging with the new school. If there are any issues with attendance then the receiving school should contact the home school immediately as part of their daily attendance procedures.

## 3. Cluster Cross-Site Direction

### Definition

Cluster cross-site direction is a temporary measure where a pupil is directed to attend another local school within the same United Learning cluster for a specified period. It is essentially a form of off-site direction which keeps the child within United Learning, which is likely to be a more familiar setting than a school outside of the Group. This strategy aims to provide a change of environment to help improve the pupil's behaviour while maintaining their educational engagement.

We would hope that schools within the same cluster have a mutually supportive cluster-based approach in place as part of strategies to reduce exclusions.

***All of the above principles regarding off site direction apply, even if the direction is to another school within the cluster. Being in the same cluster does not exclude either school from the principles set out in 2. above.***

### Benefits

- **Behaviour Improvement:** A new environment can help break negative behaviour patterns and help prevent exclusions.
- **Educational Engagement:** The pupil continues their education without interruption, benefitting from our common curriculum and familiar resources and approaches.
- **Supportive Network:** Utilises the resources and support within United Learning.

## Legal and Policy Considerations

- **Compliance with Regulations:** Ensure compliance with relevant regulations, including the School Attendance (Pupil Registration) (England) Regulations.
- **Documentation:** Keep detailed records of all decisions, agreements, and reviews related to managed moves, off-site directions, and cluster cross-site suspensions.
- **Parental Complaints:** Ensure your complaints policy is up to date and makes clear how parents can make a complaint. The process for complaining about an off-site direction or managed move would be the same as any other complaint (i.e. no separate process is needed).



- **Direction off site:** These are decisions made unilaterally by the School.<sup>1</sup> As such they can be subject to heightened legal scrutiny by way of judicial review (challenge to a decision made by a public body). This can be on grounds of irrationality (e.g. failure to take account of relevant factors, taking account of irrelevant factors, making a decision no reasonable person would make), procedural irregularity (e.g. not allowing proper reviews) and illegality (e.g. not acting within the legal framework). As such, decision making should be considered, with care taken to record a detailed rationale.

### Conclusion

Managed moves, and off-site directions including cluster cross-site direction, are valuable tools for supporting behaviour management in schools. By following this guidance, schools can ensure these strategies are implemented effectively, providing pupils with the support they need to succeed.

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<sup>1</sup> Noting that it is always good to gain parental agreement, this can be withdrawn at any time.



## Annex C – Internal Guidance on the Appropriate Use of Alternative Provision

### Guidance on the Appropriate Use of Alternative Provision (AP)

#### Introduction

Alternative Provision (AP) refers to educational settings and programs designed to meet the needs of students who may not be coping or thriving in mainstream education. This guidance aims to support schools with using AP appropriately to help to support students' educational and personal development.

Schools must have due regard to the DFE guidance available here: [Arranging Alternative Provision - guide for LAs and schools](#). This guidance gives the following definition of Alternative Provision as...

*...education arranged by local authorities for children of compulsory school age who, because of exclusion, illness or other reasons, would not otherwise receive suitable education; alternative provision can also be used by schools for children on a suspension (fixed period exclusion); and for children being directed by schools to offsite provision to receive education intended to improve their behaviour.*

#### Objectives of Alternative Provision

- **Ensuring Suitable Education:** To arrange suitable education for children of compulsory school age who cannot attend mainstream provision due to exclusion, illness, or other reasons.
- **Behaviour Improvement:** To provide education for children on suspension or those directed off-site to improve their behaviour.
- **Reintegration:** To support children in overcoming barriers to learning and assist their reintegration into mainstream education or transition to post-16 destinations.
- **Quality Education:** To ensure that all children receive a good quality education, tailored to their age, ability, aptitude, and any special educational needs (SEN) they may have.
- **Early Intervention:** AP can support early intervention in mainstream schools to improve school capacity and capability to respond to rising issues over behaviour, attendance, mental health or other needs. Interventions can reduce the likelihood of children becoming persistently or severely absent, reducing preventable exclusion and the need for longer term placement into alternative provision.

#### Commissioning

Both the local authority and the school can commission AP, although the reasons behind each of them doing so varies.

- **Schools** will most typically be the commissioner in using AP to address behaviour concerns, such as using AP for children on a fixed term exclusion, or for an off-site direction.
- **Local authorities** must arrange suitable full-time education for children of compulsory school age who would not receive suitable education without such provision, e.g. due to medical conditions or following a PEX. Local authorities also maintain the responsibility for any placement for a child with an EHCP.

Regardless of who is taking the lead on commissioning, both parties should ensure the other is kept well informed about the placement and ensure plans for reintegration of the child back into mainstream are in



place at a suitable point.

## Types of Alternative Provision

1. **Off-Site Provision:** A range of external programs or settings that offer specialised support.
2. **In-School Units:** Dedicated units within the school that provide targeted support.

## In-School Units

### Purpose

- In-school units are designed to offer a supportive environment within the school where students can receive tailored interventions without being completely removed from the mainstream setting. The benefits of these settings are that the students receive continuity and have familiarity with staff and the rules and routines of their school, as well as protecting social connections and relationships.
- Whilst the main points in this guidance relate to external provision, schools should ensure similarly robust processes are in place for any provision provided on-site, particularly around quality standards, induction, record keeping and reintegration.
- Further information on using in-school units can be found in the DFE's [Behaviour in schools - GOV.UK](#) guidance.

### Placing external children into an in-school unit (off-site direction)

- Most in-school units will be for a school's own students, although some do take children from other schools, particularly within United Learning such as through cluster arrangements.
- **Off-site direction:** In these scenarios, any placement of a child who isn't already on roll at the school would need to be managed via an off-site direction. The principles set out in the guidance on Managed Moves and Off Site direction must apply in these circumstances.
- **EHCP:** Where a child with an EHCP is placed in an in-school unit (i.e. within the school named on their EHCP), the relevant statutory duties for the school and local authority will continue to apply.

## Registered and Unregistered Provision

- **Registered Provision:** Registered provision refers to AP settings that are formally registered with Ofsted. These settings are subject to regular inspections and must meet specific standards and regulations.
- **Unregistered provision:** includes AP settings that are not formally registered. While these settings may offer valuable support, they are not subject to the same level of oversight and regulation as registered provision. As such, if schools decide that unregistered provision is the most suitable setting for a child, it is essential they ensure checks are robust and regular. The school (or local authority if they have commissioned the placement) is responsible for the safety and quality of the provision they use and that the placement is appropriate for the child's needs.



- **Quality assurance:** many areas use quality assurance frameworks, with local authorities, schools and providers working collaboratively to produce approved lists of local unregistered alternative provision. Approved providers are measured against clear, locally defined standards, including where registration may be necessary, safeguarding, health and safety, quality of accommodation, quality of education etc. However, even if a setting is listed on a local framework, the home school must still ensure they complete effective due diligence before placing a child in the setting.

### Full time – Part time

Pupils have a right to full time education. Where it is in their best interests for reasons which relate to their physical or mental health for full time education not to be provided, education can be provided on such a part time basis as the Local Authority considers to be in the child's best interests. Therefore, before making part time provision the agreement of the Local Authority should be obtained. Failure to do so may result in legal challenge, especially if the pupil has Special Educational Needs and/ or a disability.

### School's Responsibilities to Check Provision is Suitable

Schools must conduct thorough due diligence to ensure that any AP setting, whether registered or unregistered, is suitable for their students. This includes:

- **Quality Assurance:** assessing the quality of education and support provided. Alternative provision and the framework surrounding it should offer good quality education equivalent to that provided in mainstream (or special) schools. The provision must be suitable to the child's age, ability and aptitude, and any SEN they have. Provision should also support the child to overcome their individual barriers to attainment and achievement, giving equal consideration to their pastoral needs, and enabling them to thrive and prosper in the education system. Provision should address a child's physical or mental health needs as well as personal, social and emotional needs, alongside their educational needs.
- **Qualifications:** Children should be given the opportunity to take appropriate and relevant qualifications. This would help prevent them from falling behind their peers and ensure that they are able to access their chosen post-16 destination.
- **Safety and Welfare:** ensuring the setting has appropriate safeguarding measures in place. Schools should ensure there is a section within their Safeguarding Policy that addresses checks within any AP setting used by the school. The school (where the school is the commissioner of the placement) continues to retain safeguarding duties towards the child and should therefore be satisfied that the provision is in a safe environment as well as meeting the child's pastoral and educational needs. Should safeguarding concerns arise with the actual placement, the placement should be immediately reviewed and terminated if necessary, unless or until those concerns have been satisfactorily addressed.
- **Attendance:** When a child is attending an alternative provision school, the school must ensure that they have arrangements in place whereby all absence is followed up promptly, particularly unexpected and unexplained absence. Arrangements must be in place whereby the AP setting notifies the school of any absences by the child. The school should always know where the child is during school hours. This includes having records of the actual address of the commissioned AP plus any subcontracted provision or satellite sites the child may attend.
- **Curriculum:** Alternative provision should aim to deliver a high quality, broad and balanced curriculum that responds to the needs and ambitions of all children, giving them the foundations and



resilience to succeed in education and in their future life. [The DFE guidance](#) sets out further information on curriculum on page 20.

- **Staff Qualifications:** Verifying the qualifications and experience of staff. The education offered by alternative provision settings should be of a good quality, delivered by high quality qualified staff who have undertaken suitable training, and have relevant experience and safeguarding checks.
- **Facilities:** Checking that the facilities are adequate and safe.

### Dual Registration

- Where a child has been directed off-site to an alternative provision school, the child should always be dual registered from the beginning of the first day on which the school has directed the pupil to attend the provision. For the purpose of the school census a child should be dual main registered at their school and dual subsidiary registered at the alternative provision.

### Alternative Provision for children with an EHCP

- **Local authorities are responsible** for maintaining a child's EHCP. As such, if the educational setting named on a child's EHCP believes that the child would benefit from alternative provision, they should inform the local authority responsible for the EHCP so that the authority can then consider whether to review the plan.
- If the local authority agrees that an intervention from an alternative provider might be appropriate, the local authority would need to consult the child's parents, consider their wishes and consult with the alternative provider to ensure they are able to meet the child's needs.
- The local authority may need to review and amend the EHCP, for example to name the alternative provision school in Section I as a new placement or as a dual placement alongside the home school or other institution.

### Induction and Assessment

- As a child can enter alternative provision at any point in their school career and at any point in the academic year, it is essential that robust induction and baselining take place. Prior to the placement starting, all relevant information from the school, local authority (if involved), relevant agencies and the parents should be shared, including information about any SEND or medical needs, safeguarding concerns, as well as academic achievement and any noted barriers to learning such as poor literacy. Information must be provided in accordance with data protection principles.
- A carefully thought through induction plan is essential in order to help establish the placement in a positive manner and support the child in building relationships with key people within the alternative setting. This will also enable the provider to better understand the child, therefore enabling any tailoring to curriculum / provision to take place to maximise the opportunities for success.
- A baseline of the child's previous attendance and engagement with education should also be included as part of the induction. This will enable the provider to effectively track and monitor patterns of absence, future attendance and engagement and demonstrate improvements that are made.



- A plan and process should be agreed at the outset regarding reintegration of the child successfully back into their home school. The plan should include details of how to assess when the child is ready to return to their home school and should provide an appropriate package of support, from both provider and home school, to assist their reintegration.

### Regular Monitoring

Schools should regularly monitor the progress and well-being of students placed in AP settings. This involves:

- **Visits:** Conducting regular visits to the AP setting as part of safeguarding and attendance checks, as well as ongoing quality assurance.
- **Feedback:** Gathering feedback from pupils, parents, and AP staff. The home school should receive regular reports from the provider on the child's achievements and progress, including on their attendance and behaviour management, during the placement.
- **Review Meetings:** Holding review meetings to discuss the student's progress and any concerns – at least half-termly – to ensure the provision is achieving its objectives and that the child is attending regularly.

### Documentation

Schools must maintain detailed records of the AP settings used, including:

- **Contracts:** Formal agreements with the AP provider outlining expectations and responsibilities.
- **Reports:** Regular reports on the student's progress and any issues encountered.

### Monitoring and Evaluation of Alternative Provision

- **Regular Reviews:** Conduct regular reviews of students' progress and the effectiveness of the AP.
- **Feedback Mechanisms:** Gather feedback from students, parents, and staff to inform improvements.
- **Outcome Tracking:** Track academic, behavioural, and personal development outcomes to measure success.

### Reintegration

- **Carefully planned:** Plans for reintegration back to the home school should be given as much care and attention as those for the initial induction.
- **Final report:** The home school should receive regular reports from the provider on the child's achievements and progress, including on their attendance and behaviour management, during the placement. A final report should be produced in anticipation of the child returning to their home school.
- **Support:** When the placement is due to come to an end a discussion should take place between the home school, provider, child (if age appropriate), parent and any relevant external agencies to confirm reintegration arrangements and agree any additional support the child may need, and who will provide it, in order for their return to mainstream school to be a success.



- **Destinations:** If the placement does not end with reintegration into the school – e.g. when a child reaches the end of Y11 while still in alternative provision – the provider and home school, if appropriate, should have a plan in place to secure a successful destination into further education, training or employment



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