

STUDENT BEHAVIOUR POLICY

Approving Body	Trust
Date of Last Review	February 2025
Statutory (Y/N)	Y
Responsible Officer	BMAT CEO for and on behalf of the Trust

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I. INTRODUCTION – PURPOSE AND SCOPE

1. BMAT is committed to outstanding learning; and to instilling values of respect, ambition and responsibility throughout the student and broader BMAT community. This policy aims to ensure that:
 - a. Behavioural boundaries are clearly expressed, understood and maintained;
 - b. All members of the BMAT community have a voice in shaping its norms;
 - c. BMAT employees appreciate their roles and responsibilities in relation to behaviour management, and have a framework for fulfilling them to a high standard;
 - d. Positive contributions to the BMAT community are rewarded;
 - e. Poor behaviour is rigorously and consistently challenged;
 - f. Students have clarity of expectation when they choose to behave positively or poorly;
 - g. Feedback from stakeholders is implemented where appropriate;
 - h. Due regard is given to students identified with special educational needs and disabilities, to BMAT's public sector equality duty, and to the circumstances or needs of individual students.
2. Roles and Responsibilities: Promoting positive behaviour for learning is the responsibility of the entire BMAT community, including parents and carers. The DfE defines key responsibilities as follows:

- a. School principals, senior leadership and SENCOs are responsible for developing and overseeing policies that contribute to an environment in which positive behaviour, equality and regular attendance is encouraged; and ensuring that parents/carers are regularly updated on their child's progress.
- b. SENCOs are responsible for being proactive in supporting students with special educational needs and disabilities.
- c. Pastoral teams, led by heads of school and heads of year, are responsible for leading efforts to support students with social, emotional and mental health difficulties (SEMH).
- d. All employees are responsible for ensuring that student behaviour policies and expectations are consistently and fairly applied.
- e. Teaching staff are responsible for ensuring that punctuality and attendance are monitored in line with the [Student Attendance Policy](#); that student behaviour is managed in line with relevant policies and expectations (inside and outside of lessons); and that parents/carers are updated on their child's progress regularly and as appropriate.
- f. Form tutors are responsible for monitoring the attendance of their form groups across all lessons, identifying poor attendance and reporting it in line with the [Student Attendance Policy](#); for managing the behaviour of their form groups in line with relevant policies and expectations; and for helping colleagues to manage behavioural issues within their form groups.
- g. Heads of Year and Heads of School/Key Stage are responsible for monitoring and overseeing behaviour, attendance and progress across year groups and/or key stages; and for ensuring that incidents or issues involving individual students, groups of students or an entire cohort are handled effectively, sensitively and in line with policy.
- h. Heads of department are responsible for monitoring and overseeing the behaviour, attendance and progress of students in their subject area, in line with relevant policies and expectations; and for supporting colleagues within or beyond their department to identify, monitor and address behavioural issues.
- i. Students are responsible for their own behaviour; for shaping, promoting and upholding the BMAT Code of Conduct; and for supporting staff and other students to do the same.
- j. Parents/carers are responsible for their child's attendance and behaviour; for agreeing and adhering to the [BMAT Home-School Agreement](#); for collaborating with BMAT to maintain high standards of behaviour and attendance; and for familiarising themselves with the [BMAT student policies](#).

3. This policy was created in accordance with the following legislation and guidance:

- a. The Equality Act 2010, which requires BMAT to eliminate discrimination, to promote equal opportunity and to foster good relations; and prohibits BMAT from managing behaviour in a discriminatory way.
- b. The Education and Inspections Act 2006, which empowers and requires BMAT to prevent and respond to incidents of bullying and poor behaviour that happen off-site.
- c. The Education Act 2002 and the Children Act 2004, which place a duty on BMAT to 'safeguard' and promote the welfare of students.
- d. The Education and Inspections Act 2006 and 'Searching, Screening and Confiscation' [DFE, 2014], which empower BMAT to confiscate items; and search, screen or use reasonable force on students.
- e. The Education (Pupil Registration) (England) Regulations 2006 as amended.
- f. The School Standards and Framework Act 1998, which requires BMAT to draw up procedures to prevent bullying and to bring these procedures to the attention of staff, parents/carers and students.
- g. Government guidance, which advises that the policy should also address the bullying of staff by pupils.
- h. Keeping Children Safe in Education
- i. Special educational needs and disability (SEND) code of practice
- j. [Working together to improve school attendance](#): Guidance for maintained schools, academies, independent schools, and local authorities
- k. [Behaviour in schools](#): advice for headteachers and school staff

4. This policy should be read alongside all other student policies and procedures, which are available on the [BMAT website](#), particularly the Safeguarding and Child Protection Policy, the Student Attendance Policy, the External and Permanent Exclusion Policy and the Home-School Agreement.
5. For the purposes of this Policy, 'premises' includes everything within BMAT property boundaries including buildings, outbuildings, playgrounds, fields; and extends to other settings such as vehicles, boats, marquees or any venue managed by the BMAT at the time e.g. the premises of a school trip or visit.

II. BMAT STUDENT CODE OF CONDUCT

6. The BMAT Code of Conduct provides clear guidelines on the conduct expected of all members of the BMAT community and should be displayed throughout BMAT schools.

7. The Code focuses on student leadership and participation; and aims to reinforce positive behaviour.
8. We want our students to be:
- Successful learners who enjoy learning, make progress and achieve their full potential.
 - Confident individuals who are able to lead safe, healthy and fulfilling lives
 - Responsible citizens who make a positive contribution to society.
9. We do expect pupils to take responsibility for their own behaviour, be honest at all times and follow instructions straight away.
10. All employees must familiarise themselves with the Code and should use it regularly as a tool to manage behaviour in and beyond the classroom.
11. The BMAT Code of Conduct and individual school specific behaviour expectations are based on respect for 'each other, ourselves, the environment, achievement and diversity and equality'. All students taught in the schools within the Trust are expected to adhere to the following behaviour expectations:

<u>BMAT CODE OF CONDUCT - ALL STUDENTS ARE EXPECTED TO.</u>	
<u>Work effectively by:</u>	<ul style="list-style-type: none"> • Listening to each other; • Concentrating on work and working hard; • Working with others sensibly; • Never distracting others; and • Being silent when asked.
<u>Support each other by:</u>	<ul style="list-style-type: none"> • Being considerate to everyone; • Being ready to help; • Being polite, even if angry; • Understanding each other's views; and • Praising each other's work.
<u>Be Responsible by:</u>	<ul style="list-style-type: none"> • Aiming for 100% attendance • Wearing the correct uniform; • Being on time; • Bringing all equipment; • Writing down homework; • Completing homework; • Telling the truth; • Helping others when possible; and • Speaking to a teacher if something is wrong.
<u>Care for their environment by:</u>	<ul style="list-style-type: none"> • Only eating or drinking in designated areas; • Not chewing gum in school; • Looking after displays and decorations;

	<ul style="list-style-type: none"> • Putting litter in bins; • Leaving classrooms tidy; and • Never damaging school property or the property of others.
<u>Stay safe by:</u>	<ul style="list-style-type: none"> • Moving quietly and safely around BMAT premises; • Avoiding arguments in person or online; • Keeping calm; and • Talking to teachers about any problems.

III. POSITIVE BEHAVIOUR RECOGNITION

12. This section provides guidance on BMAT's expectations for reinforcing and rewarding positive behaviour.

13. Positive behaviour recognition:

- a. Behaviour management should be positive, consistent and certain.
- b. There is no hierarchy or system of escalation to strategies for recognising positive behaviour. Whilst examples are given, employees and departments should use other methods of recognising positive behaviour use them, as appropriate and effective.

14. Notwithstanding this, positive behaviour recognition should be consistent. To this end, the SIMS Behaviour Monitor should be used by all members of teaching staff to record positive behaviour.

This enables:

- a. Teaching staff to track behaviour and progress;
- b. Students and parents/carers to be given an overview of progress, behaviour and achievement;
- c. Heads of year/heads of year to use SIMS data to inform individual, tutor group or whole year group awards; and
- d. The identification of links between positive behaviour and the methods of used by individual employees and departments.

15. Whilst, as above, there is no hierarchy or system of escalation for positive recognition, it is important that employees do not use SIMS as the only form of positive behaviour recognition.

Employees should use other methods as appropriate, for example:

- a. Rewards for attendance, punctuality and effort;
- b. Phone calls home;
- c. Letters home;
- d. Announcements in assemblies;

IV. POOR BEHAVIOUR MANAGEMENT

16. All BMAT employees are responsible for responding appropriately to poor behaviour throughout BMAT premises. In particular teaching staff are responsible for dealing appropriately and effectively with poor behaviour in their classroom and the immediate area.
17. When deciding on an appropriate sanction for a breach or persistent breaches of our Student Behaviour policy, School principals/co-headteachers will always:
 - a. Take account of their legal duty of care; and
 - b. Provide students an opportunity to present their case, where appropriate; and
 - c. Apply the civil standard of proof (on the balance of probabilities, it is more likely than not that a fact is true) rather than the criminal standard (beyond reasonable doubt).
18. Any decision must be rational, reasonable, fair and proportionate and in accordance with the relevant legislation.
19. The system for poor behaviour management follows a hierarchy or system of escalation. This helps to ensure:
 - a. Clarity of consequence i.e. that all members of the BMAT community (including parents/carers) understand the consequences of poor behaviour, the rationale for specific sanctions and what to expect if poor behaviour persists or escalates;
 - b. That poor behaviour is managed consistently across BMAT, so that students are not treated unduly harshly, unduly leniently or in a discriminatory way;
 - c. That effective methods are used to manage poor behaviour. Teachers should not make sparing, inconsistent and unfair use of sanctions. Nor should they attempt to manage poor behaviour by humiliating or threatening students, shouting or punishing an entire class for individual behaviour;
 - d. That a centralised record of poor behaviour is maintained, so that employees, particularly those who belong to pastoral teams, can work together to tackle poor behaviour and identify its causes; and
 - e. That any complaints or allegations regarding the manner in which poor behaviour is handled are dealt with swiftly, effectively and amicably.
20. Managing poor behaviour off-site:
 - a. Behaviour off-site but on BMAT business (e.g. trips) will be dealt with as though it took place on-site.
 - b. Behaviour off-site (including on social media) may result in sanctions if there is a clear link between that behaviour and maintaining discipline among the student body as a

whole. This includes behaviour that could adversely affect the reputation of any BMAT school, or if there are likely to be repercussions on-site.

- c. BMAT may notify the police and other authorities (e.g. social care) if it becomes aware of student involvement in criminal or anti-social behaviour. A Safer Schools Officer Protocol is in place in all BMAT schools to ensure a child-centred approach at all times.

21. Handling allegations made by students against employees:

- a. Allegations made by students against members of BMAT staff will be responded to in accordance with the [BMAT Safeguarding and Child Protection Policy and Procedure](#) and the [BMAT Complaints Policy and Procedure](#).
- b. BMAT will investigate allegations to determine if they are malicious and unfounded or of substance and in need of investigation. If the latter, BMAT will work closely with external agencies as appropriate.
- c. Students who are found to have made malicious allegations against employees will be sanctioned. If the student(s) concerned are at risk, BMAT will offer internal support and/or arrange external support, as appropriate.
- d. Employees who have been subjected to malicious allegations should be offered pastoral support by their school principal, HR and their department.
- e. A thorough written record must be kept of the response to and investigation of allegations against employees, to protect the interests of all involved.

V. ANTI-BULLYING POLICY

22. The DfE defines bullying as *“Behaviour by an individual or group, usually repeated over a period of time, that intentionally hurts another individual or group either physically or emotionally* (See Appendix A for types of bullying). This policy covers:

- a. Bullying of students by students within BMAT premises;
- b. Bullying that takes place online, such as through social networking sites, messaging apps or gaming sites
- c. Bullying of and/or by students outside of BMAT premises, where BMAT is aware; and
- d. Bullying of staff by students;

23. Allegations of bullying of students by staff are dealt with under the [BMAT Safeguarding and Child Protection Policy](#).

24. It is inevitable that some incidences of bullying will occur within the school environment. BMAT does not tolerate bullying of any kind and no member of the BMAT community should ever turn a blind eye to bullying. BMAT’s non-tolerance approach to bullying stems from its view that

every right carries a responsibility; the following rights and responsibilities apply to all members of the BMAT community.

I have the right to feel safe and protected and the responsibility to look out for others.

I have the right to be myself and a responsibility to accept other people's differences and boundaries.

I have a right to get support and a responsibility to ask for it at the appropriate time.

I have a right to be heard and a responsibility to listen to others.

25. Student training and expectations: Education to prevent bullying is provided to all BMAT students, including through the following curriculum opportunities:

- a. Subject areas e.g. English, Drama, Philosophy/RE
- b. Personal Social Health Education/Relationships and Sex Education (PSHE/RSE);
- c. Assemblies e.g. National Anti-Bullying Week;
- d. Presentations from outside agencies and theatre groups;
- e. Offsite activities;
- f. Tutorial activities; and
- g. Peer support.

26. BMAT students are encouraged to develop the following skills and values:

Patience	Empathy	Co-operation
Understanding	Mutual respect	Honesty
Leadership	Care	Compassion

27. Procedure for responding to incidences or reports of bullying.

- a. Students should report bullying as soon as possible, to any member of staff.
- b. When this is not appropriate, students should report bullying to their parents/carers, who are encouraged to report the matter to the student's form tutor or head of year.
- c. Members of staff will listen sympathetically to students who report bullying to them and remind them that they have done the right thing.
- d. Members of staff should keep a brief written record of the incident or report and upload it to SIMS and Safeguarding software - MyConcern. This helps to identify vulnerable

students, to track persistent and/or serious bullying across a school and across BMAT, and to handle complaints about an incident of bullying or how it was handled.

- e. Members of staff should report incidences or reports of bullying should be reported to the relevant head of year and/or head of key stage. This ensures that bullying is dealt with at an appropriate level of seniority and training, and that patterns of bullying within a specific cohort are identified.
- f. Serious incidents (e.g. physical bullying) should be reported directly to a member of senior leadership, via the appropriate head of year.
- g. Heads of year and senior leaders should use their experience, training and professional judgment to determine the appropriate action to take in response to bullying.
- h. BMAT promotes a timely and well considered response to the circumstances. The following responses, which may be implemented on their own or in conjunction, are examples:
 - i. Facilitating a written/verbal apology from bully to victim;
 - ii. Holding a mediation between victim(s) and bully/bullies;
 - iii. Devising a strategy of positive steps to be taken with the bully/bullies to encourage improved behaviour;
 - iv. Monitoring the bully/bullies to identify repeated behaviour;
 - v. Counselling victim(s) and/or bully/bullies
 - vi. Contacting parents/carers by letter /telephone;
 - vii. Inviting parents/carers to a mediation meeting;
 - viii. Alerting staff who encounter victim(s) and or bully/bullies of signs to watch out for and strategies to adopt;
 - ix. Delivering targeted assemblies if the incident involves multiple students and/or affects an entire year group (e.g. racist bullying);
 - x. Implementing disciplinary sanctions - including detentions, internal exclusions, external exclusions and permanent exclusions;
 - xi. Working with external organisations such as the police and children's services where bullying is particularly serious or persistent and when a criminal offence is known or suspected.

28. Written accounts of the incident and the action taken in response will be kept by the responsible member(s) of staff. Depending on the nature and/or seriousness of the incident, this may include witness statements, copies of correspondence sent in relation to the incident and

written notes of phone calls, and attendance notes of meetings, mediations or counselling sessions.

29. A failure to respond to an incidence or report of bullying may lead to action against the member(s) of staff concerned.
30. Allegations made by students against members of staff will be handled in accordance with the [BMAT Safeguarding and Child Protection Policy and Procedure](#).

VI. ZERO-TOLERANCE APPROACH TO SEXUAL HARASSMENT AND SEXUAL VIOLENCE

30. The school will ensure that all incidents of sexual harassment and/or violence are met with a suitable response, and never ignored.
31. Pupils are encouraged to report anything that makes them uncomfortable, no matter how 'small' they feel it might be.

The school's response will be:

- a) Proportionate
- b) Considered
- c) Supportive
- d) Decided on a case-by-case basis

32. The school has procedures in place to respond to any allegations or concerns regarding a child's safety or wellbeing. Please refer to our BMAT child protection and safeguarding policy for more information.

VII. ANTI-DRUGS, SMOKING AND ALCOHOL POLICY

31. This Policy:

- a. Helps to maintain the safety and well-being of all students and staff;
- b. Clarifies legal responsibilities, entitlements and obligations about smoking, alcohol and drug use; and
- c. Complies with national guidance and relevant research data.

32. This Policy does not concern the administration of prescribed or over the counter medicine to BMAT students. For guidance on this matter, see the BMAT policy on ['Supporting Students with Medical Needs'](#).

33. Smoking

- d. BMAT premises are 'non-smoking' at all times and to all people; students are not permitted to bring smoking materials, including any paraphernalia associated with smoking or vaping, onto BMAT premises.
- e. Should a student be found in possession of smoking materials on BMAT premises, they will be confiscated immediately, and parents/carers will be informed as appropriate. Section VII of this Policy may be used as appropriate.
- f. An investigation will be conducted to determine the most appropriate sanction, in line with Section IV of this Policy.

34. Alcohol

- g. Students must not consume or possess alcohol on BMAT premises; BMAT operates a zero tolerance policy to the consumption of alcohol on BMAT premises
- h. Alcohol will be confiscated immediately; and parents or carers of students who have been found under the influence of alcohol will be asked to collect their child immediately, as appropriate.
- i. Alcohol-related incidents should be dealt with by heads of year and/or senior leadership, in line with Section IV of this Policy. A suitable sanction will be agreed in line with Section IV of this Policy and the [BMAT Suspension and Permanent Exclusion Policy and Procedure](#).
- j. External agencies may be involved as appropriate.

35. Drugs

- k. Illegal substances/drugs must never be brought onto or used on BMAT premises and students must never be found to be under their influence on BMAT premises.
- l. Illegal substances/drugs will be handed to the police as soon as possible and not stored.
- m. A drug-related incident may involve the discover of drugs or drug paraphernalia on BMAT premises, the use or supply of drugs on BMAT premises, the disclosure of information about drug use, and the use or supply of drugs outside BMAT premises.
- n. If a student is found in the possession or under the influence of illegal drugs on BMAT premises, it will be treated as a serious breach of conduct. The drugs or drug paraphernalia will be confiscated immediately if possible; and parents/carers will be asked to collect their child immediately, where appropriate.

- o. Drug-related incidents should be dealt with by heads of year and/or senior leadership, in line with Section IV of this Policy. A suitable sanction will be agreed in line with Section IV of this Policy and the [BMAT Suspension and Permanent Exclusion Policy and Procedure](#).
- p. External agencies may be involved as appropriate.

VIII. CONFISCATING ITEMS, SCREENING OR SEARCHING STUDENTS AND USING REASONABLE FORCE ON STUDENTS

36. This section has been drafted in line with 'Searching, Screening and Confiscation' [DfE, 2014], the Education Act 1996 and Article 8 of the European Convention on Human Rights. The search powers set out below are in line with Article 8, which affords students a reasonable level of personal privacy, that public bodies may interfere with in a justified and proportionate way.

37. Confiscating Prohibited Items: Any member of staff may confiscate items that are illegal or prohibited by BMAT. Notwithstanding this, the law on searching students for illegal or prohibited items is more restrictive and a child-centred approach and procedure to searching students is in place.

38. Screening Students: At the time of publishing this Policy, BMAT does not conduct screening. However, BMAT may require students to undergo screening by a walk-through or hand-held metal detector, even if it does not suspect students of having weapons. Screening does not require consent and any member of staff can conduct screening.

IX. COMPLAINTS

39. In accordance with DfE guidance, there is no right of formal appeal for disciplinary sanctions below the level of external or permanent exclusion. This is because they do not result in missed education or the removal of a student from school premises.

40. Complaints regarding the way in which this Policy is enforced (e.g. regarding a decision to impose an internal exclusion) must be made in line with the [BMAT Complaints Policy and Procedure](#).

41. Complaints regarding external or permanent exclusions are handled in line with the [BMAT Suspension and Permanent Exclusion Policy and Procedure](#).

TYPES OF BULLYING

There are several forms of bullying and that an act is bullying if it is done maliciously, deliberately or persistently to hurt, upset or to have that effect.

Verbal, for example:

- Deliberate, unkind and persistent remarks.
- Racist, sexual or homophobic name calling.
- Being hurtful about appearance.
- Name calling, sarcasm, persistent teasing.

Emotional, for example:

- Spreading hurtful rumours.
- Writing graffiti or using images/offensive materials.
- Tormenting, humiliating.
- Excluding someone and leaving them out on purpose.

Abuse of property, for example:

- Taking another's property without permission.
- Malicious damage to property.

Physical, for example:

- Pinching, punching, pushing, kicking and hitting.
- Threats of physical violence e.g. 'squaring up' to another.
- Any violence that is done on purpose to others.

Racist, for example:

- A racial taunt, graffiti, gestures.
- Making inappropriate comments regarding faiths and beliefs

Sexual, for example:

- Making sexual comments.
- Inappropriate touching.

Online/Cyber bullying, for example:

- The use of ICT, particularly mobile phones and the internet, deliberately to upset someone else.
- Posting on social media, sharing photos, sending nasty messages online
- Hurtful, harmful messages sent from individuals and groups.
- The taking and/or communication of photos and/or videos without consent.

Homophobic/transphobic (because of, or focusing on the issue of gender or sexuality.)