



Behaviour Policy (incorporating exclusions and sanctions)

Adopted by Utopia - for review by the Board of Directors
Adopted September 2023
For review - Annually

Policy Overview

The aims of this policy are to set out Utopia's approach to dealing with all aspects of behaviour. Utopia's ethos is to enable all learners who attend to develop their ability to make more effective choices in life and in their education. Utopia supports learners with Educational Health and Care Plans who have additional needs. We believe that all learners deserve to be treated with respect and fairness. As such Utopia will endeavour to treat all young people as individuals, recognising that everybody has differing needs.

It is important to note that this policy has not been called a 'Behaviour Management' policy. It is our belief that simply managing behaviour of individuals does not bring about effective long-term change. This policy should therefore be viewed as a point of reference for the strategies that Utopia employ to modify behaviour in both the short and long term.

This Policy document is one of a series of Utopia policies that, taken together, are designed to form a comprehensive formal statement of Utopia's aspiration to provide an outstanding education for each and every one of its learners, and of the mechanisms and procedures being put into place to achieve this. Accordingly, this Policy needs to be read alongside all of these Policies in order to get the full picture of how we work. All of these Policies have been written, not simply to meet statutory and other requirements, but to evidence the work that the whole School is undertaking to ensure the implementation of its core values for developing resilience in learners. Our values build a sense of;

- 'I have' an awareness of social resources.
- 'I am' able to develop a sense of self.
- 'I can' learn skills to develop my independence.

We do this by providing learners with;

- A greater understanding of how to manage their emotions, behaviour and interactions with others
- The opportunity to develop their ability to empathise with others and have a broader outlook on their local community
- A sense of empowerment- it is crucial that all young people feel involved in the process of their education.
- An understanding that all behaviour whether positive or negative has a consequence
- A safe and secure environment that encourages young people to challenge themselves

The aim of the policy is to;

- Outline the positive behaviour support approaches at Utopia
- Provide a consistent approach to behaviour support
- Define what we consider to be unacceptable behaviour
- Outline the behaviour support systems within the school and give guidelines to ensure that they are consistently followed by all staff.
- Outline the approach and application of physical interventions.
- Outline the staff and volunteers' understanding of their responsibilities in preventing, addressing and intervening, to incidents of (or alleged) bullying, including cyber bullying in accordance with the government guidelines.

2. Legislation and statutory requirements

This policy is based on advice from the Department for Education (DfE) on:

- Behaviour and discipline in schools
- Searching, screening and confiscation at school
- The Equality Act 2010
- Use of reasonable force in schools
- Supporting pupils with medical conditions at school

It is also based on the special educational needs and disability (SEND) code of practice. In addition, this policy is based on Schedule 1 of the Education (Independent School Standards) Regulations 2014; paragraph 7 outlines a school's duty to safeguard and promote the welfare of children, paragraph 9 requires the school to have a written behaviour policy and paragraph 10 requires the school to have an anti-bullying strategy.

Bullying

Bullying is defined as the repetitive, intentional harming of one person or group by another person or group, where the relationship involves an imbalance of power. Bullying is, therefore:

- Deliberately hurtful
- Repeated, often over a period of time
- Difficult to defend against

Utopia will in all instances of bullying seek to come to a positive outcome whereby all people affected, including the organisation itself can learn from the incident.

Forms of Bullying include

PHYSICAL	Hitting, kicking, taking or damaging belongings
DIRECT OR INDIRECT VERBAL	Name calling, insulting, repeated teasing, threats, psychological', spreading nasty rumours, excluding someone from groups, moving away as a person approaches, leaving notes, failure to speak to or acknowledge a person
INDIRECT	Psychological', spreading nasty rumours, excluding someone from groups, moving away as a person approaches, leaving notes, failure to speak to or acknowledge a person
SEXUAL	Explicit sexual remarks, display of sexual material, sexual gestures, unwanted physical attention, comments about sexual reputation or performance, or inappropriate touching.
CYBER BULLYING	Sending threatening, abusive or upsetting messages by computer text bullying via social media sites or gaming or photographs being sent with malicious intent.
RACIAL	Racial graffiti, taunts or gestures

Effects of Bullying

Research has shown that there are numerous negative effects associated with being bullied. These range from

- Low self esteem
- Truancy/poor attendance

- Physical injury
- Avoiding social or group situations
- Negative impact on mental health
- Negative impact on attainment

Responding and reporting of Bullying

Utopia recognise that when learners are placed together in-group situations bullying could possibly occur. It is essential that as a company we tackle this issue head on and respond accordingly. We exist as a vehicle to improve and modify behaviour and as a result it is necessary to conduct work with both the victim and the bully in order to try to affect positive long term change. All young learners face varying issues and those who engage in bullying others often have historical reasons for doing so, Utopia have a responsibility to work through these issues with participants. Outlined below is some of the responses that Utopia staff may use when responding to incidents of bullying.

- Use of Restorative Practice if appropriate
- 1-1 sessions to discuss issues
- Contact with parents/carers if appropriate
- Use of sanctions as appropriate
- All incidents of bullying will be recorded in Utopia Project's behaviour tracking system and this will be available to both schools and parents

What Drives Behaviour

There is generally always a reason for behaviour: it can be an attempt to communicate, or a way of coping with a particular situation.

Some behaviour displayed by young people at Utopia may be described as 'challenging'.

Challenging behaviour can be defined as:

'...behaviour of such intensity, frequency or duration that the physical safety of the person concerned or other people is at serious risk, or the behaviour results in the person only having limited or no access to ordinary community facilities' Emerson, Eric (2001).

Behaviours that may challenge include those with the potential to cause harm. However, other behaviours can include those related to disengagement, demand avoidance, withdrawal from interaction, repetitive routines or questioning can often challenge staff and services as much as the more obviously physically challenging behaviours.

A variety of factors may influence a person's behaviour and contribute to incidents of challenging behaviours.

It is the staffs' responsibility to define challenging behaviours by identifying the following:

- Behaviours that are most affecting student's quality of life;
- By identifying how much the student's access to the curriculum is affected;
- By identifying which behaviours staff and other students find most challenging.
- Not all behaviours need changing. We need to be tolerant of differences and not interpret all behaviours as those that need changing;
- Some behaviours are coping strategies or part of students' needs and / or personality, this is natural and should not be interpreted otherwise.

Roles and responsibilities

The Board of Directors

The governing board is responsible for monitoring this behaviour policy's effectiveness and holding the centre Manager to account for its implementation.

The Centre Manager

The Centre Manager is responsible for reviewing and approving this behaviour policy. The Centre Manager will ensure that the school environment encourages positive behaviour and that staff deal effectively with poor behaviour, and will monitor how staff implement this policy to ensure rewards and sanctions are applied consistently.

Staff

Staff are responsible for:

- Implementing the behaviour policy consistently
- Modelling positive behaviour
- Providing a personalised approach to the specific behavioural needs of particular pupils
- Recording behaviour incidents

Parents are expected to:

- Support their child in adhering to the pupil code of conduct
- Inform Utopia of any changes in circumstances that may affect their child's behaviour
- Discuss any behavioural concerns with staff promptly

Multi Agency Involvement

An essential component of this behaviour policy involves working collaboratively with all relevant parties who have influence on a learners development. The parties will almost certainly include parents/carers, however other agencies such as children's social care, YOT or CAMHS may also be involved in the process of our learner's education. As such Utopia aim to communicate the progress of all its participants effectively to enable a holistic approach to improving the behaviour of its learners. Where appropriate Utopia staff will attend any relevant meetings and will always seek to act as an advocate on behalf of the learner.

Building Positive Relationships

It is important that learners who attend Utopia understand that the company and its staff mean what they say and follow through with their actions. If we say that we will phone a parent/carer to praise a piece of work, it is essential that this action be carried out. This commitment helps engender positive relationships between staff and learners and encourages positive behaviour. Utopia staff will, in all elements of their delivery, provide controlled choices to its participants. It is important that the learners who attend realise that it is their choice to do so. At no point during the delivery of the programme will Utopia staff attempt to force participants to do things, however it is likely that any refusal to complete elements of the curriculum will result in

a consequence (for example failure to complete work will result in a qualification not being achieved).

Attendance and Punctuality

Utopia will monitor attendance and punctuality closely and will communicate this accurately and promptly to all relevant parties. Regular attendance is essential to achieve the most out of the Utopia curriculum. It is also a key to developing the skills needed for progressing to education, employment or training. Utopia will work closely with parents/ carers and all relevant parties to encourage all its participants to attend and gain the most from the programme.

Our Approach

We adopt positive strategies to develop long term changes to behaviour. We believe that changed behaviours as a result of positive strategies may take longer to achieve but will have greater lasting results.

Learners are helped to understand acceptable behaviour through classroom organisation and the establishment of clear routines, explicit expectations of behaviour, and the use of timetables. There is a consistent attitude amongst staff as to what constitutes inappropriate behaviour. Behaviour patterns are tracked and monitored on the Behaviour for Learning Log. This enables us to track behaviour patterns and make more focused interventions. Interventions may include;

- Providing positive role models
- Modelling good or desired behaviour
- Providing fair and effective consequences that are immediate
- Providing a clean slate following said consequence
- Positive reinforcement
- Ignoring negative behaviour
- Allowing time for young people to de-escalate following an incident
- Regular and effective contact with parent's
- Regular feedback, discussion and reflection with participants to review behaviour
- Negotiating limits and boundaries
- Providing appropriate and achievable work tasks to enable success
- Having high standards and expectations of our young people
- Respecting all participants
- Including participants in the process of their education
- When circumstances require, being asked to work from home with a staff member
- Changing the physical environment / stimulation etc.;
- Ensuring the environment is organised and predictable;
- Paying attention to external stimulation such as light, temperature, noise etc.;
- Providing structure and routines;
- Using visual timetables, work and activity routines, planned transition times;
- Improving communication skills;
- Improving students' communications skills through the use of communication support;
- Targeted teaching of communication skills via life skills and social skills sessions.
- Clear and Consistent Expectations
- Distraction
- Providing students with alternative ways to behave that are more acceptable.

- Social Stories
- Requesting a 'Break'
- Sensory Diets
- Consistency
- Individual Education Plans (IEPs)

Expectations of Young People

Utopia staff set high expectations for all young people. We believe in doing this it encourages learners to have respect for themselves and others around them. All elements of our curriculum involve practical activities and placements, which may involve interactions with other members of the community. We therefore require all young people to conduct themselves appropriately. Our expectations are as follows.

- To be respectful towards people, property and places
- To be safe (by never bringing drugs, alcohol or weapons on site)
- To try your best
- To work with the staff to access the support on offer

Smoking and use of E Cigarettes

We are a No Smoking School and follow Wirral Borough Council Drug and Alcohol Policy. Learners are not permitted to smoke or vape at all during the school day. No-one is permitted to smoke or vape on school Premises. It is illegal to smoke on any premises in England and as such any person found smoking or vaping in the Utopia centre would face a suitable consequence. Utopia does not condone or encourage smoking or the use of e- cigarettes. Where possible Utopia will provide support, advice, guidance and referrals to enable young people to quit smoking. Utopia will encourage all participants to make positive life choices, without passing judgement. Any young person smoking or using E-Cigarettes in front of Utopia staff will be asked to hand these in to a member of staff. Failure to adhere to these instructions will result in a suitable consequence.

Drugs and Alcohol

Utopia operates a zero tolerance policy on drugs and alcohol. In the event of the following:

- A young person being under the influence, or suspected of being under the influence of drugs or alcohol
- A young person being in possession of, or suspected of being in possession of drugs or alcohol

The following procedure will be followed.

- Contact made with parents or carers to inform them of suspicions
- Learner removed from the days activity
- Contact with parents/carers to agree mechanisms of young persons departure from Utopia. (This may include being collected by parents, being dropped off at home or other such arrangements as specified and agreed with parents)

A reintegration meeting will take place as soon as possible to discuss the issues and ensure that the incident is not repeated. Continued issues regarding use of drugs or alcohol may trigger the exclusion process as highlighted in this document.

Confiscation and Searching

Any prohibited items found in pupils' possession will be confiscated. These items will not be returned to pupils. We may also confiscate any item which is harmful or detrimental to school discipline. These items will be returned to pupils after discussion with senior leaders and parents, if appropriate. Searching and screening pupils is conducted in line with the DfE's latest guidance on searching, screening and confiscation.

Guidance for Carrying Out a Search What the law says:

- The person conducting the search may not require the student 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 student has or appears to have control - this includes desks, lockers and bags.
- A student's possessions can only be searched in the presence of the student 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.

Also note: The power to search without consent enables a personal search, involving removal of outer clothing and searching of pockets; but not an intimate search going further than that, which only a person with more extensive powers (e.g. a police officer) can do.

Dealing with Electronic Devices (statutory guidance)

- Where the person conducting the search finds an electronic device they may examine any data or files on the device if they think there is a good reason to do so. Following an examination, if the person has decided to return the device to the owner, or to retain or dispose of it, they may erase any data or files, if they think there is a good reason to do so.
- The member of staff must have regard to the following guidance issued by the Secretary of State when determining what is a "good reason" for examining or erasing the contents of an electronic device:
- In determining a 'good reason' to examine or erase the data or files the staff member must reasonably suspect that the data or file on the device in question has been, or could be, used to cause harm, to disrupt teaching or to go against the expectation in the school's Behaviour Policy.
- If inappropriate material is found on the device it is up to the teacher to decide whether they should delete that material, retain it as evidence (of a criminal offence or a breach of school discipline) or whether the material is of such seriousness that it requires the involvement of the police.

Confidentiality (To be read in conjunction with Safeguarding Policy)

Utopia places a massive emphasis on personal development and as such some sensitive information is likely to be shared by learners to its staff. Utopia staff want its learners to feel comfortable in sharing information that may be troubling or concerning them. Therefore Utopia will only share information to parents, carers, schools or other relevant agencies when there is a risk associated with not doing so. Examples of this risk may include but are not limited to

- Safeguarding referrals
- Threats of violence towards others
- Criminal investigations

If a member of staff is required to break a young person's confidence for any reason Utopia staff will endeavour to inform and explain the process of doing so to the young person. Throughout the referral process staff will communicate any relevant information to the young person unless prevented from doing so by law.

Physical Intervention and Use of Reasonable Force

Utopia's ethos is to encourage all young people to make positive choices and take responsibility for their own behaviour. It is the company's belief that physical intervention takes away the choice young people have in effectively managing their own behaviour, therefore physical intervention will not be routinely used as part of Utopia's ongoing behaviour management strategy. Instead, staff will be trained in the use of de-escalation strategies and use these to support learners to manage their own behaviour.

However, Utopia recognise the nature of the young people who engage on the programme may result in incidents where staff are required to intervene. In the case of fights between young people staff will always take reasonable and proportionate steps to ensure the safety of all participants on the programme, which in exceptional cases may require physical intervention. It is important to note that this will always be regarded as a last resort, once all other behaviour management options have been explored and it is felt that there is a real danger of the young person involved in the incident becoming at risk of harm. Staff have a duty to take all reasonably practicable steps to ensure that they do not take any action, or make any omission, that creates a risk, or increases an existing risk, to the health or safety of themselves, or other persons.

Post Physical Intervention Procedures

As soon as possible after an incident staff should fill out the physical intervention log. This should be within 24 hours and should be signed by a member of the SLT.

The following procedures need to take place:

- A debrief for staff involved and their welfare checked;
- When the staff member and learner are both calm, a debrief should take place between them;
- Time to reflect with the individual learner as to strategies that could be useful in the future to help reduce the challenging behaviour;
- BSPs reviewed and any amendments to be agreed with SLT and parents;
- Any serious incidents that result in injury to learners or staff MUST be entered into the accident book located in the office. If necessary a first aider should see the individual and if a head injury is caused a letter will be sent home.

Staff will receive physical handling and restraint training, to various levels, depending on their role. The extent of physical intervention used by each staff member will be directly related to their training. The only exception to this are where emergency intervention is required for safety reasons.

Minor incidents

Following minor incidents Staff Teams are advised to meet and evaluate what has happened. The Team should ensure other members of staff are aware of the incident and what happened after. The Team is advised to reflect why the incident occurred, what preventative measures

could be put into place and how the incident was dealt with. Teams should ensure all staff are in agreement and support each other. It is important that Staff Team members feel confident about decisions made.

Minor incidents are recorded and monitored so that a pattern of behaviour can be established. Minor incidents such as timeouts or concern logs are recorded on the Behaviour For Learning Logs

Serious Incidents

Following a serious incident involving injury or prolonged physical intervention a break from the classroom environment is advised. Staff are encouraged to have time away to 'recover' from the stress or emotional experience and to receive support and guidance. It is important that staff do not return to class until they have had sufficient time to compose themselves and feel confident about working with the individual again without prejudice.

Serious incidents must be logged on the relevant Behaviour Log. If a physical intervention or restraint has been carried out then this **MUST** be logged on CPOMS.

Monitoring Progress

Behaviour and engagement at Utopia will be monitored using our Behaviour For Learning system (BFL). Participants' engagement will be tracked daily using a tiered 1-5 system so that patterns can be identified and addressed. The BFL tracking system will inform what further interventions may be needed some of which may include;

- Support from our onsite counsellor
- Intervention from the Head of Centre
- Behaviour support
- Meetings with parents

There may be times when staff think it necessary to apply a consequence that involves removal from the programme for a day of reflection. This will be dealt with by contacting parents to discuss the reasons for this; we will always work collaboratively with all parties to ensure that learning and development takes place in the form of post incident reflection.

In the event of sustained periods of dangerous, extreme or outrageous behaviour a meeting will be sought between Utopia staff and parents. In this meeting clear boundaries and expectations will be set and a behaviour contract will be stipulated with the expectation that this will be adhered to.

If this behaviour contract is unsuccessful then learners may be removed from the programme following another formal meeting with parents. See Procedure outlined below.

- Isolated behavioural issues where young person has been unable to respond to advice and feedback given to them by staff, resulting in day of reflection and further support identified.
- Persistent behavioural issues where interventions and support are proving ineffective- Meeting arranged with parents/carers to implement behaviour contract.
- Persistent behavioural issues still proving problematic- Final warning and reiteration of behaviour contract- Consider adapting timetable into more manageable provision if appropriate.

Fixed Penalty Exclusion and Permanent Exclusions: Utopia will apply its behaviour policies in a consistent, rigorous and non-discriminatory way and all areas of application of these policies will be monitored routinely. Ultimate sanctions at Utopia are: Fixed Penalty Exclusion or Permanent Exclusion. Neither sanction is used lightly. The power to suspend or exclude a student can only be exercised by the Head of Centre. If the Head of Centre excludes a student, the parents are informed immediately, giving reasons for the exclusion. It is the responsibility of the Board of Directors (also the Proprietor) to monitor the rate of exclusions, and to ensure that the school policy is administered fairly and consistently. Every learner has a right to confidentiality - it will be kept in the strictest confidence and only disclosed to those who need to know. We appreciate that such sensitive matters must be dealt with in confidence. If Utopia decides (after completing the investigation or as a result of new evidence and further investigation) that it is necessary to extend a fixed period temporary exclusion or to convert it into a permanent exclusion, the Head of Centre will write again to the parent with the reasons for this decision. Students returning to school after exclusion will be subject to a reintegration meeting organised by the Head of Centre. This will normally involve the parents.

We may consider it inappropriate to re-instate a student who:

- Threatened or committed violence against other student/s or staff
- Sold illegal drugs or consistently attends under the influence of drugs or alcohol
- Stole from the school or a fellow student
- Displayed persistent and malicious, aggressive or disruptive behaviour
- Engaged in sustained bullying of other students

Appeals: An Appeal Panel will be established to consider the appeal. This Appeal Panel will consist of three members including an independent person to act as Chair of the Panel. The Appeal Panel will normally convene within three weeks of the receipt of the letter requesting the appeal. The parents or guardian may bring a representative to the meeting. All letters and documents relied on by the Head of Centre shall be made available to the parents or guardian prior to the hearing. The parents or guardian or their representative may ask questions of the Head of Centre or may raise any relevant matter for the consideration of the Panel. The Panel may call for any further information it requires. No evidence or argument shall be presented to the Panel in the absence either of the parents or guardian or their representative, or in the absence of the Head of Centre. At the conclusion of the hearing, the Panel shall retire to consider what recommendation it may make. The Panel may recommend:

- The exclusion is confirmed
- The exclusion is rescinded
- The exclusion be rescinded and replaced with an alternative sanction.

The recommendation shall be communicated to the parents or guardian and the Head of Centre. Every student has a right to confidentiality - it will be kept in the strictest confidence and only disclosed to those who need to know. We appreciate that such sensitive matters must be dealt with in confidence. If the Utopia decides (after completing the investigation or as a result of new evidence and further investigation) that it is necessary to extend a fixed period temporary exclusion or to convert it into a permanent exclusion, the Head of Centre will write again to the parent with the reasons for this decision.