

MIDDLESBROUGH COUNCIL

Final Report Children and Young People's Learning Scrutiny Panel

Behaviour, Discipline and Bullying in Schools

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THE AIM OF THE SCRUTINY REVIEW

1. The purpose of the review was to examine the key principles to help improve behaviour in schools. The review aims to assist the Local Authority in achieving its strategic priority:
 - ***People - Ensuring Middlesbrough has the very best schools.***

TERMS OF REFERENCE

2. The terms of reference, for the scrutiny panel's review, were as follows:
 - a) To identify the powers and duties of schools to manage behaviour and discipline pupils.
 - b) To investigate the Local Authority's role in supporting schools with behaviour management and the impact of its work.
 - c) To examine the causes of pupil behaviour problems e.g. unmet educational or other needs.
 - d) To identify the challenges faced by schools in dealing with poor behaviour and bullying and to examine the reasons some schools have higher rates of fixed-term and permanent exclusions.
 - e) To investigate the types of sanctions used by schools that can impact on a pupil's educational outcomes and life chances.
 - f) To examine the successful and proactive strategies and solutions used by schools to promote positive behaviour, manage poor behaviour and prevent and tackle bullying.

BACKGROUND INFORMATION

3. In July 2020, the Government re-published guidance on how school leaders and staff can develop a school behaviour policy, this includes checklists to support full school opening following the coronavirus (COVID-19) outbreak. The guidance provides advice to headteachers and school staff on developing the school behaviour policy and explains the powers members of staff have to discipline pupils. It is for individual schools to develop their own best practice for managing behaviour in their school.
4. In 2019, Ofsted published a new education inspection framework, which introduced a new 'behaviour' judgement to provide parents with reassurance on bullying. Luke Tryl, Ofsted's Director of Corporate Strategy, stated that "disruptive behaviour and bullying is the number one concern for parents when they look through school inspection reports".¹
5. Inspectors now make a judgement on behaviour and attitudes in schools by evaluating the extent to which:
 - the provider has high expectations for learners' behaviour and conduct and applies these expectations consistently and fairly. This is reflected in learners' behaviour and conduct;
 - learners' attitudes to their education or training are positive. They are committed to their learning, know how to study effectively and do so, are resilient to setbacks and take pride in their achievements;
 - learners have high attendance and are punctual;
 - relationships among learners and staff reflect a positive and respectful culture; and
 - leaders, teachers and learners create an environment where bullying, peer-on-peer abuse or discrimination are not tolerated. If they do occur, staff deal with issues quickly and effectively, and do not allow them to spread.
6. There is sufficient evidence to suggest that there is enough of a problem nationally with behaviour for it to be a matter of concern. The existence of some very good practice should

¹ <https://www.independent.co.uk/news/education/education-news/schools-bullying-behaviour-pupils-classroom-ofsted-inspection-framework-rolling-a8729301.html>

not encourage complacency, but it can also catalyse and encourage our ambitions to raise standards even further, reassured by the existence of living demonstrations that improvement is possible.²

SUMMARY OF EVIDENCE

Term of Reference A - To identify the powers and duties of schools to manage behaviour and discipline pupils.

7. In January 2016, the Department for Education (DfE) published guidance entitled 'Behaviour and discipline in schools - Advice for headteachers and school staff'.
8. The key points identified in the guidance include:
 - Teachers have power to discipline pupils for misbehaviour which occurs in school and, in some circumstances, outside of school.
 - The power to discipline also applies to all paid staff (unless the headteacher says otherwise) with responsibility for pupils, such as teaching assistants.
 - Headteachers, proprietors and governing bodies must ensure they have a strong behaviour policy to support staff in managing behaviour, including the use of rewards and sanctions.
9. In respect of the school behaviour policy, for maintained schools, the law states:
 - The headteacher must set out measures in the behaviour policy which aim to:
 - promote good behaviour, self-discipline and respect;
 - prevent bullying;
 - ensure that pupils complete assigned work; and which
 - regulate the conduct of pupils.
 - When deciding what these measures should be, the headteacher must take account of the governing body's statement of behaviour principles. The headteacher must have regard to any guidance or notification provided by the governing body which may include the following:
 - screening and searching pupils;
 - the power to use reasonable force and other physical contact;
 - the power to discipline beyond the school gate;
 - when to work with other local agencies to assess the needs of pupils who display continuous disruptive behaviour; and
 - pastoral care for staff accused of misconduct.
 - The headteacher must decide the standard of behaviour expected of pupils at the school. He or she must also determine the school rules and any disciplinary penalties for breaking the rules.
 - Teachers' powers to discipline include the power to discipline pupils even when they are not at school or in the charge of a member of staff.
 - The headteacher must publicise the school behaviour policy, in writing, to staff, parents and pupils at least once a year.

²Tom Bennett, Independent review of behaviour in schools, Creating a Culture: How school leaders can optimise behaviour (2017)

- The school's behaviour policy must be published on its website (School Information (England) Regulations 2008). Where they do not have a website the governing body should make arrangements for the behaviour policy to be put on a website and to make the address and details (of the website) known to parents.

10. In respect of academy schools:

- The proprietor of an academy school is required to ensure that a written policy to promote good behaviour among pupils is drawn up and effectively implemented. The policy must set out the disciplinary sanctions to be adopted if a pupil misbehaves. The proprietor is also required to ensure that an effective anti-bullying strategy is drawn up and implemented. Information about the school's behaviour policy must be made available to parents on request.
- While academies are not required by law to publish their behaviour policy on their website, it is good practice to do so.
- Parental engagement. After the Deregulation Act 2015, Schedule 16 paragraph 2 is commenced in January 2016 schools will no longer have a statutory obligation to have in place home school agreements. Home-school relations are important but schools can determine how best to foster these relationships. If schools choose they can have voluntary home school agreements.³

11. Further information on the powers and duties of schools to manage behaviour and discipline pupils can be found in the minutes and associated documentation for the meeting of the Children and Young People's Learning Scrutiny Panel, which was held on 9 November 2020.

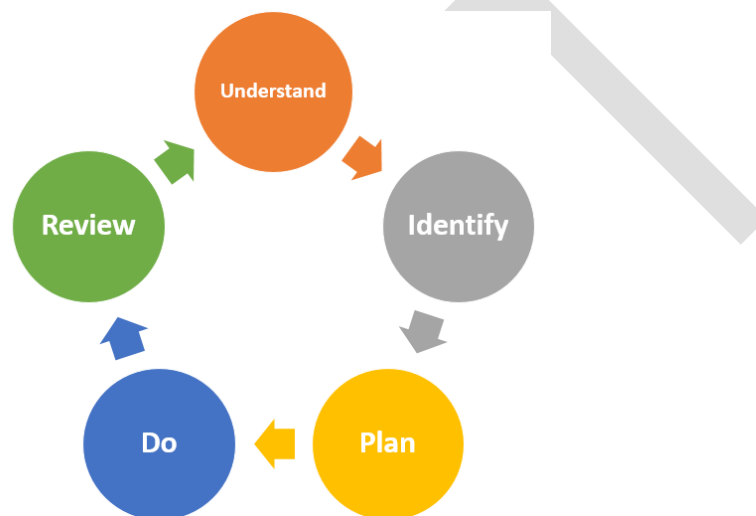
Term of Reference B - To investigate the Local Authority's role in supporting schools with behaviour management and the impact of its work.

12. To support behaviour management and greater inclusion in schools, the Local Authority has recently developed a new service and model that focuses on early intervention and support at the earliest of stages.
13. In July 2020, the Special Educational Needs and Disabilities (SEND) Assessment Team and Alternative Provision Team were restructured to create one single Inclusion, Assessment and Review Service which is located in the wider Inclusion and Specialist Support Service.
14. The new model had been established to tackle the high number of exclusions, the pressures on local placements in terms of Alternative Provision (AP), the increasing numbers of children and young people with Education Health Care Plans (EHCP), the increasing number of requests for Education Health Care Assessments (EHCA) and significant pressures on the Council's High Needs Budget. The High Needs Budget is funding that the Local Authority receives to support children and young people with SEND.
15. Feedback from schools was used to inform the development of the new model. The model aims to increase the capacity and resources available to support early intervention work in schools, further develop the quality and range of alternative provision options and identify special educational needs and support at the earliest point.
16. There has been additional investment within the service to support the new model. The management of the service is the responsibility of the newly appointed Head of Inclusion,

³ Department for Education - Behaviour and discipline in schools - Advice for headteachers and school staff (January 2016).

Assessment and Review Service and three additional Inclusion Officers have been appointed to provide support and assistance to schools. In addition, the capacity of the Educational Psychology Team has been increased, to provide enhanced support to the secondary school sector.

17. Schools have been enthusiastic about the changes to the service. It is anticipated that the new model will help reduce the level of exclusions in schools, ensure optimal utilisation of the 'high needs funding' available to schools for children with SEND and improve the quality of referrals for education, health and care assessments.
18. To support the implementation of the new service structure, the Inclusion, Assessment and Review Service has introduced a 'Team Around the School' approach which has been in place since September 2020. The model is based on the following approach:



19. The 'Team Around the School' approach involves early identification, curriculum alternatives and Pupil Inclusion Panels. The previous model had a Pupil Inclusion Panel for the secondary sector, however, the new model has a Pupil Inclusion Panel for both primary and secondary sectors. The Pupil Inclusion Panels examine referrals from schools to identify strategies, support and alternative placements that would assist in meeting the needs of pupils at risk of exclusion. The Pupil Inclusion Panel for the primary sector was introduced in November 2020 and has been well received by headteachers.
20. In terms of the secondary sector, a start of year joint planning meeting takes place. The aim of the meeting is to develop a shared understanding of the school context, identify school priorities (whole school, smaller group and individual pupil level) and devise a multi-agency plan to address needs/concerns. The main objectives of the meeting are to understand, identify and plan.
21. A number of key representatives are involved in the start of year joint planning meeting, including key school staff, the Educational Psychologist, the Inclusion Officer and the Head of the Inclusion, Assessment and Review Service. Each school has been assigned an Educational Psychologist and Inclusion Officer to ensure continuous support. Staff who deliver learning and language support, wellbeing services (such as Headstart, CAMHS etc.) and other support services, relevant to the needs of the school, may also provide input at the meeting.
22. Each meeting is facilitated (and recorded) by the Educational Psychologist using information from school staff and information shared within the meeting. Members of the 'Team Around

the School' devise an action plan, which can include actions for the whole school, small groups/cohorts and individual pupils. Follow-up meetings are held following the initial planning meeting to ensure that actions are monitored and remain on track. Solutions to address any barriers or delays encountered, in respect of implementation, will also be discussed.

23. In terms of strategic outcomes, the new model is promoting collaborative and partnership working across Middlesbrough, ensuring the effective delivery of services, delivering a co-ordinated approach to support, developing inclusive practices, promoting the social and educational inclusion of children and young people, assisting with ensuring that children and young people are on the appropriate pathways, providing better planning for AP places and reducing exclusions.
24. Since the implementation of the new model, positive feedback has been received from schools. To enable the development of the 'Team Around the School' approach, regular meetings have been held to review and improve the model and remove any barriers encountered with its implementation in schools. In an attempt to assess the impact of the new model, data from the current academic year has been compared to the previous academic year.
25. In terms of permanent exclusion figures:
 - in November 2019, 15 pupils had been excluded; and
 - in November 2020, 9 pupils were excluded.
26. In terms of fixed-term exclusion figures:
 - in November 2019, there had been 1023 days of fixed-term exclusions; and
 - in November 2020, there had been 583 days.
27. In terms requests for EHCPs, from September 2019 to November 2019, there had been 49 and for the same period during the current academic year, 38 requests had been received.
28. Preliminary data demonstrates the positive impact of the new model on exclusion rates and requests for EHCPs, however, there is a need to be mindful of the possible impact of COVID-19 on the figures.
29. It was planned that the staffing structure of the model would be reviewed in January 2021 and a full review of the service would take place in July 2021. The full review would involve gaining feedback from children, young people, families and schools to ensure a full and comprehensive evaluation of the model.
30. In addition to the new model:
 - The Local Authority offers advice and guidance to school leadership teams and governing bodies to help ensure that they follow the exclusion legal framework correctly and, where applicable, apply the Managed Moves Protocol properly. The Local Authority checks the legality of every permanent exclusion.
 - The Local Authority offers training to support schools, for example, training sessions have been delivered to schools, free of charge, in respect of Attachment Theory and classroom practice.

- For parents of pupils who are permanently excluded, the Local Authority has a dedicated member of staff who offers independent advice/guidance and provides key information. In addition, as some parents find challenging a headteacher a daunting prospect, the member of staff also represents parents when appealing against a permanent exclusion. To ensure that parents are aware of the support available, a letter is written to parents that contains the contact details for the Local Authority's independent officer.
- Work is being undertaken to reshape the role of the Ethnic Minority Achievement Team (EMAT) Manager to become an interfacing role with schools. With this change, it is envisaged that the EMAT will visit schools to actively work with classroom practitioners to develop the level of support offered to pupils with English as an Additional Language (EAL). The service level agreement will remain, enabling schools to buy-in bespoke packages of teaching support for their pupils. The role of the Ethnic Minority Achievement Team (EMAT) Manager will be more focused on upskilling and reviewing and monitoring the impact of training.
- The Local Authority is looking to recruit a SEND Advisor, who will work within schools to address any attainment gaps across primary and secondary sectors. In 2019, 21% of the student population had SEND. Further work will be undertaken to track the attainment of SEND pupils and record information and data in respect of SEND pupils with EHCPs and those without. The SEND Advisor will also look at the quality of education for the SEND cohort.

31. Further information on the Local Authority's role in supporting schools with behaviour management can be found in the minutes and associated documentation for the meetings of the Children and Young People's Learning Scrutiny Panel, which were held on 9 November and 7 December 2020.

Term of Reference C - To examine the causes of pupil behaviour problems e.g. unmet educational or other needs

Term of Reference D - To identify the challenges faced by schools in dealing with poor behaviour and bullying and to examine the reasons some schools have higher rates of fixed-term and permanent exclusions.

32. Term of Reference C and Term of Reference D will be considered collectively in this section, as they are both closely linked.
33. The nature of the influences on behaviour are both complex and interactional. A range of characteristics may interact with other factors, resulting in the permanent exclusion of a child or young person. The child characteristics that appear to impact on permanent exclusions include being a boy, having SEN, being looked after by the Local Authority and being involved with social services. However, those characteristics, in isolation, do not mean that a child or young person will be at risk of exclusion, exclusion occurs when those characteristics interact with other factors.
34. Other factors include:
- **Family** - family circumstances e.g. living in poverty, levels of deprivation, conflict within the family.
 - **Peers** - peer groups being poor role models and becoming more influential e.g. displaying antisocial behaviour, drug-taking or criminality.
 - **School** - the child or young person's relationship with their school e.g. the philosophy of the school and its leadership style.

- **Community/wider systems** - high levels of poverty and unemployment within a population and how communities perceive education.
35. All of the above factors can interact with each other increasing the likelihood of exclusion for the child or young person.
 36. In terms of developmental experiences, for a child with SEN, difficulty with learning can impact over time and school can be perceived as a place where they experience failure. That can then lead to disaffection and poor behaviour, impacting on the child's relationship with their school and ultimately resulting in exclusion.
 37. In terms of secondary schools, the common themes identified when considering the challenges faced in dealing with poor behaviour and bullying include:
 - deprivation;
 - diverse communities (religion, race, culture);
 - SEND;
 - looked after children; and
 - 'hard to reach' parents.
 38. The challenges identified do not provide justification for poor behaviour, however, they can be perceived to be contributory factors. The more variable factors that a school has in its community and cohorts, the greater the need for the school to focus on strong management and delivery of engaging and effective teaching and learning.
 39. Children may misbehave because of a number of factors, such as - being influenced by other children they associate with, because they have unmet needs or have suffered trauma. The reasons associated with poor behaviour is complex, as it is often a combination of factors that cause pupils to misbehave.
 40. One particular school in Middlesbrough has been responsible for approximately 90% of the fixed-term exclusions of Looked After Children. The Local Authority is working with the school to address the issue, however, there is a need for the Local Authority to hold schools to account more transparently for their exclusion rates.
 41. In respect of Outwood Academy Acklam, there had been a number of pupils with unidentified SEND. The school had recently been inspected by Ofsted who reported "*Over time, exclusions have been too high, particularly for pupils with SEND. As a result of the new behaviour policy, exclusions have reduced considerably compared to the same point last year. The exclusion of pupils with SEND has reduced to less than a quarter of what it was. The number of pupils being repeatedly excluded has also reduced. However, there are still too many pupils who experience difficulty in moderating their behaviour and, as a consequence, are excluded for a fixed period.*"
 42. In terms of the reasons for excluding pupils, categories have been identified for reporting, by the Department for Education. For the period September 2019 to December 2020, data demonstrated that the main reason for permanent exclusion was disruptive behaviour. For that period, 45 pupils had been excluded. In terms of the characteristics of those pupils, 10 were registered as having SEN and 8 pupils were open to social care services.
 43. In terms of determining whether exclusion rates are highest for those schools located in the most deprived areas of Middlesbrough, a lot of Middlesbrough's schools have a catchment area that includes children and young people from deprived areas of Middlesbrough. However, without doing an in-depth analysis of data, the Local Authority is unable to predict which postcode areas result in higher exclusion rates. It is acknowledged, however, that the

schools located in the most deprived areas do experience higher rates of exclusion. Unity City Academy has been successful over the past year/18 months in significantly reducing the number of fixed-term exclusions, as the school has adopted a different approach to behaviour management. That suggests that the management and leadership approaches adopted by schools do impact on exclusion rates. Recently, schools have been exploring the possibility of using alternative strategies and methods to exclusion.

44. Further information on causes of pupil behaviour problems and the challenges faced by schools can be found in the minutes and associated documentation for the meetings of the Children and Young People's Learning Scrutiny Panel, which were held on 18 January and 22 March 2021.

Term of Reference E - To investigate the types of sanctions used by schools that can impact on a pupil's educational outcomes and life chances.

45. When poor behaviour is identified, sanctions should be implemented consistently and fairly in line with the behaviour policy. Good schools will have a range of disciplinary measures clearly communicated to school staff, pupils and parents. These can include:

- a verbal reprimand;
- extra work or repeating unsatisfactory work until it meets the required standard;
- the setting of written tasks as punishments, such as writing lines or an essay;
- loss of privileges - for instance the loss of a prized responsibility or not being able to participate in a non-uniform day (sometimes referred to as 'mufti' days);
- missing break time;
- detention including during lunch-time, after school and at weekends;
- school based community service or imposition of a task - such as picking up litter or weeding school grounds; tidying a classroom; helping clear up the dining hall after meal times; or removing graffiti; and
- regular reporting including early morning reporting; scheduled uniform and other behaviour checks; or being placed "on report" for behaviour monitoring.⁴

46. In more extreme cases schools may use temporary or permanent exclusion, which are the most severe sanctions available to a headteacher. Both sanctions are underpinned by a legal framework, which the Local Authority has oversight of:

- A fixed-term exclusion is an exclusion from school whereby the pupil is not allowed to attend the school for a predetermined period. In general, fixed-term exclusions are very rarely more than 5 days. During that period the child has to stay at home. Fixed-term exclusion is used a lot in some of Middlesbrough's secondary schools. If a child is displaying persistent disruptive behaviour and school regularly imposed fixed-term exclusions, it suggests that the sanction is not improving behaviour. If a school imposes a number of fixed-term exclusions on one pupil that results in the pupil missing 45 days (or more) of school, during an academic year, the child will automatically be permanently excluded by law.
- Permanent exclusion is the most severe sanction whereby the pupil will no longer be a member of that school's community and the pupil will need to be educated elsewhere. Schools will only tend to use permanent exclusion when a pupil has committed a really severe or significant transgression. The child will be effectively removed from the school's roll and the pupil will become the responsibility of the Local Authority. There is a

⁴ Department for Education - Behaviour and discipline in schools - Advice for headteachers and school staff (January 2016).

requirement for the Local Authority to provide full-time education for the pupil, to begin no later than the sixth day after the permanent exclusion.

47. Excluded children can develop a range of mental disorders, such as depression and anxiety as well as behavioural disturbance. The impact of excluding a child from school on their education and progress is often long term, and their mental health may also deteriorate. For children who really struggle at school, exclusion can be a relief as it removes them from an unbearable situation with the result that on their return to school they will behave even more badly to escape again. As such, it becomes an entirely counterproductive disciplinary tool as for these children it encourages the very behaviour that it intends to punish. By avoiding exclusion and finding other solutions to poor behaviour, schools can help children's mental health in the future as well as their education.⁵
48. Rates for permanent exclusion are high in Middlesbrough, approximately twice as high as the national average. That presents a challenge for the individual child and for the Local Authority. For pupils who are permanently excluded, the probability that they will enter the criminal justice system, struggle with employment and have significantly reduced life chances, greatly increases. In addition, the chances of the pupil achieving 5 GCSEs and going on to further education is greatly reduced. Permanent exclusion has a significant detrimental impact on a pupil's life and life chances.
49. Feedback from children and young people demonstrates how exclusion impacts on their social, emotional and mental health. Children often feel like they have failed and are unable to succeed in education. Feedback also suggests that children do not fully understand the reasons for being excluded and the process that follows a permanent exclusion. In an attempt to address these issues, the feedback has been conveyed to schools via the meetings of the Pupil Inclusion Panels.

Term of Reference F - To examine the successful and proactive strategies and solutions used by schools to promote positive behaviour, manage poor behaviour and prevent and tackle bullying.

Clear policies and practices

50. In respect of policy, schools that demonstrate best practice have clear policies on behaviour expectations with detail of procedures to ensure this, or respond to poor behaviour. The key features are that policies are clearly articulated and simple to implement, understand and follow; often collaboratively developed and delivered across the school to foster buy-in and have clear red lines that are well understood and consistently applied.
51. In terms of developing clear policies written on behaviour, Unity City Academy has taken a proactive approach. During the school's most recent inspection, Ofsted identified that the Leadership Team had *"taken action to reduce the use of exclusion. The rate of permanent exclusion fell substantially during the previous academic year, compared with the year before. The rates of fixed-term exclusion and repeat fixed-term exclusion have also reduced since the previous inspection. The effective implementation of the behaviour policy has been instrumental in bringing about this improvement"*.
52. During the most recent inspection of The King's Academy, Ofsted reported that *"As a result of the high expectations you have, and the work to ensure that staff carry out the school's behaviour policy consistently, pupils' behaviour and attitudes to learning in lessons are usually good. Actions taken to help pupils take responsibility for their own behaviour as part*

⁵ https://www.exeter.ac.uk/news/featurednews/title_595920_en.html

of the school's 'character' work to develop their readiness for their future lives, contribute successfully to the improvement in behaviour."

53. Schools have clear behaviour policies (included on the school website) that provide details of the school ethos, why good behaviour is important and the rewards and sanctions used. These make it very clear what the steps in the process will be, and who will be involved at each point.

Structures

54. Several schools have introduced structural changes to better manage behaviour.
55. Several schools have specific staff with non-teaching time to allow them to take the lead on monitoring and supporting behaviour, to focus on relationship development and building rapport with students, and to oversee or enact early intervention. Many have brought in a layer of staff at senior level who have 'pastoral' roles.
56. The development of AP opportunities is seen as extremely positive and assists in ensuring the delivery of a varied curriculum to meet the needs of pupils.
57. Acklam Grange School has its own off-site provision, which is managed by the school and provides pupils (at risk of exclusion) with the opportunity to work in a different place and in a smaller group on key skills, for a short period of time. The provision has a positive roadmap to ensure reintegration of the pupil back into the mainstream setting. During the most recent inspection, Ofsted commented that *"Initiatives such as the school's own alternative education provision and integrated pupil support services are meeting the individual needs of pupils and helping them to achieve better outcomes while reinforcing good behaviour."*

Behaviour management practices and approaches

58. In terms of general behaviour management practices and approaches, there is a wide range of different general practices for behaviour management. All of these have been introduced as a way of keeping behaviour in classrooms positive, preventing escalation of issues and maintaining structures within which the school can operate most beneficially for all. These include school or classroom rules; school motto or ethos statement; pupils given positions of responsibility; classroom seating allocations/learning environment; curriculum; personal, social, health and economic education (PSHE)/tutor time; teachers being prepared and having well-planned, innovative, engaging and differentiated lessons.
59. Good behaviour is almost always linked to high-quality teaching, the delivery of interesting and exciting lessons and positive relationships between the staff and the pupils. Good behaviour and high levels of engagement are a factor of many variables, but the quality of teaching and the strength of adult relationships with the children are the most significant. For schools demonstrating these qualities, the risk of poor or challenging behaviour is greatly reduced.
60. During the most recent inspection of Outwood Academy Acklam, Ofsted reported that *"Pupils usually behave well. Their behaviour continues to get better. This has been helped by teachers' more personal approach this academic year. There is a strong emphasis on developing positive relationships in school."* Reference was also made to *"strong teacher-pupil relationships"*.
61. Schools generally have a school motto, code of conduct, approach or ethos statement that is well-known, documented and visible across the school.

Positive praise and rewards

62. Schools are clear that creating a positive approach to behaviour management is at the centre of their approach. Positive practice, praise and rewards are used to encourage good behaviour much more than fear of sanctions or threat of response if behaviour is not good.
63. The key strategies adopted by schools include:
- **praise** - starting everyday “as a new day” and praising the good behaviours and achievements rather than focussing on the negative;
 - **role models (virtual and actual)** - several schools have varying systems for creating role models in school;
 - **reward systems** - schools have documented rewards systems and strategies for celebrating achievement. These also focus on praise.
64. North Ormesby Primary Academy has a virtual school mascot called Tim. Tim represents the school, sets an example as the school’s star pupil and encourages the children to make their best, even better. Tim is a star pupil because he is always on time; he looks after others, himself and the school; he always listens to and respects others opinions; he loves a new challenge; he always does his homework and he always tries his best, no matter what. Children are intrinsically motivated to be like the school mascot, Tim, who demonstrates all the traits required to prepare young people for the wider world. During the school’s most recent inspection, Ofsted had reported that *“There is no reliance on reward systems; instead pupils are expected to develop an intrinsic desire to behave and learn well. They do this by looking up to the academy mascot ‘TIM’, who is the perfect pupil. Pupils constantly try to copy his positive attitudes, resilience and determination. This imaginative approach to behaviour management is extremely successful”*.

Managing disruptive behaviour and sanctions

65. Schools have clear, documented processes for dealing with disruptive behaviour. These are known to all members of the school and parents. Teaching staff feel confident to implement them and pupils and parents have to be sure that these processes will be followed fairly and with the express intention to keep all of the school working together for achievement.
66. Strategies employed by schools to manage disruptive behaviour include effective classroom practice; sanctions; de-escalation strategies; restorative practices; targeted interventions; strategies for dealing with challenging behaviour and exclusion.
67. Consequence systems provide a staggered response when dealing with poor behaviour in the classroom. Each level within the system carries with it a more severe sanction. These systems aim to provide pupils with the opportunity to change their behaviour when it is at low level. There is a need, however, to ensure that consequence systems are applied fairly and consistently. Consequence systems appear to be most successful when paired with reward systems. However, if there is disparity in how these systems are applied by teachers, they can be counterproductive.
68. Withdrawal systems involve a pupil being removed from the classroom for a certain period of time, to enable them to reflect on their behaviour, before they are reintegrated. Approaches vary, however, successful withdrawal systems always ensure pupils are treated with dignity and respect.
69. Report systems are used to enable teachers to comment on the behaviour of certain pupils throughout the school day. These comments are then often shown to the Head of Year and/or parent/s. Report systems, which are delivered in a positive way, can be effective.

Data

70. Schools have strong processes for capturing and using data to manage behaviour. Whilst the mechanisms used to record and capture data varies across schools, it is used to monitor and, importantly, to address and manage behaviour.

Parents and other agencies

71. There is an identified need to have parents on board, not only to support decisions and follow up at home, but also because the home circumstances of pupils affects their behaviour in school. Parents need to understand the benefits of strategies used to manage behaviour and the school approach.
72. Some schools feel a greater need to model acceptable behaviour as this is not always being instilled at home. Likewise, there are instances of needing to involve other agencies to best support pupils in their school and home-life.
73. Strategies to engage parents include: usual - open door; parent inductions; parent sessions (phonics, maths); parents being given access to behaviour monitoring information; traditional and innovative methods to communicate with parents; collaborative activities and external programmes.
74. Park End Primary School positively engages with parents. The school's engagement with parents has been referenced in its most recent Ofsted inspection report, which states that *"an overwhelming majority of parents have commented positively about the care that the school gives to their children. Parents are positive about the information they receive about their child's learning and appreciate how welcome they feel when visiting the school and talking about any concerns they may have. Parents also commented that the school's emphasis on good behaviour is having a positive effect on their child outside school."*

Culture and ethos

75. A key aspect is the need for a strong school ethos and culture. In respect of developing a strong culture and ethos, schools focus on knowing and valuing the child; fostering positive learning behaviours, not just behaviour management; nurturing pride, self-respect and self-esteem and encouraging pupils to take ownership of, and responsibility for, their own behaviour; having processes and systems for reflection and development that are embedded in the school approach; being consistent but flexible.

Consistency

76. In terms of consistency, all schools highlighted its importance - in approach to, and application of, behaviour management.
77. A consistent approach across all members of the school facilitates self-regulation by pupils; clear parameters and expectations that can be adhered to by all; teaching boundaries and understanding of consequences.⁶
78. In summary, schools demonstrating best practice provide a welcoming environment and each child/young person is provided with excellent academic and pastoral support. The headteacher and members of school staff provide a positive, safe and happy learning

⁶ Amy Skipp and Dr. Vicky Hopwood - ASK Research, Case studies of behaviour management practices in schools rated Outstanding - Research Report (2017)

environment in which everyone is inspired and empowered to achieve the highest standard of which they are capable, in all aspects of their life. The school offers a broad, balanced, stimulating curriculum in which all progress is recognised, developed and celebrated.

79. For secondary schools, key aspects of best practice include:

- building effective relationships with parents;
- making good behaviour part of the school's ethos;
- teaching and modelling good behaviour;
- involving external agencies to access support, e.g. CAMHS / SEND Team / Virtual School;
- investing in a high-quality pastoral team;
- investing in staff training - quality of teaching;
- providing extensive mental health and therapeutic support;
- providing bespoke AP opportunities;
- using rewards systems;
- using consequence systems with clear sanctions;
- using withdrawal of students from class and withdrawal areas; and
- using report systems.

80. In addition to the above:

- early engagement and development of relationships with parents, before their child transitions from primary school to secondary school, is seen as extremely positive;
- responsibility is placed on the student body to take ownership of their actions and to overtly think about how their actions affect everyone around them;
- in Middlesbrough there is a number of support systems and networks, which can be accessed by schools to enable them to meet the needs of their pupils;
- the willingness of schools to invest greatly in providing pastoral support seemingly impacts on how successful they are in managing behaviour; and
- providing access to mental health and therapeutic support is key to the promotion of positive mental health and supporting pupils with particular needs.

81. Further information on the successful and proactive strategies and solutions used by schools can be found in the minutes and associated documentation for the meetings of the Children and Young People's Learning Scrutiny Panel, which were held on 22 March 2021 and 19 April 2021.

ADDITIONAL INFORMATION

82. During the course of the scrutiny panel's investigations, information came to light which, while not directly covered by the terms of reference, is relevant to the work of the panel on this topic. This related to:

Use of language

83. Language used by schools is extremely important and stereotypical views/statements pertaining to any cohort or group should be avoided. The use of negative language can cause damage and have a detrimental impact by changing perceptions and attitudes. There is a need for all school staff to be mindful of the language used and how it could be interpreted.

Use of data

84. The Local Authority had recently undertaken work to define a data sharing agreement with schools, which allows for non-statutory levels of information to be shared amongst the

school community. One of the successes that has been developed is a transition document, which is led by primary schools and feeds into secondary schools. The document provides secondary schools with in-depth knowledge of the pupils they are due to receive in Year 7. The document provides information on what has made the pupil successful in primary school and what support is required to ensure they remain successful in education. This work has now been extended to take place for children transitioning from nursery to primary education. Information sharing between all settings plans to ensure that pupils are successful in their learning and education.

CONCLUSIONS

85. Based on the evidence, given throughout the investigation, the scrutiny panel concluded that:

- a) All schools have their own behaviour policies, which set out their definition and expectation of good behaviour, and how breaches of the policy will be responded to. The way in which policies are developed is dependent on the ethos of the school, its beliefs and what is fundamentally important to it. Whilst in general terms, there are similarities in policies as there is a reasonable and common understanding of what good behaviour looks like, how that is interpreted by each school differs.
- b) Although early indications demonstrate that new Inclusion, Assessment and Review Service and 'Team Around the School' approach is having a positive impact, it is too early to evaluate its full impact. A full and comprehensive evaluation is required, which takes into account the impact of COVID-19 and the risk management controls currently in place within schools. Once complete, there is a need for key findings, outcomes and outputs to be reported to the Children and Young People's Learning Scrutiny Panel. The views of children and young people are of particular interest.
- c) The nature of the influences on behaviour are both complex and interactional. The common themes identified when considering the challenges faced by schools in dealing with poor behaviour include deprivation, diverse communities (religion, race, culture), 'hard to reach' parents and identifying and supporting the needs of pupils with SEND and looked after children. The challenges identified do not provide justification for poor behaviour, however, they can be perceived to be contributory factors. The more variable factors that a school has in its community and cohorts, the greater the need for the school take a proactive approach to behaviour management and focus on the delivery of engaging and effective teaching and learning.
- d) When poor behaviour is identified, there is a need for schools to ensure sanctions are implemented consistently and fairly - in line with the behaviour policy. There are a range of disciplinary measures available to schools, however, temporary or permanent exclusion are the most severe sanctions. Excluded children can develop a range of mental disorders, such as depression and anxiety as well as behavioural disturbance. Permanent exclusion has a significant detrimental impact on a pupil's life and life chances. Exclusion (fixed-term and permanent) should be considered as a last resort. Exclusion should not necessarily be a consequence for persistent bad behaviour but a sanction for when a line has been crossed - typically because pupils or staff are at risk of, or have been subject to, harm or abuse. There is a need for the Local Authority to hold schools to account more transparently for their exclusion rates.
- e) What is common across schools, demonstrating best practice, is the overarching approach to behaviour management - balancing positive reinforcement and modelling of good behaviours for learning with clearly communicated approaches for dealing with poorer behaviour. This is situated within a supportive culture and ethos within the school

and is underpinned by high-quality teaching and a curriculum tailored to the needs of the school context. In order to identify common threads, the Local Authority regularly examines school behaviour policies. However, further work is required to identify and share good practice examples with schools. It would also be beneficial for a guidance document to be developed and circulated to schools on the importance of language and its influence on changing perceptions and attitudes.

RECOMMENDATIONS

86. The Children and Young People's Learning Scrutiny Panel recommends to the Executive:

THE SCRUTINY PANEL WILL CONSIDER ITS RECOMMENDATIONS AT THE MEETING SCHEDULED TO BE HELD ON 26 JULY 2021

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- Sue Butcher, Executive Director of Children's Services, Middlesbrough Council;
- Caroline Cannon, Strategic Lead for Inclusion and Specialist Support Services, Middlesbrough Council;
- David Collingwood, Specialist Senior Educational Psychologist, Middlesbrough Council;
- Emma Cowley, Head of Inclusion, Assessment and Review Service, Middlesbrough Council;
- David Dawes, Headteacher/Principal, Kings Academy
- Trevor Dunn, Head of Access to Education and Alternative Provision, Middlesbrough Council;
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- Michael Laidler, Headteacher/Principal, Acklam Grange School
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- Andrew Rodgers, Headteacher/Principal, Unity City Academy
- Julia Rodwell, Headteacher/Principal, Park End Primary
- Karen Smith, Head of Achievement, Education, Prevention and Partnerships, Middlesbrough Council; and
- Michelle Stelling, Assessment and Quality Assurance Manager, Middlesbrough Council.

ACRONYMS

88. A-Z listing of common acronyms used in the report:

- AP - Alternative Provision
- CAMHS - Child, Adolescent and Mental Health Services
- DfE - Department for Education
- EAL - English as an Additional Language
- EHCP - Education Health Care Plans
- EHCA - Education Health Care Assessments
- EMAT - Ethnic Minority Achievement Team
- EWO - Education Welfare Officer
- SEN - Special Educational Needs
- SEND - Special Educational Needs and Disabilities

BACKGROUND PAPERS

89. The following sources were consulted or referred to in preparing this report:

- Reports to, and minutes of, the Children and Young People's Learning Scrutiny Panel meetings held on 9 November 2020, 7 December 2020, 18 January 2021, 22 March 2021 and 19 April 2021.

COUNCILLOR DENNIS MCCABE

CHAIR OF THE CHILDREN AND YOUNG PEOPLE'S LEARNING SCRUTINY PANEL

Membership 2020/2021 - Councillors S Hill (Chair), P Storey (Vice-Chair), A Hellaoui, T Higgins, D Jones, T Mawston, M Nugent, M Saunders and G Wilson

Membership 2021/2022 – Councillors D McCabe (Chair), L Mason (Vice-Chair), A Hellaoui, D Jones, T Mawston, M Nugent, M Saunders, P Storey and G Wilson

Contact Officer:

Georgina Moore
Democratic Services Officer
Legal and Governance Services
Telephone: 01642 729711 (direct line)
Email: georgina_moore@middlesbrough.gov.uk