

# Behaviour Management Policy and Procedures

## Values

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The Small School fosters the wellbeing and safety of children and staff.

All adults at The Small School exercise a duty of care and kindness to children.

Commitment to relationship building within the school community is highly valued in children's moral, social, emotional and behavioural development.

All adults at The Small School model respectful relationships and conflict resolution practices.

The Small School deeply values procedural fairness as a fundamental right in a democratic society.

At The Small School, restorative justice principles underpin our approach to behavioural management and guidance.

## Purpose

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Children (and adults) occasionally behave in ways that are in conflict with the needs of others or with a group. As children are still learning basic social skills, particularly when they first start school or when there are stressors in their lives, misbehaviour at school is most often a normal part of a child's development.

The Small School's Code of Conduct sets out the rights and responsibilities of members of the School community, including children. It contains expectations as to how all members of the school community will act, as well as their rights within the school community.

Misbehaviour or breaches of the Code of Conduct are addressed through our focus on relationship building, restorative justice principles and the use of Special Circles and Support Plans. These approaches are outlined in this policy.

This policy also outlines the procedures for carrying out serious penalties, including suspension, expulsion and exclusion.

## Responsibilities

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The Small School staff work to facilitate children learning to behave consistently with the Code of Conduct by:

- Modelling respectful behaviour whenever they relate with children or other adults at the school.
- Providing a teaching approach which is responsive to the needs of individual children and which promotes agency and engagement in their learning environment and consequently deterring many disruptive (non-engaged) behaviours.
- Giving agency to children within the context of a safe and supportive environment and appropriate for their developmental stage (rule development in daily Circle Time, Whole School Meetings and Special Circles).
- Making rule development a collaborative enterprise to encourage ownership and understanding as a way of supporting children's social and emotional development and displaying the rules decided upon and referring to them regularly in their discussions with children.
- Understanding misbehaviour and breaches of the Code of Conduct in most cases is developmentally normal, particularly for young children and providing gentle, supportive redirection consistent with the agreed upon rules.

All staff at The Small School have a responsibility to respond to behavioural issues using the principles of procedural fairness outlined in this policy and to document behavioural concerns and management practices in accordance with this policy.

Children at The Small School have a responsibility to:

- Participate in the development of rules within the meeting structures carried out at the school, and to make their best effort to follow these rules.
- Be familiar with and abide by the Code of Conduct in an age-appropriate way, which will be discussed at the Whole School Meetings.

Parents have a responsibility to:

- Be familiar with this policy and the Code of Conduct and participate in the collaborative rule-making processes from time-to-time.
- Participate in meetings with staff about their child, including meetings to discuss Support Plans and breaches of the Code of Conduct where necessary.

Children and parents have the right to procedural fairness in all their dealings with the school including those related to behavioural management, as outlined in this policy.

## How the purpose is achieved

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### Collaborative development of rules

Students at The Small School will learn and practice a wide range of social skills and problem-solving strategies through the school's Frame 3 Core School Community Program (Mind), which will support them to function positively and with a high sense of social, emotional and behavioural well-being.

At The Small School participation in the development of school/class rules is part of children's learning. Codes of Conduct and school rules are discussed and developed at Whole School Meetings and Special Circles. Also, at daily Circle Time if required, although normally this is reserved for discussion about the day's activities.

Children are encouraged to take ownership as active participants in rule making rather than having pre-determined rules imposed upon them. The process of collaborative rule-making is also intended to assist children to understand the purpose of particular rules.

### Principles for responding to breaches of the Code of Conduct

#### **1. Procedural Fairness**

The Education Act 1990 requires that The Small School's Policies relating to the discipline of students be based on procedural fairness. This is particularly the case when the school is considering serious penalties such as suspension or expulsion. However, principles of procedural fairness are also applied to less serious behavioural matters which are dealt with in Special Circles or formal or informal discussions between staff, parents and children.

Procedural fairness, also known as natural justice, is an important school value and is considered a fundamental right in a democratic society. It consists of the 'right to be heard' and the 'right to an unbiased decision'.

For parents and children, the right to be heard, includes:

- The right to be fully informed of the allegations and of any other information which will be taken into account in considering an issue.
- The right to know the process by which the issues will be determined.
- The right to have a reasonable opportunity to respond to the allegations and to have an independent support person involved in discussions if required.

- The right to have an interpreter for people of non-English speaking background. It is the responsibility of the School Manager to ensure an interpreter for people of non-English speaking backgrounds is available if needed by parents when they meet with staff of the school.
- The right to have the decision reviewed and to know how to access the review process.

The rights of parents and children to an impartial decision includes:

- The right to impartiality in the investigation and decision-making process.
- The right to an absence of bias in the decision maker.

Procedural fairness includes ensuring that parents have a copy of this policy and other policies related to behavioural management, including the Code of Conduct Policy and the Anti-Bullying Policy.

## ***2. Record Management***

Staff are required to keep file notes of behavioural concerns and/or breaches of the Code of Conduct and written records of Special Circles, Support Plans and Serious Incidents (Serious Incident Form). Written records concerning behavioural management are to be provided to parents for all serious breaches of the Code of Conduct and for non-serious breaches where requested by parents and should be filed in hard copy and/or electronically on a child's Student File.

## ***3. Restorative Justice***

Restorative justice principles prioritise reparation for harm caused and allow all affected parties to have their experiences heard in a mediated process. Where appropriate, in consultation with and including parents, this approach will be used to assist children to take meaningful responsibility for their actions rather than being punished. Restorative justice principles will be used informally in Special Circles where non-serious breaches of the Code of Conduct will be addressed. They may also be used more formally in meetings between staff, parents and children to address serious or repeated non-serious breaches. Restorative justice emphasises collectivity and understanding of the causes and effects of harmful behaviour. It tasks the group with developing a Support Plan to heal the harm and find a way to bring the offender back into the community.

## ***4. Corporal Punishment is expressly prohibited***

All adults at the school are expressly prohibited from the use of corporal punishment, nor must they implicitly sanction corporal punishment outside of the school.

Teachers will not physically restrain children, unless restraint is needed to stop them hurting themselves or others, in which case restraint will be the minimum required to stop the hurting and will be motivated by

kindness not the need for restraint.

Teachers at The Small School do not use fear or intimidation to achieve compliance. They do not send a child out of the learning environment unless the child poses a risk to themselves or other children and requires assistance to manage their feelings. In these circumstances, the child will not be left alone but can spend time with another staff member.

### *Procedure for managing non-serious breaches of the Code of Conduct*

It is the responsibility of The Small School to plan for situations where students, due to a range of circumstances, may not be functioning positively within the school environment.

Non-serious breaches of the Code of Conduct will be addressed in Special Circles using restorative justice principles. Non-serious breaches are considered to be disruptive behaviours which do not place the child at risk of hurting themselves or other children. See *Student Leadership and Anti-Bullying Policy and Procedures* for further information about Special Circles.

The School Manager or teacher who has been witness to the breach is responsible for documenting the breach in a file note, to be stored on the child's Student File.

Where non-serious breaches of the Code of Conduct are dealt with in a Special Circle, a written record will be kept by the participating staff member and placed on the child's Student File. Written records from the Special Circles will be shared with parents.

Teachers and the School Manager should share information from their file notes and Special Circle records with each other at regular staff meetings, and where appropriate concerns should be taken to mentors and professional development opportunities.

### *Procedure for managing serious breaches of the Code of Conduct*

Serious breaches of the Code of Conduct include causing physical harm to other students or repeated acts of bullying. Serious breaches to the Code of Conduct can also include repeated non-serious breaches, which have not been responsive to intervention.

Staff will record serious breaches of the Code of Conduct on the Serious Incident Form (see *Serious Incident Policy and Procedures*).

Parents will be advised in writing of the breach. The written advice to parents must include all of the information concerning the allegation and a request for parents to attend a meeting with the School Manager.

The School Manager (and possibly the teacher) will meet with parents (and possibly the child) to discuss the breach. Parents (and the child) will have an opportunity to respond to the allegations and can bring an

independent person with them if required. The processes of procedural fairness as outlined in this policy must be adhered to in the meeting.

The School Manager will keep a written record of the meeting.

In the meeting the School Manager/teacher, with help from parents, will develop and record a Support Plan. The Support Plan will outline the nature of the breach and the agreed upon solutions to remedy the behavioural problem, drawing on external child development expertise if required. The Support Plan will also include a date for review.

The record of the meeting along with the Support Plan, Serious Incident Form and any written correspondence to or from parents will be kept on the child's Student File. Parents will have the opportunity to check the meeting record and the Support Plan to ensure a common understanding of what has occurred.

If the child continues to be in serious breach of the Code of Conduct, staff and parents should meet again to review the Support Plan and consider alternative strategies. When repeated efforts at addressing serious breaches of the Code of Conduct through Support Plans are unsuccessful or parents are unwilling to participate in development or facilitation of Support Plans, the School Manager may consider penalties of a more serious nature, including suspension and expulsion.

### Suspension, Expulsion and Exclusion

Penalties for repeated serious breaches to the Code of Conduct refer to suspension and expulsion. Exclusion is the act of preventing a student's admission to other independent schools. The Small School is not a member of a system schools and therefore cannot act to exclude students from other schools.

Suspension is the temporary removal of a student from all classes that a student would normally attend at a school for a set period of time. Suspension is not intended as a punishment for the child. It is normally used to allow time for school staff to plan and/or review learning and behavioural supports to assist a student to re-engage positively with the school.

Suspension may also be used immediately by the School Manager where a child has been violent to another student or is at risk of self-harming. In these circumstances, parents must be notified of the decision immediately and the School Manager must ensure the child is released into the care of the parent or other approved caregiver. It may also be appropriate to assess whether medical or psychological support should be recommended to parents.

An incident which has led to an immediate suspension is recorded on the Serious Incident Form by the staff member who observed the incident. This form must be placed on the child's Student File. The School Manager must provide parents with a written record of the incident and place the written correspondence to parents on the Student File.

Where a suspension is being planned, where there has been repeated Support Plans which have failed to address the behavioural problem, parents must be given written notice in advance that this is being considered by the school.

In either scenario, an immediate suspension or a planned suspension, the School Manager must write to parents and request that they attend a meeting at the school with the School Manager.

The principles of procedural fairness outlined in this policy must be followed in these circumstances.

The School Manager will keep a written record of the meeting. A copy of which will be provided to parents and placed on the child's Student File.

At the meeting the School Manager will go through the Serious Incident Form and/or previous Support Plan/s with the parents to ensure there is shared understanding about the behavioural problem. As per the principles of procedural fairness outlined in this policy, parents are entitled to a support person or interpreter at the meeting.

Parents will have an opportunity in the meeting to discuss their response to the concerns or allegations. It may also be appropriate to include the child in some or all of the discussion and hear directly from them about their response to the allegations/concerns. Any information provided by parents (or child) about the breach and the intended suspension must be taken into account by the School Manager before the final decision to suspend is taken.

The School Manager will document the parent's (and child's) response to the allegations in a written record of the meeting. The School Manager and parent/s will review the learning and/or behaviour supports and previous Support Plans and a further strategy of learning and/or behaviour supports will be considered in the meeting with parents.

The school must consider whether external supports are required for the child and/or the family as a whole. It may be appropriate to seek additional funding support, assist a family with referrals for medical or psychological support and/or provide for staff at the school to access professional supervision to develop further skills to enable them to provide a higher level of support for a particular child. The school may use the suspension time to arrange and implement these strategies, which are aimed at assisting the child to positively re-engage with the school.

The proposed strategy will be documented by the School Manager as part of the written record of the meeting. Parents will have an opportunity to check the meeting record with the School Manager to ensure a common understanding of what has occurred.

The record of the meeting along with the Serious Incident Form and any written correspondence to or from parents will be kept on the child's Student File.

The School Manager must report any decision to suspend a child immediately to the Chairperson of the School Board and provide a full report to the Board at the next meeting of the School Board. The report must include all of the documentation on the Student's File about the behavioural concern/s which led to the decision.

Parents will have a right to appeal the decision of the School Manager to suspend their child to the School Board. The *School's Grievance and Conflict Resolution Policy and Procedures* will apply to how such an appeal is managed.

Parents must be provided with a copy of the *Grievance and Conflict Resolution Policy and Procedures* and the contact details for the Chair of the School Board. Parents must be provided with a written response from the Chair as to how they have reviewed the decision and the outcome of their review.

If, following multiple suspensions and multiple reviews, the behaviour continues despite the Support Plans and suspension penalties, the School Manager may, as a last resort, begin a process to expel the child from the school.

Expulsion is the permanent removal of a student from the school and would usually only be considered where parents and/or the child have refused to carry out the strategies which had been agreed on in the Support Plan/s or have otherwise refused to engage with the school to resolve the behavioural problem.

The School Manager will adhere to the principles of procedural fairness outlined in this policy when considering expulsion. This process will include informing parents, in writing, of the possibility of expulsion and the reasons why and arranging a further meeting with parents to discuss the reasons for the proposed expulsion.

The purpose of the meeting will be to ensure the parents understand, or are in possession of, all the information leading up to the current proposal to expel the child and to hear the parent's response to the proposal. The School Manager will make a written record of the meeting and provide a copy to parents.

A decision to expel can only be taken by the School Board. Following the meeting with parents, the School Manager will provide the School Board with a full report including the written record of the meeting, previous documentation on the Student File and the School Manager's recommendation about expulsion. The School Board must take the School Manager's recommendation into consideration when making their decision.

The School Board should consider the impartiality of the School Manager's decision-making process and whether the principles of procedural fairness have been followed throughout the history of dealing with the concerns. Where there are any concerns about the impartiality of the School Manager, it may also be appropriate for the Chairperson of the Board to meet with the parents before the Board makes a decision.

While the School Manager's recommendation will be taken into account by the Board, ultimately the School Board will make the decision of whether a child should be expelled. This decision must be given in writing to the parents.

If a decision to expel is made the School Board must ensure parents have a reasonable opportunity to explore educational alternatives for their child before the decision is enacted.

Following written notice of a decision to expel, parents will be given an opportunity to appeal the decision. Although the right of appeal is limited to the same decision-makers, if requested, the School Board will review the Student File again and take into consideration any new information the parent/s may offer. The School Board must provide the parent/s with a written record of how the decision was reviewed and the outcome of the review.