



Kirkley Nursery and Early Years Centre of Excellence Behaviour and Inclusion Policy

1. Aims

- > For every member of the trust community to feel happy, safe and valued
- > To ensure that the ethos within the trust is nurturing and trauma aware
- > To encourage and support positive relationships in the trust community
- > To support children to develop positive behaviours that enable them to thrive within their setting, family and wider community
- > To be a fully inclusive trust

2. Responsibilities

- > Behaviour is a whole setting responsibility, all members of staff have a duty of care to ensure a safe learning environment.
- > It is the responsibility of all staff to support children to make the right choices in line with expected behaviour.
- > It is the responsibility of room leads to ensure the planning and delivery of an inclusive curriculum for all children in their room.
- > It is the responsibility of the Academy Head to support consistent implementation of the policy and ensure the health, safety and welfare of all children in the setting.
- > It is the responsibility of The Trust Board and its committees to set down these general guidelines on discipline and behaviour, and of reviewing their effectiveness.

3. Trust Ethos

As a Trust we believe that:

- > Inclusion is to recognise a child's right to a broad, engaging and challenging curriculum, which is appropriate to their individual abilities, talents and qualities
- > Behaviour is a form of communication
- > Our emphasis should be on using positive strategies to support the development of positive behaviours.
- > There will be times where children are unable to regulate their emotions
- > Any rewards and consequences should be fairly and consistently applied. Consequences should be time-limited and focus on the future. They should support the children to develop their ability to regulate their emotions and behaviours.
- > It is essential that we work in partnership with parents and carers. The setting will report behaviour, positive or negative and work alongside parents and carers to meet the individual needs of children.
- > It is important to understand the impact of Adverse Childhood Experiences and Trauma
- > Positive relationships between staff and children are key to effective teaching and learning



4. How do we promote positive behaviour as a trust?

- > We work towards all children feeling safe, and happy in their setting. The ethos at all settings is to establish trust with the children.
- > We work together to promote and model positive behaviours.
- > We ensure that all children access a stimulating and challenging curriculum that enables them to reach their full potential
- > We ensure all rooms have high but realistic and inclusive expectations with clear, consistent predictable boundaries
- > We use a positive approach noticing and praising desired behaviours
- > We ensure that all settings have a clear and consistent system of rewards and consequences in place.
- > We recognise that there will be incidents where children are unable to regulate their emotions. It is the aim of all settings to teach and support children to regulate their feelings and behaviours.
- > We support children to strengthen their emotional literacy, increase their self-esteem as well as develop skills to manage their own behaviour and become responsible for their own choices through our curriculum
- > We will develop individual behaviour plans and risk assessments to support children with ongoing behaviour difficulties.
- > We ensure that all staff receive appropriate training to ensure they have the knowledge, skills and understanding to support all children and their individual needs
- > We promote practices which promote Protect, Relate, Regulate and Reflect.

Protect:

Practice at all settings will promote meet and greet. Staff will consistently implement behaviour plans to support individual children. Staff will avoid the use of harsh voices, shouting, criticism and shaming. Staff will remove children from a situation when they feel the child is not coping, this may be to a designated safe place or an open space to allow for release of emotion.

Relate:

Staff receive training to use empathy and attunement. Time will made available to enable key staff members to build trust and relationships.

Regulate:

Children will be supported to use interventions to reduce stress levels enabling them to develop their own strategies for managing their emotions.

Reflect:

Staff are educated to effectively listen to children. Children will be provided with a range of resources to enable them to symbolise their emotions. Staff will also reflect on the support provided to children and adapt behaviour plans based on these reflections.



5. Rules

The trust has three rules that are on display and are revisited regularly to support children's understanding:

- We are ready
- We are respectful
- We are safe

Staff and visitors are supported and encouraged to use the language Ready, Respectful, Safe when praising and supporting behaviour, to minimise confusion

Each setting may have their own variations but we all share a common basis and language.

6. Rewards

There is a culture of praise and positive reinforcement across the trust. Staff and children are encouraged to share positive feelings and opinions with each other. We praise and reward children for their actions and their work in a variety of ways, these may include:

- > Verbal feedback from staff to children;
- > Giving of stickers or certificates ;
- > Activities chosen by the children
- > Peer feedback

7. Consequences

The emphasis for addressing behaviours that challenge is one of support and prevention rather than punishment.

- > Where it is necessary to impose a consequence/ sanction these will be fair and proportionate. These will take into account each child's individual needs and any other special circumstances that may affect the child.
- > Consequences will vary on a sliding scale from verbal reminders through to exclusions for the most serious incidents.
- > Staff remind children of expectations of behaviour and consequences for their actions.

Where appropriate restorative approaches will be used to support children to develop the skills to independently take responsibility for their behaviour and make more informed choices in the future. Restorative approaches encourage children to think about how their behaviour affects others, both children and staff.

If a child is presenting with ongoing behaviour difficulties we will work with them to set individual behaviour targets. These will be reviewed regularly with children and their achievements celebrated.



Children who bite - Biting is quite common amongst young children and is a very normal reaction of children of this age group. Children bite for many reasons. Sometimes they are teething; others enjoy the attention it brings. Most of the time, biting occurs because the child is either frustrated (e.g. an activity is too difficult or the child is unable to express himself clearly) or bored (e.g. the activity needs to be more challenging).

Practitioners will always endeavour to identify triggers for the biting behaviour and then we will change the situation by considering the following:

- > Provide easier toys to play with
- > Provide more toys so there is less arguing over a particular toy
- > Provide a range of activities for the child to choose from
- > Watch for signs when the child is about to bite
- > Provide close supervision of children with a tendency to bite others
- > Be sure to praise positive behaviour rather than focus on the unwanted behaviour

What we will do when a child has bitten another child or adult:

- > Make sure both children are safe and administer first aid if appropriate
- > Stay calm and don't blame or punish
- > Help both children to understand the behaviour – talk about what happened
- > Help the child who has bitten to recognise the consequences of their actions and to recognise their feelings i.e. anger/ frustration and of the child they have bitten i.e. hurt/ sadness
- > Talk to the parents of both children at the end of the session
- > Discuss and agree a behaviour plan with the parent, if appropriate to do so

8. Behaviour Expectations and children with Special Educational Needs and Disability (SEND)

All settings should implement a whole school approach that can meet the needs of all children in the setting including children with SEND. Settings need to manage children's behaviour effectively. Settings should anticipate likely triggers and put in place support to prevent these. Measures may include:

- > Individual behaviour plans with strategies such as movement breaks, sensory adaptations, safe spaces to give the child time to regulate their emotions
- > Training for staff in understanding conditions such as autism and developmental trauma

Staff should take account of any contributing factors that are identified after an incident has occurred. Schools need to consider whether a child's SEND has contributed to the incident and if so, whether it is appropriate or lawful to sanction the child. It may be necessary to make reasonable adjustments to the sanction. It is important moving forward to seek to try and understand the underlying causes of behaviour and whether additional support is needed.

9. Use of Reasonable Force

This should be read alongside the Trust's Positive Handling Policy. Any reasonable force is used in the



best interest of the child, and to safeguard them or others from harm.

10. Fixed-term and permanent exclusions

In the event of an exclusion permanent or fixed term, procedures follow DfE Guidance for maintained schools, academies and pupil referral units. Although this exclusion legislation does not include stand-alone nurseries, we have adopted these arrangements to ensure we are consistent with the other school-based nurseries in the Trust.

Exclusion is seen as the last resort in the Trust's system of sanctions. The aim of the our Trust is to keep children in their setting unless cases of indiscipline or breach of setting rules are such that exclusion can be seen as the only way to maintain the safety of individuals, good order, behaviour and discipline.

Reasons for exclusion may include: extreme physical harm caused to another child or adult, significant damage to property, behaviour that poses a significant risk to the child or other people's safety, or persistent disruption to the education of other children.

Exclusions are unlawful if they occur for non-disciplinary reasons, such as:

- > additional needs or a disability that the setting feels it is unable to meet;
- > failure to make reasonable adjustments that could have prevented the behaviour;
- > lack of academic attainment/ability;
- > the actions of a child's parent(s); or
- > failure of a child to meet specific conditions before reinstatement e.g. not attending a reintegration meeting.



Exclusions can be either of two types:

1. **Fixed term:** where the child is excluded between 1 and 5 days in a single occurrence, up to a maximum of 45 days within an academic year. Including fixed period lunch time exclusion.

Fixed-term exclusions totalling five or fewer days (or 10 or fewer lunch-times or half days) in any one term must be reported to local committee members at each meeting and recorded on Arbor. The Trust Board and its committees must consider any representations made by parents, but it cannot direct reinstatement and is not required to arrange a meeting with parents.

2. **Permanent:** where an excluded child has Special Educational Needs and Disability (SEND), it must be demonstrated that the Trust has regard for the SEN Code of Practice and has provided extensive means of support to help meet the child's needs. Early intervention to address underlying causes of disruptive behaviour should include an assessment of whether appropriate provision is in place to support any SEN or disability that a child may have. Any intervention strategies should be discussed with and involve the child's parents.

Only the Academy Head or the CEO in their absence, has the power to exclude a child from the setting. The Academy Head may exclude a child for one or more fixed periods, for up to 45 days in any one academic year. The Academy Head may also exclude a child permanently.

If the Academy Head excludes a child, s/he informs the parents immediately by telephone in the first instance, giving reasons for the exclusion. At the same time, the Academy Head makes it clear to the parents that they can, if they wish, appeal against the decision to The Trust Board and its committees. The setting informs the parents how to make any such appeal. The Academy Head informs the Principal/CEO of the Trust and The Trust Board and its committees about any exclusion.

In the case of a fixed-period exclusion which does not bring the child's total number of days of exclusion to more than five in a term, The Trust Board and its committees must consider any representations made by parents, but it cannot direct reinstatement and is not required to arrange a meeting with parents.

Parents, the Trust CEO and the Local Authority will receive a copy of the formal exclusion letter.

The Trust Board and its committees itself cannot either exclude a child or extend the exclusion period made by the Academy Head.

The Academy Head maintains a record with all the details of every exclusion including on My Concern and incident reports. The Academy Head is responsible for the paperwork. A report on the number, type and nature of exclusions is given to the CEO and The Trust Board and its committees on a half-termly basis.

Work is set for the excluded child for the period of the exclusion and is marked and fed back to the child following the existing Marking Policy.

Following a fixed term exclusion, the child and their parent/carer are seen by the Academy Head at a 'Return to Nursery' meeting prior to being re-admitted to the setting.



Where a child has received multiple exclusions the Academy Head should engage proactively in working with parents/ carers and external agencies. They should consider what additional support or alternative placement may be required. If the child is at risk of permanent exclusion, the parent/carer will be asked to attend a meeting and an Inclusion Action Plan will be drawn up. The aim being to support the child to avoid a permanent exclusion, the setting recognises the importance of partnership with parents particularly at this stage to ensure the child is sufficiently supported to succeed. Where a child has an EHCP settings should consider requesting an early annual review.

The Trust Board will convene a discipline committee, which is made up of between three and five members. These members may be drawn from the Members, Trustees or any of the committees within the Trust. This committee considers any exclusion appeals on behalf of The Trust Board and its committees.

When an appeals panel meets to consider exclusion, they consider the circumstances in which the child was excluded, consider any representation by parents, the Local Authority and the Trust, and consider whether the child should be reinstated.

If The Trust Board and its Committees Members' appeals panel decides that a child should be reinstated, the Academy Head of the setting must comply with this ruling.

11. Wellbeing

Wellbeing of staff is important and the Trust recognises that, at times, staff may have to deal with extreme behaviours. It is important that staff have an opportunity to take some 'time out' to reflect on any serious incident. A template reflection log is available to support staff in this professional process.

APPENDIX 1 FIXED TERM EXCLUSION LETTER

(Insert nursery header)

(Date)

Dear (Parent/Guardian Name),

I am writing to inform you of my decision to exclude (Name of Child) for a (insert number) day fixed period on (Date). This means that they will not be allowed in nursery for this period.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude (Name of Child) has not been taken lightly. In line with our Behaviour and Inclusion Policy, they have been excluded for this fixed period because of:

(Delete as appropriate)

- Behaviour which endangered the safety of him/herself and others
- Physically aggressive behaviour towards members of staff
- Persistently disruptive
- Refusal to follow staff instruction
- Persistent violent behaviour towards school property
- Damage to school property

(Room Lead) will set work to be completed during this period of exclusion (further details/arrangements for work). Please ensure that this work is completed and returned to (Room Lead) when (Name of Child) returns to nursery on (Date).

You also have the right to see a copy of (Name of Child) nursery record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of their nursery record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying. You may want to contact the LA who can provide advice.

(Name of Child) exclusion expires at the end of (Date) and we expect them to be back in nursery on (Date). It would be helpful for us to meet at (Nursery Name) on (Date) to discuss arrangements for their return to nursery, and ensure a successful and positive re-integration back into nursery. (Delete as appropriate) I have also invited members of our Inclusion Team to the meeting so that we can discuss next steps. Please be aware it is against regulations for (Name of Child) to be on nursery premises during the exclusion period.

You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal (Special Educational Needs and Disability). <http://www.justice.gov.uk/tribunals/send>. Making a claim would not affect your right to make representations to the governing body.

Yours sincerely,

Name
Academy Head

APPENDIX 2 PERMANENT EXCLUSION LETTER

(Insert nursery header)

(Date)

Dear (Parent/Guardian Name),

I regret to inform you of my decision to permanently exclude (Name of Child) with effect from (Date). This means that (Name of Child) will not be allowed in this nursery unless they are reinstated by a panel of the Trust Board.

I realise that this exclusion may well be upsetting for you and your family, but the decision to permanently exclude (Name of Child) has not been taken lightly. (Name of Child) has been excluded because despite all of the nursery's reasonable adjustments and support of (Name of Child) since they joined our nursery, their behaviour has now reached a point where their non-compliance, physical aggression and destructive behaviour is threatening the well-being and safety of themselves and the well-being and safety of other children and/or the staff on a regular basis.

Alternative arrangements for (Name of Child) education to continue will be made. For the first five nursery days of the exclusion we will set work for (Name of Child); his/her Room Lead will provide this for you, and we would ask you to ensure this work is completed and returned to nursery. From the sixth nursery day of the exclusion onwards — i.e. from (Date) the relevant local authority will provide suitable full-time education.

As this is a permanent exclusion the Trust Board must meet to consider it. At the meeting you may make representations, your child can also attend the meeting if you wish and you can ask them to reinstate your child in nursery. In light of its consideration, the Trust Board can either direct reinstatement immediately or on a particular date, or decline to reinstate your child in which case you may make application against their decision to an Independent Review Panel.

The latest date by which the Trust Board must meet is (Date) — the 15th nursery day after the date on which the Trust Board was notified of the exclusion. If you wish to make representations to the Trust Board and wish to be accompanied by your child, a friend or representative please contact [insert name and email address of the Academy Head] or via the nursery office as soon as possible. You will, whether you choose to make representations or not, be notified by the Trust of the time, date and location of the meeting. Please let us know if you have a disability or special needs which would affect your ability to attend the meeting. Also, please inform the Trust Clerk, clerk@consortiumacademy.org if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the exclusion relates to a disability your child has and you think disability discrimination has occurred; you have the right to appeal, and/or make a claim, to the First Tier Tribunal (Special Educational Needs and Disability) (<https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>) or the County Court in the case of other forms of discrimination. Making a claim would not affect your right to make representations to the Trust.

Exclusion guidance can be obtained from the Department for Education website at <https://www.gov.uk/government/publications/school-exclusion>. You may also find it useful to contact the Coram Children's Legal Centre <http://www.childrenslegalcentre.com> or ACE Education <http://www.ace-ed.org.uk> who aim to provide impartial advice and information to parents on state education matters.

Advice on the exclusions process can also be obtained from the Exclusions Team in Children's Services by telephone on 01502 674722 or by email to SENDLW@suffolk.gov.uk or the Suffolk SEND Partnership by telephone on **01473 265210** or by email to sendiass@suffolk.gov.uk (for children with special educational needs). For pupils attending school in Norfolk further advice can be obtained from Norfolk County Council by telephone 01603 307727 or by email to csexclusions@norfolk.gov.uk or the Norfolk SEND Partnership by telephone on 01603 704070 or by email to norfolksendiass@norfolk.gov.uk (for children with special educational needs).

Yours sincerely,

Name
Academy Head



Document Control

Changes History

Version	Date	Amended By	Details of Change
7	08.12.2021	Gemma Bucklee	Full Review to reflect Trust ethos. Embedded nurture and trauma aware approaches. Emphasised the importance of focusing positive strategies to support the development of positive behaviours, and highlighting the need for consequences to be time-limited and focused on the future. We are also proposing the use of three rules across the trust (We are Ready, We are Safe, We are Respectful).
Localised v2 Kirkley Nursery	18.5.2022	Caroline Richardson	Minor changes to setting phraseology school/nursery. Addition information on biting behaviours. To clarify the nursery position on exclusion legislation.

Approval

Name	Job Title	Signed	Date
Andrew Aalders-Dunthorne	Principal/CEO	Electronic signature	31/03/2022
Dawn Carman-Jones	On behalf of the Trust Board	Electronic signature	31/03/2022
Andrew Aalders-Dunthorne	Principal/CEO	Electronic signature	13/6/2022
Dawn Carman-Jones	On behalf of the Trust Board	Electronic signature	13/6/2022

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