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

### Value statements:

- Inclusion: a voice for everyone and everyone is heard
- Focus: children and young people at the core of all we do
- Collaboration: together we are stronger
- Quality: excellence through innovation, creativity and continuous improvement
- Integrity: transparency and fairness in all we do

### 1. Aims and expectations

- 1.1 It is a primary aim of our Nursery that every member of the community feels valued and respected, and that each person is treated fairly and well. We are a caring community, whose values are built on mutual trust and respect for all. Our behaviour policy is therefore designed to support the way in which all members of our Nursery can live and work together in a supportive way. It aims to promote an environment where everyone feels happy, safe and secure.
- 1.2 Our Nursery has a number of rules, but the primary aim of the behaviour policy is not a system to enforce rules. It is a means of promoting good relationships, so that people can work together with the common purpose of helping everyone to learn. This policy supports the Nursery community in aiming to allow everyone to work together in an effective and considerate way.
- 1.3 We recognise that young children develop empathy, understanding and communication skills at different ages and stages and this can be easily affected by day-to-day life including illness, additional needs and significant events within their lives.  
At Our Nursery, rules provide a framework for practitioners and children to work within, whilst recognising the need to adapt where necessary whilst maintaining a supportive and safe environment and ethos.
- 1.4 The Nursery expects every member of the community to behave in a considerate way towards others.
- 1.5 We aim to treat all children fairly and apply this behaviour policy in a consistent way.
- 1.6 This policy aims to help children to grow in a safe and secure environment, and to become positive, responsible and increasingly independent members of our community.
- 1.7 We reward good behaviour, as we believe this will develop an ethos of kindness and co-operation. This policy is designed to promote good behaviour, rather than merely deter anti-social behaviour.

### 2. Responsibility

- 2.1 Behaviour is a whole setting responsibility; all members of staff have a duty of care to ensure a safe learning environment.
- 2.2 Practitioners are specifically responsible for the children in their room, including the outdoor learning environment.
- 2.3 Practitioners are responsible for creating and monitoring individual plans for pupils, these include plans for managing behaviour and or learning. These will be created in conjunction with SENDCo and Nursery Manager where appropriate
- 2.4 Where an individual plan is put in place, Practitioners along side the SENDCO/ Nursery Manager should arrange initial and further review meetings with families, ensuring all stakeholders are



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involved in target setting.

## 3. Curriculum Planning and Assessment

- 3.1 All children have the right to access high quality education.
- 3.2 Some children with additional needs and varied developmental levels require fully personalised learning, others need some aspects of the curriculum personalised. Practitioners are expected to plan for appropriate learning for all children within the prime and specific areas of the EYFS.
- 3.3 Practitioners may undertake informal observations to provide them with information / evidence of children's needs, this will be shared with parents/carers. If further, more formal observations /assessments are necessary or referrals to other agencies / professionals are required, then parental consent will always be sought first.
- 3.4 Practitioners in liaison with SENDCo and Nursery Manager will plan observations and assessments of children, where necessary, to identify how best to support their needs and development.

This may take various forms, including the use of The STAR model to observe behaviour and identify triggers.

The **STAR** model of observing behaviour

### S – Settings

Anything happening in the environment that affects behaviour. These can include places, time of day, weather, hunger and environment itself.

### T- Trigger

These are the things that start or stop behaviours. This can include requests to start/stop doing something; another child has taken something off another child etc. Sometimes it is the result of the setting as well (too loud, overcrowded etc.)

### A – Action

The action/behaviour itself. What the child actually does as a result of the 'setting' and 'triggers'. This also includes writing down what we can see and what we can hear.

### R- Response

Response/consequence of the behaviour. All those things that happen as a result.

When we want to intervene to change behaviour (the action) we can either: change the settings and triggers that lead to it or change the responses to the behaviour, i.e. what happens afterwards.

## 4. Supporting positive behaviour

- 4.1 At this age children are learning how to behave appropriately. Many of the things they do are normal for their age and stage of development. We help them to learn when something is dangerous or harmful to themselves or others, and to make positive choices in their behaviour.



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We do this by:

- Noticing positive behaviours and providing positive reinforcement through body language (thumbs up, smile etc.)
- We use Makaton across the setting to support all children in their communication.
- Giving spoken praise, which is specific to the child and the situation.
- Providing positive feedback to parents.
- Ensuring high levels of staff engagement with the children.
- Providing strategies to support turn taking, such as Social Interaction Groups.
- Communicating and modelling positive behaviour using a variety of strategies eg gestures, puppets.
- Creating an environment that minimises conflict e.g. providing sufficient resources, ensuring activities are stimulating and appropriate supervision.
- Providing planned opportunities to discuss behaviour and feelings e.g. through stories or role play.
- Using verbal and visual reminders of acceptable behaviour.

4.2 The Nursery acknowledges all the efforts and achievements of children, both in and out of setting. For example through Tapestry and feedback from parents/carers.

## 5. Dealing with unacceptable behaviour

5.1 The setting employs a number of strategies to embed the rules, and to ensure a safe and positive learning environment. We employ each strategy appropriately to each individual situation and age and stage of the child. All staff will ensure that the provision is adapted to meet the needs of every child as far as reasonably practicable.

These strategies include:

- Making eye contact with the child
- Reinforce and model Makaton and other non verbal cues
- Being clear about the behaviour that is unacceptable
- Getting down to the child's level to talk to them
- Explaining the consequence of some behaviours and offering choices, supporting the children to think of solutions to put things right e.g. the use of picture prompts.
- Supporting children to recognise their feelings
- Providing time away from the situation to calm down and reflect before talking the behaviour through
- Providing a distraction or alternative activity
- Informing parents and carers



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- 5.2 **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 fighting over a particular toy
- Provide a range of activities for the child to choose from
- Watch for signs for when the child is about to bite
- Provide close supervision of children with a tendency to bite others
- Be sure to praise good behaviour rather than focus on the bad behaviour

What to 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 of the biter, if appropriate to do so

- 5.3 In each room, practitioners will agree rules with the children and these will be displayed on the wall of the room. In this way, every child knows the standard of behaviour that we expect in our nursery. Incidents of anti-social behaviour may be discussed with all the children.

#### 5.4 **Sanctions**

Although our approach to behaviour support and inclusion very much focuses on reinforcing positive behaviour, there may be times that the use of sanctions may be required.

This may mean

- The removal from the immediate situation in order to maintain the safety and well being of all children and staff.
- A short period of time in which the child is supported to become calm and reflect/discuss where appropriate.
- The temporary removal of a resource may be necessary. This will be re introduced with support at an appropriate time.



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- 5.4 Our nursery does not tolerate bullying of any kind. If we discover that an act of bullying or intimidation has taken place, we act immediately to stop any further occurrences of such behaviour. We do everything in our power to ensure that all children attend our nursery are free from fear. Refer to our Anti Bullying Policy.
- 5.5 All members of staff are aware of the regulations regarding the use of reasonable force (see Positive Handling Policy) by teachers, as set out in Section 93 of the Education and Inspections Act 2006. Use of Reasonable Force (July 2013), Practitioners and all other staff do not use physical force for any other reason than to ensure the safety of the child, or others, from physical harm, to prevent damage to property which may present a health and safety risk, or to take control in an extreme situation. All incidents of restraint are recorded on a Physical Intervention Record Form (Appendix 2.1 Positive Handling Policy).
- 6. The role of the Practitioners**
- 6.1 It is the responsibility of the practitioners to ensure that the rules are embedded in their room and that their children behave in a responsible manner.
- 6.2 Staff that routinely supervise or work with children have a duty of care to all, throughout the nursery, throughout the day and should support them to make the right choices in line with expected behaviours.
- 6.3 Practitioners in our nursery have high expectations of the children in terms of behaviour, and they strive to ensure that all children achieve to the best of their ability.
- 6.4 Our practitioners treat each child fairly and reinforce positive behaviours consistently. The practitioners treat all children in their care with respect and understanding.
- 6.5 Persistent incidents are recorded on My Concern and the necessary actions taken such as informing SENDCo, discussions with parents, behaviour plans and liaising with other professionals.
- 6.6 The SENDCo or Nursery Manager liaises with external agencies, as necessary, to support and guide the progress of each child. They may, for example, discuss the needs of a child with the social worker or behaviour support services.
- 6.7 The practitioner reports to parents/ carers about the progress of each child in their room. They may also contact a parent if there are concerns about the behaviour or welfare of a child.
- 7. The role of the Nursery Manager and Academy Head**
- 7.1 It is the responsibility of the Nursery Manager and Academy Head to ensure the health, safety and welfare of all children in the setting. It is their responsibility, under the School Standards and Framework Act 1998, to implement the behaviour and inclusion policy consistently throughout the setting, and to report to the Locality Committee, when requested, on the effectiveness of the policy.



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- 7.2 The Nursery Manager and Academy Head support the staff by implementing the policy, by setting the standards of behaviour, and by supporting staff in the implementation of the policy.
- 7.3 All reported serious incidents relating to behaviour are reported to Senior Leaders and recorded on My Concern for discussion, review and appropriate action.

## **8. The role of parents and carers**

- 8.1 Our nursery works collaboratively with parents, so children receive consistent messages about how to behave at home and at nursery.
- 8.2 We share this policy with all parents/ carers and we expect parents to read the document and support the content.
- 8.3 We try to build a supportive dialogue and partnership with parents and we inform parents immediately if we have concerns about their child's welfare or behaviour. Two way information sharing is the key to providing consistent support and messages for children.
- 8.4 If the nursery has to use reasonable consequences to sanction a child, parents are expected to support these actions. If parents have any concern about the way that their child has been treated, they should initially contact the Academy Head. If the concern remains, they should contact the nursery Locality Committee Members. If these discussions cannot resolve the problem, a formal grievance or appeal process can be implemented.

## **9. Role of the Trust Board**

- 9.1 The Trustees have the responsibility of setting down these general guidelines on standards of discipline and behaviour, and of reviewing their effectiveness. The Trustees support the Academy Head in carrying out these guidelines. The Academy Head has the day-to-day authority to implement the nursery behaviour and discipline policy, but Trustees may give advice to the Academy Head about particular disciplinary issues.

The Academy Head must take this into account when making decisions about matters of behaviour.

## **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.

- 10.1 Exclusion is seen as the last resort in the setting's system of sanctions.



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- 10.2 The aim is to keep children in nursery unless cases of indiscipline or breach of nursery rules are such that exclusion can be seen as the only way to maintain the safety of individuals, good order, behaviour and discipline.
- 10.3 Exclusions are illegal if they occur for non-disciplinary reasons, such as:
- Additional needs or a disability that the nursery feels it is unable to meet;
  - Lack of academic attainment/ability;
  - The actions of a child's parent(s); or
  - Failure of a child to meet specific conditions before reinstatement.
- 10.4 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 lunchtime exclusion.  
  
Fixed-term exclusions totalling five or fewer week 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 Pupil Asset. The Locality Committee 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 (SEN) or is on the SEN register, it must be demonstrated that the academy 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.
- 10.4 Only the Academy Head has the power to exclude a child from nursery. 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.
- 10.5 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 Locality Committee. The nursery informs the parents how to make any such appeal. The Academy Head informs the Principal/CEO of the Trust and the Locality Committee about any exclusion.
- 10.6 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 Locality Committee must consider any representations made by parents, but it cannot direct reinstatement and is not required to arrange a meeting with parents.
- 10.7 Parents, the Trust CEO and the Local Authority will receive a copy of the formal exclusion letter.
- 10.8 The Locality Committee itself cannot either exclude a child or extend the exclusion period made by the Academy Head.



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- 10.9 The Academy Head maintains a serious incident file, which records all the details of every exclusion and is responsible for the paperwork. A report on the number, type and nature of exclusions is given to the CEO and the Locality Committee on a half-termly basis.
- 10.10 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 nursery.
- 10.11 In some cases, a child has one or more fixed term exclusions coupled with a poor behaviour record, the placement at the nursery may be deemed inappropriate for the child. If the child is at risk of permanent exclusion, the parent/carer will be asked to attend an interview and an Inclusion Action Plan will be drawn up. The aim being to support the child to avoid a permanent exclusion, the nursery recognises the importance of partnership with parents particularly at this stage to ensure the child is sufficiently supported to succeed.
- 10.12 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 Locality Committee within the Trust. This committee considers any exclusion appeals on behalf of the Locality Committee.
- 10.13 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.
- 10.14 If the Locality Committee Members' appeals panel decides that a child should be reinstated, the Academy Head of the nursery 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.



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## Document Control

### Changes History:

Version date	Amended by	Details of change
V2 26.04.2017	– Principal/CEO	To clarify protocols around exclusion.
V3 08.09.2017	– Principal/CEO	To clarify protocols around the appeals process for parents, in line with National Guidance.
V4 01.08.2018	– Principal/CEO	To remove the reference to converting a fixed term exclusion to a permanent exclusion
V5 26.04.2019	– Nigel Shaddick - WISA	Addition information regarding permissible exclusion reasons; addition of value statements and updating references to Governing Body
V6 02.04.2020	Tamsin Little Director Primary Education	Re-numbering of paragraphs after adding: 2) Responsibility 3) Curriculum Planning 10) Wellbeing

### Approval

Name	Title	Signed	Date
Andrew Aalders-Dunthorne	CEO & Principal	Electronic signature	01.08.2016
Dawn Carman-Jones	On behalf of Trust Board	Electronic signature	01.08.2016
Andrew Aalders-Dunthorne	CEO & Principal	Electronic signature	04.02.2021
Dawn Carman-Jones	On behalf of Trust Board	Electronic signature	04.02.2021

### Equality Impact Assessment

Date	Name	Details of Impact

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