



BEHAVIOUR MANAGEMENT AND DISCIPLINE POLICY

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3.3	5 April 2023	Update to include Secondary

1. Purpose

The purpose of this policy is to outline The Nature School Inc's (TNS) approach to the management of students' behaviour, ensuring disciplinary procedures are based on principles of procedural fairness.

2. Context

The Behaviour Management and Discipline Policy applies to all students at TNS. Staff ensure that the policy is carried out and also act as role models for the expected behaviour. TNS fosters an environment of mutual respect and will not tolerate behaviour by students, parents, teachers or volunteers, which does not support a respectful learning environment.

TNS adheres to the United Nations Convention on the Rights of the Child (Article 28/Right to Education) and promotes an atmosphere where all people are afforded the utmost respect as follows: *Discipline in schools should respect children's dignity. For children to benefit from education, schools must be run in an orderly way – without the use of violence. Any form of school discipline should take into account the child's human dignity.*

Relevant legislation	Education and Care Services National Law Act 2010 Children's Services Act 1996 (CSA) <i>The Children and Young Persons (Care and Protection) Act 1998 (NSW) (the Care and Protection act)</i>
Related TNS policies	TNS Child Protection Policy TNS Grievance Resolution Policy TNS Pastoral Care Policy TNS Bullying Prevention Policy – Students TNS Alternate Teaching Policy

3. Policy

It is TNS policy that:

- All students are to observe the School's rules. These rules also serve as a readily

understandable code of conduct for children and are built on a foundation of **safety, respect** and **learning**:

Keep yourself safe – Keep others safe

Respect yourself – Respect others – Respect the environment

Never stop learning – Never stop others from learning

- The School will deal with student disciplinary matters quickly and effectively, while ensuring procedural fairness and the right to an unbiased decision, in order that a positive and productive learning environment is maintained for all students. TNS is committed to:
 - establishing a high standard of expected behaviour throughout the community
 - providing a supportive and safe environment for all children, employees, volunteers and families
 - ensuring ethical and professional behaviour by all parties
 - ensuring optimal student welfare
 - developing an honest, inclusive and socially responsive community
 - transparent communication with all parties and in all levels at all times
 - maintaining confidentiality wherever possible

This policy does not address disciplinary matters involving staff or volunteers.

4. Definitions

Procedural fairness - a basic right of all when dealing with authorities; what is sometimes described as the 'hearing rule' or 'natural justice'. Procedural fairness includes the right of the person, against whom an allegation has been made, to:

- know the allegations related to a specific matter and any other information which will be taken into account in considering the matter;
- know the process by which the matter will be considered;
- have the opportunity to respond to the allegations;

- know how to seek a review of the decision made in response to the allegations.

Right to an unbiased decision - the right to impartiality in an investigation and decision making and an absence of bias by a decision-maker. The review mechanism adds to the fairness of the process.

Unacceptable Behaviours - The following behaviours are unacceptable regardless of whether they occur in the classroom, on the playground, on excursions, at sporting activities, during special events or online:

- intimidation and bullying of other students
- repeated deliberate words or actions which seek to hurt, threaten or exclude another student
- vandalism
- swearing
- deliberately not following teacher instruction
- stealing from others/classroom/School
- exclusion or mistreatment of a person with a disability
- verbal aggression, name calling, insults, put downs, shunning
- physical aggression, even of a minor nature
- ridiculing a person's appearance, race, or other personal characteristics
- repeated offences
- coercing another student to engage in unacceptable behaviours

The extent and repetition of the breach of School rules (particularly regarding unsafe or disrespectful behaviours) and the nature of the student determines the consequences.

Non-Negotiable Behaviours - The following behaviours are deemed as both non-negotiable and unacceptable:

- swearing at, open defiance or abuse towards any staff
- violent or threatening behaviour
- carrying or using a weapon
- possession of an illegal drug

- engaging in criminal behaviour relating to School property

Suspension - mandatory leave assigned to a student as a consequence of serious behaviour. Suspension can last anywhere from one day to several weeks, during which time the student is not allowed to attend regular School lessons. Suspensions may be undertaken at home or in-school.

Exclusion – the act of preventing a student’s admission to a number of schools. TNS does not practice exclusion.

Expulsion - Expulsion refers to the termination of a student’s enrolment due to persistent violation of School rules, or for a single offense of appropriate severity in extreme cases.

5. Procedures

5.1 Rules and student responsibilities

The School rules about safety, learning and respect (outlined above) cover a broad range of behaviours and expectations, and are applied to all learning environments. The rules are displayed in the School and children are regularly reminded of these rules and as needed. These rules are reflective of students’ rights. At TNS:

- every child has the right to feel safe
- every child has the right to be respected
- every child has the right to learn

5.2 Behaviour management

Teachers may use, at their discretion, a range of strategies to encourage appropriate individual or collaborative behaviour and ensure the ongoing maintenance of a positive and productive learning environment. Such strategies should be appropriate to the age and needs of the students, in keeping with the ethos of the School, and evaluated regularly for their effectiveness.

Where possible, staff use positive language when discouraging inappropriate behaviour.

When necessary, staff will immediately stop a behaviour if there is a risk of harm to the student or others. The same rules also apply during offsite excursions, camps, and extra-curricular activities.

5.3 Staff Guidelines for Procedural Fairness

Establish the issue and responsibility for unacceptable behaviour

- Listen to the student and/or other people present to ascertain the offence. Allow all people involved, the opportunity to present their own version of events.
- Ask the student what they were thinking at the time of the incident.
- Demonstrate, by giving feedback to the student, your understanding of the offence (who, what, how, when, why).

Establish an understanding of the effect of the unacceptable behaviour

- Explain to the student the reason that this behavior is unacceptable and which School rule has been breached.
- Inform the student of the School's position about the behaviour.

Establish a course of action to deal with the unacceptable behaviour

- Encourage restoration with those offended (through apology or other means).
- Determine a suitable consequence, in line with the unacceptable behaviour wherever possible. Children may participate in setting their own consequences where appropriate.
- Depending upon the nature of the unacceptable behaviour, discuss with the student a procedure for managing themselves so that the offence is not repeated.
- Depending on the nature and severity of the behaviour the student's parent/s may be involved in some or all of the actions. Advice should be sought from the Head of School.
- Refer Section 5.4 Implementation of Disciplinary Consequences.

Establish a course of action for students with a disability or additional needs

- Teachers should consult with the Head of School in dealing with a student who has a disability or additional needs, where such needs impact their behaviour.

Review of a decision made on course of action

- Any further concerns in relation to the decision should be raised in accordance with TNS Grievance Resolution Policy.

5.4 Implementation of Disciplinary Consequences: Course of Action

Outlined below are the four levels of response to unacceptable behaviours.

Documentation of incidents is recorded in the student's file in the online student management system (Sentral).

	Level 1	Level 2	Level 3	Level 4
Behaviour of students	Minor incidents	Repeated minor incidents	Serious incident or incident leading to injury	Non-negotiable behaviours, repeated serious incidents, persistent bullying
Response of adults	Class teacher or staff on duty to respond	Class teacher or staff on duty to respond	Class teacher or staff on duty to respond	↓
		Record on Sentral	Record on Sentral	Record on Sentral
		Notify parents	↓	↓

		Notify Head of School	Refer to Head of School	Refer immediately to Head of School
			Head of School and parents establish IBP (behaviour plan)	Head of School meet formally with parents and teacher/s
			Possible suspension	Possible suspension or expulsion

The following provides further procedural detail at each level:

Level 1 - Teacher Action Plan for Unacceptable Behaviour

- Teacher refer to School rules and clarify expected behaviour.
- Removal from class to work in another supervised setting if appropriate.
- Seek means for restoration of relationships through restorative practices.

Level 2 - Teacher Action Plan for Repeated Unacceptable Behaviour

- Interview children involved and record the nature and extent of the unacceptable behaviour/s.
- Implement appropriate consequences for unacceptable behaviour/s.
- Seek means for restoration of relationships through restorative practices.
- Record details in the online student management software.
- Notify parents/carers via email or phone call.
- Consider implementing an Individual Behaviour Plan (IBP) if necessary.
- Consider other support such as a Social Skills program either on an individual / group/ class basis.

Level 3 - Head of School Action Plan for Unacceptable Behaviour – Serious, Repeated or Causing Injury

- Interview child to clarify circumstances. Ask what they were thinking at the time.
- Record details in the online student management software.
- Where the offence has resulted in an injury, an Incident/Accident/Near Miss form must be completed.
- Interview with parents.
- Seek means for restoration of relationships through restorative practices.
- Implement appropriate consequences. Possible suspension may be considered in some circumstances. If so, see Level 4.
- Implement an Individual Behaviour Plan if appropriate.
- Provide access to, and use of, counselling services within the local community as per TNS Pastoral Care Policy if necessary.

Level 4 – Head of School Action Plan for Serious and Repeated Unacceptable or Non-negotiable behaviour

- May require completion of Incident, Accident or Near Miss form by the Head of School.
- Must be recorded in the online student management software.
- Requires that a formal parent interview is convened, with the Head of School and class teacher (if appropriate) present.
- Suspension may occur either in School or out of School, for one (1) or more days, dependent upon the circumstances as decided by the Head of School.
- May require the provision of class work to be completed during the suspension, if appropriate.
- If suspension has previously occurred, the Head of School will discuss with the student and their parents/carers whether the student's enrolment at the School is in the best interests of the student's education and the School community's welfare.
- Expulsion may occur dependent upon the circumstances as decided by the Head of School.

In the event of serious breaches of the School rules involving non-negotiable behaviours, the matter will be investigated, and the management of consequences in response to non-negotiable behaviours is left to the discretion of the Head of School.

Should the Head of School be absent for any reason, the most senior teacher assumes responsibility for handling Level 2 and Level 3 disciplinary issues as per TNS-034 Alternate Teaching Policy. The acting teacher must debrief with the Head of School regarding all disciplinary issues and responses on their return. If a Level 4 incident occurs while the Head of School is absent, they must make every reasonable attempt to contact the Head of School. If the Head of School is non-contactable, the acting teacher must immediately notify the Board Chair by direct phone call. The Board Chair assumes responsibility for immediate response to the situation unless or until the Head of School can be contacted.

5.5 Prohibited Consequences

Corporal punishment is expressly prohibited. The administering of corporal punishment by non-School persons, including parents, to enforce discipline at the School is not condoned. Where the use of corporal punishment is brought to the attention of the School and constitutes risk of significant harm to the child, notification will be made to the appropriate agencies under Child Protection legislation.

5.6 Investigation of Serious Matters

Where necessary and appropriate, the Head of School will involve NSW Police regarding serious matters.

If TNS determines that it is warranted, investigations may be undertaken into more serious behavioural or disciplinary matters or allegations. Investigations will be carried out by appropriately skilled individuals. The investigation process will be determined on commencement of the investigation, and any parties to the investigation will be advised

of the investigation process.

During investigations of behavioural issues, witnesses may be required to make verbal or written statements where appropriate. Witnesses may include students, teachers, volunteers, or other members of the School community. Witnesses and those whose actions are under investigation, will be reminded of the importance of maintaining confidentiality. Reference should be made to the TNS Discrimination, Bullying and Harassment Policy for behavioural matters involving discrimination, bullying, or harassment allegations.