



RIVERS ACADEMY BEHAVIOUR POLICY - Temporary Covid-19 Update (23/02/21)

Rivers Academy Behaviour Policy	<p>Reviewed and updated in accordance with the current systems and government guidance</p> <p>The policy version supersedes all previous issues</p>
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Our Mission

The singular purpose of Rivers Academy is to actively engage every student in achieving outstanding outcomes ready for successful progression to skilled employment or University study. We have the highest expectations in terms of attendance, punctuality, uniform, behaviour and mutual respect but also offer the very best support for all students in ensuring all reach their fullest potential.

Aims:

The Regional Board, Principal, staff, parents and students of Rivers Academy West London are determined to develop, work in and send their children to, an outstanding Academy. Excellent behaviour from all students that maximises learning and progress are fundamental to achieving this aim. We seek to create a caring learning environment in the Academy by:

- Ensuring a safe and harmonious community underpinned by developing the self-worth, engagement and purpose of every student and built on a culture of mutual respect.
- Ensuring a learning environment that promotes equality of opportunity for all and encourages positive behaviours.
- Promoting a broad and balanced curriculum that develops the spiritual, moral, cultural, health and economic well-being of students to support the development of positive character attributes.
- Providing a clear and consistent rewards system.
- Ensuring support for more vulnerable students.
- Promoting support and training for staff to ensure well planned, challenging and engaging lessons.
- Ensuring a consistent and fair response to any behaviour not meeting our expectations.
- Ensuring clear rules that define the limits of positive and negative behaviour.

2. Legislation and statutory requirements

This policy is based on advice from the Department for Education (DfE) on:

- [Behaviour and discipline in schools](#)
- [Searching, screening and confiscation at school](#)
- [The Equality Act 2010](#)
- [Use of reasonable force in schools](#)

- [Supporting pupils with medical conditions at school](#)
- [Changes to the school exclusion process during the coronavirus \(COVID-19\) outbreak](#)

It is also based on the [special educational needs and disability \(SEND\) code of practice](#).

In addition, this policy is based on:

- Section 175 of the [Education Act 2002](#), which outlines a school's duty to safeguard and promote the welfare of its pupils
- Sections 88-94 of the [Education and Inspections Act 2006](#), which require schools to regulate pupils' behaviour and publish a behaviour policy and written statement of behaviour principles, and give schools the authority to confiscate pupils' property
- [DfE guidance](#) explaining that maintained schools should publish their behaviour policy online
- Schedule 1 of the [Education \(Independent School Standards\) Regulations 2014](#); paragraph 7 outlines a school's duty to safeguard and promote the welfare of children, paragraph 9 requires the school to have a written behaviour policy and paragraph 10 requires the school to have an anti-bullying strategy
- [DfE guidance](#) explaining that academies should publish their behaviour policy and anti-bullying strategy online

This policy complies with our funding agreement and articles of association.

3. Bullying

With reference to Government guidance on bullying at school <https://www.gov.uk/bullying-at-school> there is no legal definition of bullying, however, it's usually defined as behaviour that is:

- repeated
- intended to hurt someone either physically or emotionally
- often aimed at certain groups, for example because of race, religion, gender or sexual orientation

It takes many forms and can include:

- physical assault
- teasing
- making threats
- name calling
- cyberbullying - bullying via mobile phone or online (for example email, social networks and instant messenger)

Details of our Academy's approach to preventing and addressing bullying are set out in our anti-bullying strategy which can be found on our website.

4. Roles and Responsibilities:

The Regional Board, Principal and staff will ensure there is no differential in the application of the policy and procedures on any grounds, particularly ethnic or national origin, culture, religion, gender, disability, sexuality or choice of gender while ensuring a personalised approach to the specific behavioural and learning needs of particular pupils. They will also ensure that the concerns of students are listened to and appropriately addressed.

Academy staff consult annually to develop the procedures arising from this policy. The procedures make clear to the students how acceptable standards of behaviour can be achieved and will have a clear rationale that is made explicit to staff, students and parents.

4.1 The Regional Board

The Regional Board is responsible for monitoring the effectiveness of the Behaviour Policy. The Regional Board considers the effectiveness of this policy regularly and ensures the Academy reviews its procedures annually

4.2 The Principal

The Principal, through the Vice Principals and Assistant Principals, will be responsible for the implementation and day-to-day management of the behaviour policy and procedures.

4.3 The Academy Leadership Team

The Academy Leadership Team will: provide support for staff faced with challenging behaviour from students.

The Academy Leadership Team will ensure that the Academy environment encourages positive behaviour; ensure that staff deal effectively with poor behaviour; and monitor how staff implement this policy to ensure rewards and sanctions are applied consistently.

4.4 Staff

Staff are responsible for implementing the behaviour policy and consistently modelling positive behaviour. Staff are responsible for providing a personalised approach to the specific behavioural and learning needs of particular pupils. Staff are responsible for recording behaviour incidents.

Mutual support amongst all staff in the implementation of the policy is essential. Staff also have responsibility, with the support of the Academy Leadership Team, for creating a high quality learning environment, teaching good behaviour and implementing the agreed policy and procedures consistently.

Teaching and support staff are responsible for setting the tone and context for positive behaviour within the classroom.

They will:

Create and maintain a stimulating learning environment that encourages pupils to be engaged in their learning

Display the Home Academy Agreement

Develop a positive relationship with pupils

Plan for the needs of individual pupils following any advisory plans in place Plan for academic challenge and progress

Staff should also consider whether continuing disruptive behaviour might be the result of unmet educational or other needs. At this point, staff should refer the student to the Assistant Principal responsible for inclusion to consider whether a multi-agency assessment is necessary.

Staff should consider whether the behaviour under review gives cause to suspect that a child is suffering, or is likely to suffer significant harm. Where this is the case, Academy staff should follow the Academy's safeguarding policy.

4.5 Parents and carers

Parents and carers will be expected to take responsibility for the behaviour of their child both inside and outside of the Academy. They will be encouraged to work in partnership with the Academy to assist the Academy in maintaining high standards of behaviour and will have the opportunity to raise any issues arising from the operation of this policy with their child's Head of Faculty. Parents are expected to:

- Support their child in adhering to the pupil Home Academy Agreement which can be found at the link below:

<http://www.rivers-aspirations.org/345/statutory-information/category/18/behaviour-amp-exclusion-policy-co-de-of-conduct-policy-uniform-expectation>

- Inform the Academy as soon as possible of any changes in circumstances that may affect their child's behaviour
- Discuss any behavioural concerns with the class teacher promptly

4.6 Students

Students have a responsibility for their own behaviour and will be made fully aware of the Academy policy, procedures and expectations as outlined in the Home Academy Agreement. Students also have a responsibility to ensure that incidents of disruption, violence, bullying and any form of harassment are reported.

7. Rewards and Sanctions:

7.1 Recognition of Positive Behaviour:

At Rivers Academy West London we focus on positive attitudes to learning and the promotion of good behaviour across the Academy. Rewards including postcards and letters home and Aspiration Points can be earned through effort during lessons, attendance, high quality homework and actions that encourage a cohesive community. They have a motivational role in helping students to realise that good behaviour is valued; integral to the system of rewards is an emphasis on praise, both informal and formal, to individuals and groups.

7.2 Sanctions:

Sanctions are needed to respond to inappropriate and unacceptable behaviour and to deter further negative behaviour and ensure that all students receive the clear message that Rivers Academy is focused on learning and creating a calm, purposeful and aspirational environment. A range of sanctions including detentions for minor behaviour incidents and Internal Exclusion, and External Exclusion for serious behaviour incidents are deployed appropriately. The use of these is monitored carefully.

Exclusion of Student:

The Academy complies with the DfE exclusion guidelines: *Exclusion from maintained schools, Academies and pupil referral units in England*. Updates to the guidance will be applied. This document covers Year 7 to Year 13.

Before making the decision to exclude, the Academy will ensure that a thorough investigation has been carried out, including allowing the student to give his/her version of the events both orally and in a written statement, seeking witness evidence and, where available CCTV footage. Consideration will be given to any evidence of provocation (racial, sexual or otherwise). Any record of previous misdemeanours will also be taken into consideration.

No student will be sent off site before the end of the day unless contact has been established with parents/carers. In the event of contact not being made, the student must remain on site, withdrawn from class until the end of the normal Academy day. At the point of exclusion, a letter will be sent home both by hand (when the student is on site) and by first-class post, stating the reason for the exclusion. Wherever possible, telephone contact will be made with parents of the student informing them of the exclusion. All exclusions will be recorded on the Academy Exclusion Database and on the student's file. The Chair of the Regional Board will be informed within one Academy day of all permanent exclusions, and fixed term exclusions if appropriate.

7.3 Misconduct

Misconduct is defined as:

- Disruption in lessons, in corridors between lessons, and at break and lunchtimes
- Non-completion of classwork or homework
- Poor attitude to learning
- Uniform infringement

7.4 Serious Misconduct

Serious misconduct is defined as:

- Persistent breaches of the Academy Code of Conduct
- Any form of bullying
- Sexual assault, which is any unwanted sexual behaviour that causes humiliation, pain, fear or intimidation
- Vandalism
- Theft
- Fighting
- Smoking
- Racist, sexist, homophobic or discriminatory behaviour
- Coughing at, sneezing at and spitting at any person
- Breaking social distancing rules

- Wilful and repeated transgression of protective measures in place to protect public health
- Use or threat of use of an offensive weapon or prohibited item
- Abuse against sexual orientation and gender identity
- Abuse relating to disability
- Inappropriate use of social media or online technology

- Possession of any prohibited items. These are:
 - Knives or weapons
 - Alcohol
 - Illegal drugs
 - Stolen items
 - Tobacco and cigarette papers
 - Fireworks
 - Pornographic images
 - Any article a staff member reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of, any person (including the student)

Not all major incidents will lead to an exclusion, with every case being assessed on an individual basis

7.4 Serious misconduct which may lead to the most serious consequences:

Physical and verbal abuse

Actual or threatened violence against another student or a member of staff will not be tolerated. No student/parent/carer has the right to use verbal or physical abuse to any member of the Academy, which reserves the right to refer incidents of violence or aggression to the police.

Drugs and alcohol

Possession, use or sale of drugs and/or alcohol in the Academy or community is completely unacceptable and may result in a permanent exclusion.

Weapons

Possession or use of knives (or other items which could be used as weapons or to cause harm) is completely unacceptable and may result in a permanent exclusion.

Persistent disruptive or defiant behaviour

Any student who repeatedly misbehaves is doing so persistently. Whereas individual instances of this behaviour may not be serious as 'one off' incidents, when done repeatedly, they are very disruptive to effective teaching and learning. A student does not need to repeatedly be told to change their behaviour by different members of staff. If the behaviour continues it can lead to permanent exclusion. Defiance is the refusal to accept the authority of others. At Rivers Academy students are expected to follow instructions from adults with thought and care. If they are persistently defiant, students will face serious consequences (potentially an Internal Exclusion or External Exclusion).

Malicious Allegations

Allegations of abuse by staff will be taken seriously. Rivers Academy will deal with allegations quickly in a fair and consistent way that provides effective protection for the child and supports the person who is the subject of the allegation. Every effort will be made to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated.

The Academy will take serious action against anyone who is found to have made malicious accusations against its staff. Such actions by a student would be likely to result in permanent exclusion. (DfE advice on Behaviour 21st April 2011)

Please refer to our CP and Safeguarding Policy for more information on responding to allegations of abuse.

The Principal will also consider the pastoral needs of staff accused of misconduct.

Criminal Behaviour

Criminal behaviour outside the Academy is a matter for the police to investigate and the Academy would not impose a behaviour sanction for this behaviour, unless the police have decided not to pursue the matter as a

criminal investigation or there is a clear link to misconduct on Academy premises or in exceptional circumstances, it is not tenable under Health and Safety for the child to return to Academy .

COVID – 19 Additional amendments

The Behaviour Policy must be followed at all times including the following amendments. Rewards and sanctions will be given as set out in the policy. However, if a pupil is not following these additional expectations then they may be sent home to ensure the safety of those on site.

- Pupils must not come to school if they are feeling unwell.
- Pupils are expected to wear uniform but not blazers and ties.
- Pupils must enter through their designated entrance, ensuring they line up 2m apart, using the visible markings for guidance. Staff will be responsible for guiding pupils into the building.
- Upon entering the building, everyone will be expected to wash their hands thoroughly and use the hand sanitiser provided. Pupils must avoid touching their face at any time with their hands.
- Pupils must maintain the 2m social distancing at all times and must not socialise with anyone outside of their designated group during break/lunchtimes. Pupils must stay within their allocated zone at playtimes and lunchtimes.
- When moving around the school, pupils must follow the one way system which is clearly marked out, maintain 2m distance from anyone else, avoid talking, not go into any areas that are taped off as out of bounds.
- When going to use the toilet, pupils must not enter if someone else is in the toilet area. A queue should be formed using the markings provided. Ensure hands are washed thoroughly before leaving the toilet area.
- Pupils must use a tissue if they need to blow their nose, cough or sneeze, using the 'Catch it, Kill it, Bin it' guidance. The tissue must then be put in the bin provided and hands washed thoroughly.
- Equipment must not be shared. Pupils must keep their own set of stationery equipment to use themselves. This must be left in their pencil case on their chair overnight. Books must not be shared.
- Water bottles may be brought to school but must be used only by the owner.

- Coughing at, sneezing at and spitting at any person is absolutely prohibited and anyone doing so will be sent home immediately
- Pupils must inform their group teacher straight away if they feel unwell. They will then be supported appropriately.
- Any student who refuses to comply with the reasonable requests of staff, given the current extraordinary circumstances, may be sent home. They will not be allowed to attend the Academy and will be expected to work from home with their parents'/carers' supervision.

The Academy has identified the following reasonable adjustments that need to be made for pupils who display more challenging behaviour or students who have SEND needs:

- A separate area for teaching and learning with 1-2-1 / 1-2-2 provision with assigned lead key worker

7.5 Off-site behaviour

Sanctions may be applied where a pupil has misbehaved off-site when representing the Academy , such as on an Academy trip or on the bus on the way to or from the Academy

Appendix 1: Screening, searching, use of reasonable force and confiscation powers

Screening and Searching

Academy staff have the following powers to search students:

Common law power to search students **with their consent** for any item. Consent can be provided verbally.

A search should only be conducted if the member of staff has reason to believe that the student has a prohibited item (see list below). The search can include a search of a bag and a request to the student to turn out their pockets. A refusal to cooperate can result in an appropriate disciplinary sanction.

Certain academy staff can search students without consent for a prohibited item in the following circumstances:

- The staff member is a teacher or another person with authority of the Principal. The Principal has authorised the Vice Principal, Assistant Principals and other key pastoral staff to undertake searches. In exceptional circumstances, the Principal reserves the right to authorise any appropriate member of staff.
- The member of staff is of the same sex as the student being searched and there is another member of staff, preferably of the same sex, present during the search. The only exception to this is if there is a risk of serious harm to a person if the search is not conducted immediately and it is not reasonably practicable to summon another member of staff, in these circumstances a member of staff of the opposite sex can search without a witness.
 - The member of staff must have reasonable grounds for suspecting that the student is in possession of a prohibited item.
 - The student is on Academy premises or if elsewhere, where the member of staff has lawful control or charge of the student, eg. on educational visits.
 - The member of staff can only require outer clothing to be removed. Outer clothing is defined in Government guidance on search powers and includes clothing that is not worn next to the skin or immediately over a garment being worn as underwear, although it includes hats, shoes, boots, gloves and scarves.

● A search of a student's possessions must take place in the presence of the student, unless there is a risk of serious harm to another person if the search cannot be conducted immediately and the student is unable to be present immediately.

Reasonable force can be used to conduct a search for prohibited items.

Prohibited items include the following:

- Knives or weapons, alcohol, illegal drugs and stolen items
- Any item which could be intended/construed as an offensive weapon
- Tobacco and cigarette papers, fireworks and pornographic images
- Any article that a member of staff reasonably suspects has been or is likely to be used to commit an offence, cause personal injury or to damage property

Confiscation powers

A member of staff can confiscate items in the following circumstances:

Staff can confiscate, retain or dispose of a student's property as a disciplinary penalty, where it is reasonable to do so.

Following a 'with consent' search, where it is reasonable, any item found can be confiscated, retained or destroyed, except any item constituting a weapon must be passed to the police and any item which may be required as evidence for a criminal offence should be passed to the police.

Following a 'without consent' search, any prohibited item or any evidence in relation to an offence can be seized.

Weapons, suspected stolen items, pornographic images and controlled drugs should be delivered to the police, unless there is good reason for not doing so e.g. low value items such as a pencil case may be dealt with by confiscation and return to the owner. If the police do not intend to investigate, any items returned to the Academy can be disposed of as the Academy sees fit.

Images found on electronic devices can be deleted, unless they may be evidence of a criminal offence, in which case the device should be passed to the police. Alcohol, fireworks and tobacco items may be retained or disposed of.

The Academy will inform parents and carers if following a search, alcohol, illegal drugs or potentially harmful substances are found. The Academy will also inform parents and carers if any items are passed to the police. The Academy will not seek consent from parents prior to a search being carried out.

Any complaints about searching and confiscation of items should be dealt with through the normal complaints procedure.

Appendix 2 : changes to the school exclusion process during the coronavirus (COVID-19) outbreak

The arrangements come into force on 1 June 2020 and will apply to all exclusions occurring from then until 24 September 2020 (inclusive of those dates). The arrangements also apply to:

- permanent and fixed term exclusions occurring before 1 June which have not yet been considered by the governing board of the school
- permanent exclusions occurring before 1 June which have been considered by the governing board, if they have chosen not to reinstate the pupil and the time limit to apply for a review of this decision has not passed
- permanent exclusions occurring before 1 June where a parent (or pupil aged 18) has requested a review of a governing board's decision, but this has not yet happened

Any exclusions covered by the arrangements will continue to be subject to them after 24 September 2020, until the procedures for scrutiny of the exclusion have been exhausted.

An exclusion should be taken as having 'occurred' on the first day of the exclusion (not the date when the decision to exclude was made or communicated).

Remote access meetings

When governing boards or independent review panels (IRPs) have to meet to consider an exclusion, they can do so via telephone or video-conference software ('remote access') as long as certain conditions are met.

The conditions are that it is not reasonably practicable for the meeting to take place in person, within the usual timescales, because of coronavirus (COVID-19), and that the governing board (or arranging authority, if the meeting is an IRP) is satisfied that:

- all the participants agree to the use of remote access
- all the participants have access to the technology which will allow them to hear and speak throughout the meeting, and to see and be seen, if a live video link is used
- all the participants will be able to put across their point of view or fulfil their function
- the meeting can be held fairly and transparently via remote access

It is the responsibility of the school governing board (or the arranging authority in the case of an IRP meeting) to make sure these conditions are met before a meeting takes place.

The governing board or arranging authority should assess the facts of the case, the circumstances in which a meeting in person could be expected to take place, the needs of the intended participants (as far as this is possible), and the latest public health guidance when determining whether it would be reasonably practicable to meet in person.

Arranging a remote access meeting

The governing board or arranging authority should explain the technology they propose to use to participants and should make sure that the participants (particularly pupils and their families) know that they do not have to agree to a meeting to be held via remote access if they do not want to. They should make families aware that if they do not consent to a remote access meeting then the meeting is likely to be delayed.

Though all participants must have agreed to the use of remote access, where a parent or pupil has given their agreement for a meeting to be held via remote access, the other participants should make reasonable efforts to accommodate that preference unless there is a clear reason not to.

The normal requirements for who must be invited to a governing board or IRP meeting remain in place. However, those who have no intention of taking part in the meeting should not be treated as 'participants' for the purposes of the conditions stated above.

Governing boards, arranging authorities and panel members must comply with relevant equalities legislation and recognise that some participants may find it difficult to participate in a remote access meeting (for example, if someone has a disability or if English is not their first language).

If a meeting is held via remote access, every effort should be made by the chair to check the participants understand the proceedings and can engage with them, to ensure the meeting is conducted fairly. If, once

the meeting starts, the meeting cannot proceed fairly (for example, because a participant cannot access the meeting), the governing board or IRP should adjourn the meeting.

The use of remote access does not alter other procedural requirements that may apply to governing boards, arranging authorities or IRPs. For example, if a parent requests the appointment of a special educational needs (SEN) expert to advise a review panel, the local authority/academy trust must appoint one and cover the cost as normal. Parents may bring a friend or representative, as normal.

Though governing boards and IRPs must consider written representations if they are made, the law does not allow for solely paper-based 'meetings', conducted in writing.

As long as the conditions for a remote access meeting are met, it is possible for some participants to be present in person and for others to join the meeting via remote access. All the participants must have access to technology which will allow them to hear and be heard by others throughout (and to see and be seen throughout, if a live video link is used).

Timescales for meetings of governing boards

If it has not been reasonably practicable for governing boards to meet in person within the original time limit for a reason related to coronavirus (COVID-19) or remotely for a reason relating to the other conditions for a remote access meeting, the time limit for the meeting will be extended.

The time limit for a governing board meeting will not be extended if it has already passed before 1 June. The government appreciates that it may not have been possible to meet the normal time limits over recent months, due to the disruption caused by the coronavirus (COVID-19) outbreak and the health risks of holding meetings. Governing boards should arrange for overdue meetings to take place via remote access, if the conditions for such a meeting are met, or in person as soon as it is safe and practicable to do so.

If a time limit for a meeting has been extended, the governing board should reassess at regular intervals whether it is reasonably practicable to meet in person and, if it is, should arrange to do so without delay, in light of the need to minimise uncertainty for pupils and their families as far as possible.

Meetings to consider permanent exclusions, and fixed period exclusions resulting in the pupil missing more than 15 school days in a term

If a pupil is permanently excluded or receives a fixed period exclusion which results in them having been excluded for 16 or more school days in a term, then the governing board should try to meet to discuss reinstatement within 15 school days. If it has not been reasonably practicable for the governing board to

meet face to face within 15 school days for reasons relating to coronavirus (COVID-19), and it has not been reasonably practicable to meet by way of remote access for a reason relating to the conditions for a remote access meeting, the limit will be extended to 25 school days, or as long as reasonably necessary for a reason related to coronavirus (COVID-19).

Meetings to consider fixed period exclusions resulting in the pupil missing between 6 and 15 school days in a term

If a pupil receives a fixed period exclusion which results in them having been excluded for at least 6 school days in a term but not more than 15 school days in that term, and the parent (or pupil, if aged 18 or above) chooses to make representations about the exclusion, then the governing board should meet to discuss reinstatement within 50 school days. If it has not been reasonably practicable for the governing board to meet face to face within 50 school days for reasons relating to coronavirus (COVID-19), and it has not been reasonably practicable to meet by way of remote access for a reason relating to the conditions for a remote access meeting, the limit will be extended to 60 days, or as long as reasonably necessary for a reason related to coronavirus (COVID-19).

Timescales for application for independent reviews of exclusions

Where a governing board declines to reinstate a pupil who has been permanently excluded, parents (or the excluded pupil, if they are 18 years old or above) can apply for a review of the governing board's decision.

For exclusions covered under these arrangements, the deadline for applications has increased to 25 school days from the date on which notice in writing of the governing board's decision is given to parents, or directly to the pupil if they are 18 or above.

Schools must wait for the extended period of 25 school days to pass without an application having been made before deleting the name of a permanently excluded pupil from their admissions register, in accordance with the Education (Pupil Registration) (England) Regulations 2006 as amended.

Timescales for meetings of independent review panels to consider permanent exclusions

If it has not been reasonably practicable for a review panel to meet in person within the original time limit of 15 school days for reasons related to coronavirus (COVID-19), and it has not been reasonably practicable to meet by way of remote access for a reason relating to the other conditions for a remote access meeting,

the timescale for the meeting will be extended to 25 school days, or as long as reasonably necessary for a reason related to coronavirus (COVID-19).

The time limit for an IRP meeting will not be extended if it has already passed before 1 June. The government appreciates that it may not have been possible to meet the normal time limits over recent months, due to the disruption caused by the coronavirus (COVID-19) outbreak and the health risks of holding meetings. Arranging authorities should arrange for overdue meetings to take place via remote access, if the conditions for such a meeting are met, or in person as soon as it is safe and practicable to do so.