

Behaviour Policy

Owston Park Primary Academy



Behaviour for Learning and Life

Rationale

Good relationships in school are fundamental to school effectiveness. Students do better, enjoy learning more, are more motivated and have better attendance if they feel their teachers understand them and are friendly and helpful. Surveys of what matters to pupils almost invariably show that they perceive the quality of the relationships they experience at school with 'other people' as one of the most significant sources of both their happiness and unhappiness. Research has shown that children need to feel attached to a school and to the staff in it if they are to behave well in school and learn effectively. Each person needs to feel the school is there for them, to feel known, valued, respected and nurtured as an individual, to have a sense of belonging, and to experience recognition and success. Effective approaches to behaviour ensure that concerns with warmth, communication and involvement take place within a context of clear goals, rules and boundaries. Everybody in school needs to be clear about their role and what is expected of them and others. Children who are particularly troublesome need the security of very predictable routines, clear boundaries, clear feedback and skills programmes to improve behaviour.

Aims and Expectations

It is the primary aim of our school that every member of the school community feels respected and valued 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. This policy is therefore designed to support the way in which all members of the school community can live and work together in a supportive way. It aims to support an environment where everyone feels safe, happy and secure and engenders a feeling of self worth and achievement.

The primary aim of this policy is not a system to enforce rules. Positive, constructive behaviour is encouraged by clearly defined rules but also a relevant curriculum matched to the ability of each child and a fit for purpose environment celebrating the success and friendliness of our school. It is also a means of promoting good relationships, so that people can work together with the common purpose of helping everyone to learn. The policy supports the school community in aiming to allow everyone to work together in an effective and considerate way. We understand that the essence of childhood has changed and that emotional support is as important as academic support. We believe that

- relationships should be placed at the heart of the school organisation,
- children should feel comfortable with the expression of emotion but understand that certain outlets are not appropriate,
- there should be an emphasis on active communication, especially good listening,
- there should be an effort to foster empathy, respect, authenticity and trust,
- children should feel valued as individuals and have a sense of belonging,
- there should be planned opportunities for pupils to reflect on and discuss their feelings and personal experiences as part of the curriculum and as part of behaviour management,
- there should be pupil consultation and they should take responsibility in school,
- teaching children about caring for each other and working together should be explicit,
- pupils should be taught the skills of coping with pressures and problems,
- pupils should be involved in setting targets for themselves.

This policy aims to help all children to grow in a safe and secure environment and to become positive, responsible and increasingly independent members of the school community.

The school expects every member of the school community to behave in a considerate way towards others.

We treat all children fairly and *all* staff apply this behaviour policy in a *consistent* way.

The school rewards good behaviour as it believes that 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.

Self esteem is vital but has to be realistic and children have to experience boundaries and be given the chance to assess themselves.

We believe both staff and pupils can benefit from learning and practising the skills of actively paying attention to each other. We are also aware that responding appropriately is also a skill. All those involved in an incident need to feel understood and should help to solve the problems as far as possible. Therefore we actively promote the principles of restorative practice, and all staff are aware of how this system is used to contribute to a calm and peaceful resolution to problems encountered by children in school.

The key is to focus on the other person and find out what they are trying to tell us, rather than on our needs or our assessment of what they are saying. Good listening needs to permeate the whole school consciousness and the whole school day. Children need to be listened to as individuals in the immediate encounters of the classroom, playground and corridor and to have opportunities for private talk.

Children also need listening to collectively, and to believe that staff are paying attention.

We also encourage children to be autonomous, to think for themselves, to make their own decisions, to be self directed and responsible for their own behaviour. Autonomy is about taking control and having personal responsibility. We start the building of autonomy from a very early age and gradually build to far greater levels of independence.

Behaviour management begins way before any poor behaviour is encountered and is built into our ethos and all our school systems. We have worked together to formulate a set of school aims, which underpin everything we do at school;

- **To provide a safe environment in which individuals can work together and make positive choices.**
- **To encourage individuals to have a positive attitude, enabling them to be self-motivated and resilient.**
- **To provide deep learning experiences, through a broad and balanced curriculum, enabling skills for learning and life.**
- **To develop mutual respect throughout school, enabling all children to achieve high levels of self-esteem and confidence.**
- **To celebrate our own and others' achievements both in and out of school.**
- **To promote the importance of the continuity of education between home and school.**

Behaviour management is at the heart of each of these aims – engendering self esteem, respect and self respect; providing safe boundaries; teaching and promoting good learning behaviours and developing trust and equality. As a staff we have agreed to regularly include some strategies to promote these qualities and use them consistently throughout school.

Basic Principles

Good behaviour must be taught and modelled by adults for it to be truly successful. All adults in school model good learning and social behaviour, both in and out of the classroom – the types of behaviour that we expect to see from children. All staff smile at children, pass pleasantries, hold open doors, say please and thank you and generally maintain a calm and polite atmosphere throughout the school. Everyone takes responsibility for ensuring that both classrooms and communal spaces are kept clean and tidy and all staff take responsibility for reminding children about appropriate uniform/accessories etc. It is the responsibility of class teachers to implement appropriate classroom management strategies to create a calm and positive learning environment. Consistent and regular

routines are important so lesson start and end times should be prompt, as should break times. Children should not be left unaccompanied or be unsure as to what they should be doing or where they should be. Lesson interruptions should be avoided. It is the responsibility of the class teacher to ensure that the school rules are enforced consistently in their class, and that their class behaves in a responsible manner during lesson time, as well as transition to assembly and breaks.

The staff in our school have high expectations of all the children in terms of behaviour, and they strive to ensure that all children work to the best of their ability. An agreed code of conduct is established between the teacher and the children in the class, and all involved sign up to it. Codes of conduct for the dining hall and playground have also been agreed. Consistent whole school strategies are in place to enforce the code of conduct and to apply sanctions when rules are broken.

Modelling

All staff model the appropriate behaviour that we expect from children on a day to day basis. Some examples are;

- Using 'please' and 'thankyou'
- Asking 'how are you?'
- Holding doors open
- Making eye to eye contact
- Give time to listen to their tales and stories
- Smile
- Use positive body language
- Dress smartly and appropriately
- Don't shout across corridors and classrooms
- Listen

All these things must be consistent and be the responsibility of all staff from the first day in September to the last day in July. So staff always make expectations clear, keep making them clear and make sure children understand the need behind the rule.

The role of the Head Teacher

It is the responsibility of the head teacher, under the School Standards and Framework Act 1998, to implement the school behaviour policy consistently throughout the school, and to report to governors, when requested, on the effectiveness of the policy. It is also the responsibility of the head teacher to ensure the inclusion, health, safety and welfare of all children in the school.

The head teacher supports the staff by implementing the policy, by setting the standards of behaviour, and by supporting staff in the implementation of the policy. The head teacher makes it clear that there is a zero-tolerance approach to sexual violence and sexual harassment in school, that allegations will always be taken seriously and that incidents will never be passed off as 'banter' and all incidents of physically behaviour will be dealt with by a member of SLT.

The head teacher keeps records of all reported serious incidents of misbehaviour.

The head teacher has the responsibility for giving fixed-term exclusions to individual children for serious acts of misbehaviour. For repeated or very serious acts of anti-social behaviour, the head teacher may permanently exclude a child.

The role of parents

The school works collaboratively with parents, so children receive consistent messages about how to behave at home and at school.

We explain the school rules in the school prospectus, and in regular communications with parents via the Class Dojo system and we expect parents to read these and support them.

We expect parents to support their child's learning, and to co-operate with the school, as set out in the home-school agreement. We try to build a supportive dialogue between the home and the school, and we inform parents immediately if we have concerns about their child's welfare or behaviour.

If the school has to use reasonable sanctions to punish a child, parents should support the actions of the school. If parents have any concern about the way that their child has been treated, they should initially contact the class teacher. If the concern remains, they should contact the head teacher. If these discussions cannot resolve the problem, a formal grievance or appeal process can be implemented through the Governing Body.

The role of governors

The governing body has the responsibility of setting down these general guidelines on standards of discipline and behaviour, and of reviewing their effectiveness. The governors support the head teacher in carrying out these guidelines.

The head teacher has the day-to-day authority to implement the school behaviour and discipline policy, but governors may give advice to the head teacher about particular disciplinary issues. The head teacher must take this into account when making decisions about matters of behaviour.

Rewards and Sanctions

Teachers have a statutory authority to discipline pupils whose behaviour is unacceptable, who break the school rules or who fail to follow a reasonable instruction. The power also applies to all paid staff with responsibility for pupils. Pupils can be disciplined at any time the pupil is in school or elsewhere under the charge of a paid member of staff, including on school visits. Pupils can also be disciplined for misbehaviour outside school and their property can be confiscated. Teachers also have specific legal powers to impose detention outside school hours.

Teachers can discipline pupils whose behaviour falls below the standard which could reasonably be expected of them. This means that if a pupil misbehaves, breaks a school rule or fails to follow a reasonable instruction the teacher can impose a punishment on that pupil. To be lawful the punishment must satisfy three conditions;

- the decision to punish a pupil must be made by a paid member of staff or otherwise authorised by the head teacher
- the decision to punish a pupil and the punishment itself must be made on the school premises or while the pupil is under the charge of the member of staff
- the punishment must not breach any other legislation in respect of disability, SEN, race or other equalities and it must be reasonable in all circumstances

As a school we have a clear and strongly enforced code of polite and respectful behaviour, which includes staff to pupils. We praise and reward children for good behaviour and focus on what they can do rather than what they can't. Praise is specific and balanced and happens in a variety of ways:

- teachers congratulate children,
- children can share good learning/behaviour with other classes/the head teacher
- teachers give children certificates to acknowledge outstanding effort or acts of kindness in school,
- each class has a system for tracking behaviour and rewards are given to children at the end of the designated period,
- each class has a 'Bravo Board' to celebrate academic achievements
- at one assembly every week children are allowed to celebrate achievements in line with the school values; a text message is sent to the parents of any children who celebrate in achievement assembly and their picture is placed on the school website (where appropriate)

Class Dojo

We use the Class Dojo online reward/sanction system to support us with preventative behaviour management. Children earn 'green' dojos for a range of good and positive behaviours and 'red' dojos for poor and unwanted behaviour. Amber dojos are neutral dojos that imply a first warning has been given. These dojos can be accessed by parents at home which gives them the information they need to support school with behaviour and have information about incidents.

Positive -worth 2 points

Reading

Positive (for demonstration of the school values) - worth 1 point

Teamwork

Courage

Listening

Respect

Perseverance

The following all need a warning dojo (worth 0 points) for the first instance and then a red dojo.

Lying -1

Running in corridors -1

Low level disruption -1

Cheek/ back chat -1

Messing in toilets etc -1

Discrimination -1

No PE Kit - 1

Red dojos

Hurting others -2

Fighting -2

Retaliation -2

Vandalism -2

Stealing -1

Swearing -1

Setting off fire alarm -1

The school employs a number of sanctions to enforce the school rules, and to ensure a safe and positive learning environment. We employ each sanction appropriately to each individual situation. Before sanctions are employed we always consider whether the behaviour under review gives cause to suspect that a child is suffering, or is likely to suffer, significant harm, in which case the Safeguarding Policy is applied as a matter of priority. We also understand the behaviour could be indicative of an underlying academic or other need, in which case a EHA, SEN policy or Equality, diversity and access Policy will be applied. If a pupil does not behave in an appropriate way, the following options can be used. We realise for certain children at certain times reasonable adjustments may have to be made, such as for children with SEN, or those experiencing trauma, loss or other adverse situations.

Step 1

- Verbal Warning
- Name on board with ticks as 'warnings' resulting in missed playtime
- Move 'down' the behaviour chart
- Sent to partner class
- Lunchtime detention

Step 2

- Children with teacher at play (KS1)

- Sent to head teacher to complete work
- Parents contacted for meeting to discuss behaviour
- Behaviour Book for home/school liaison and focus on small steps
- After school detention

Step 3

- With the parents' agreement, the school may call on a number of agencies which are attached to the Local authority. These include the Early Help Hub, behaviour outreach service and the Educational Welfare Service
- The most serious sanction is exclusion for which the Doncaster LA guidelines would be followed.

An exclusion is seen as a last resort after all other attempts to modify behaviour by Thrive intervention, and adjustments within the organisation to meet the needs of the child, have failed.

If the head teacher decides to exclude a child, to secure the well-being and entitlement of other children and staff in school, this will be carried out in accordance with the guidelines from the DFE 'Exclusion from maintained schools, academies and pupil referral units in England'. **(Appendix C)**

Definition of unacceptable behaviour

Behaviour type (Step 1)	Behaviour type (step 2)
Talking in lessons/assemblies Distracting behaviours <ul style="list-style-type: none"> • Running in corridors or any other behaviour in corridors which disturbs classes at work • Low level disruption (classroom, PE lesson, assembly, music lesson) • Cheek and back chat or other types of poor attitude • Purposefully setting off the fire alarm • Messing around in the toilets • Discrimination 	<ul style="list-style-type: none"> • Intentional physical contact(including sexual harassment/peer on peer abuse (Appendix A)/violence towards child or adult • Fighting • Stealing • Lying • Swearing • Vandalism • Physical retaliation • Lack of respect beyond cheek or back chat • Refusing tasks/instructions <p>Any from 'Step 1' which are repeated or persistent</p>

Sanctions for actions not covered in this list are at the discretion of the head teacher.

A child may be sent out of class at the discretion of the class teacher, for short periods of time, to allow a lesson to continue.

Shouting at children is discouraged, though not prohibited. Children working with LSAs or other adults out of class are bound by their class rules and any staff directly employed by school are able to use these sanctions and should be backed up by the class teacher. Any disagreements about whether punishments should be used, and the severity of them, should be referred to the head teacher or the deputy head in her absence. Whole classes will not be punished for the poor behaviour of individuals or groups.

The school 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. While it is very difficult to eradicate bullying, we do everything in our power to ensure that all children attend school free from fear. Please also see our Anti-Bullying Policy.

All members of staff are aware of the regulations regarding the use of force by teachers. Teachers in our school do not hit, push or slap children. Staff only intervene physically to restrain children or to prevent injury to a child, or if a child is in danger of hurting him/herself. We have some staff fully trained to deal with this kind of situation correctly. A teacher will never intervene physically with a child for non-compliance of a rule or to gain compliance from the child. The actions that we take are in line with government guidelines on the restraint of children (see **Appendix B**).

Sexual violence and sexual harassment

Sexual violence and sexual abuse can happen anywhere, and all staff working in school are advised to maintain an attitude of 'it could happen here'. Schools is aware of, and responds appropriately to, all reports and concerns, including those outside the school and/ or online. School is aware of the importance of making clear that there is a zero-tolerance approach to sexual violence and sexual harassment and it is never acceptable, and it will not be tolerated and it should never be passed off as "banter", "just having a laugh", "part of growing up" or "boys being boys". We challenging physical behaviour (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, pulling down trousers, flicking bras and lifting up skirts. We never dismiss or tolerate such behaviours as this risks normalising them. We never downplay behaviour related to abuse as it can lead to a culture of unacceptable behaviour, an unsafe environment and in worst case scenarios a culture that normalises abuse leading to children accepting it as normal and not coming forward to report it. We understand that all of the above can be driven by wider societal factors beyond the school, such as everyday sexist stereotypes and everyday sexist language. These are regularly challenged as part of our RSE and PSHE curriculum, as well as through relevant links in all curriculum subjects (see **Appendix A**)

Detention

Parents will be notified of detentions at least 24 hours in advance, unless it is to be lunchtime detention. Parental consent is not required for detentions. We expect parents to support the school's use of detention as a non-negotiable punishment. If a child receives a detention after school it is expected that the parent will collect the child from school after the detention.

Pupils' conduct outside the school gates

Teachers have a statutory power to discipline pupils for misbehaving outside of the school premises 'to such an extent as is reasonable'. Discipline may be applied for any misbehaviour when the child is;

- taking part in any school organised or school related activity
- travelling to or from school
- wearing school uniform
- in some other way identifiable as a pupil at the school

Discipline may also be applied for misbehaviour at any time, whether or not the above conditions apply that;

- could have repercussions for the orderly running of the school
- poses a threat to another pupil or member of the public
- could adversely affect the reputation of the school.

All non-criminal bad behaviour and bullying which occurs off the school premises and which is witnessed by a member of staff or reported to the school and can be substantiated will be referred straight to the head teacher, who will apply the behaviour policy accordingly.

Planning for Incidents

If we as a school are aware that a pupil is likely to behave in a way that may require physical control or restraint, there will be a plan attached to that child's IEP which will give guidance on how we will respond if a situation arises. This planning will address

- managing the pupil (reactive strategies, holds to be used etc.),
- involving the parents/carers to be sure they are clear about specific action the school might need to take,
- briefing staff so that they know exactly what action they should be taking,
- ensuring that additional support can be summoned if appropriate,
- taking into account any health needs that may be affected by physical control.

Appendix A

Supportive guidance for Dealing with Allegations of Sexual Violence and Sexual Harassment

(This guidance has been written in conjunction with KCSIE 2021 and the Sept 2021 guidance for Sexual Violence and Sexual Harassment, alongside the Doncaster LA Safeguarding Policy).

'Sexual violence and sexual harassment can occur between two children of any age and sex. It can occur through a group of children sexually assaulting or harassing a single child or group of children. It can occur on a continuum and may overlap, and can occur online and face to face (physically and verbally) and are never acceptable. Evidence highlights it is more likely that girls be victims and boys be perpetrators of sexual violence and sexual harassment.

There needs to be zero tolerance approach and it will never be passed off as banter etc.

The RSE/LBTQ curriculum is an essential element to help challenge any sexist stereotypes. If a SEND child is involved in an allegation, it is recognised that are already vulnerable therefore the DSL should involve the SENCO to ensure needs are met/understood.'

(Taken from Sexual Violence and Sexual Harassment Guidance, 2021.)

What to do if a child discloses/you become aware of potential sexual violence/harassment.

- Deal with this immediately! Ensure that the victim is reassured that they are being taken seriously and will be supported and kept safe.
- Immediately pass the info/disclosure to the DSL (Karen O'Keeffe)
- DSL is to speak to the person that the information/disclosure came to and ensure that they have the allegation in writing
- DSL is to speak to alleged victim, with Deputy DSL (if appropriate) to ensure there are 2 members of staff present
 - If there are sexual images involved – DO NOT ask to see them (this could be classed as criminal offence) and DO NOT share them (in line with nude and semi-nude images guidance)
 - DSL to decipher which child/children are involved
 - DSL to ascertain the wishes and feelings of the victim and how they want to proceed (they should feel like they are in as much control as possible, as long as this does not put them at potential harm)
 - DSL will have to balance the wishes of the victim against their duty to protect them and any other children – this decision needs to be written and recorded. (If the victim asks for information not to be shared, but the DSL decides to go ahead and refer to social care/police, the reason should be explained to the victim and appropriate specialist support should be offered to the victim – this decision should be recorded.)
 - Establish the nature of the incident – if a possible crime has been committed or Harmful Sexual Behaviour (HSB) has potentially been displayed
 - Establish the ages of the children involved and the developmental stages of each child
 - Establish if there is any imbalance of power between alleged victim and alleged perpetrator
 - Establish if the incident is a one off or sustained pattern of abuse
 - Any ongoing risks to the victim/other children/adults/staff
 - Any other related issues-wider context (contextual safeguarding)

- For reports of rape or assault by penetration, the alleged perpetrator should be removed from classes if the perpetrator and victim share the same classes
- After the initial disclosure, DSL to make an immediate risk assessment considering...
 - The victim and their protection and support
 - Whether there are other victims
 - Alleged perpetrator – do they need educating in a different place if they are in the same class as the victim etc
 - Support for the perpetrator
 - Consider all other children/adults/staff at school and any actions that are appropriate to protect them from the alleged perpetrator/future harm
 - Risk assessments should be recorded and kept under constant review (support for risk assessments can be found from the ‘harmful sexual behaviours’ section of Sexual Violence and Sexual Harassment guidance, 2021.)
- DSL to speak to all parents involved unless this could potentially put the child at greater risk (schools need to decide carefully what information they provide to parents about the other child/children involved and decide when they do this)
- DSL to refer to social care and/or police if a criminal offence is suspected to have taken place (if there is a report of rape, assault, penetration or sexual assault – if the alleged perpetrator is under ten years old, the starting principle of referring to the police remains, the police will take a welfare rather than criminal justice approach.) (If an allegation is progressing through the criminal justice system, schools should be aware of anonymity so they can offer support and act appropriately).
- DSL to report to CEOP if the abuse has been online
- NSPCC helpline 08088005000 available for DSL’s if needed
- DSL to continue to provide education for both alleged victim and alleged perpetrator
- Implement any sanctions in line with the schools behaviour policy (possible sanctions should be handled under the schools behaviour policy, use of pastoral support, Early Help support, questioning if the alleged perpetrator needs additional support due to them previously being abused themselves, given a trusted/key adult, perpetrator moving schools (if this is deemed appropriate- found guilty at police level/severe) then the safeguarding file needs transferring ASAP to make new school aware

Advice when ascertaining information

- Do NOT promise confidentiality
- Be non judgemental, listen carefully, use the child’s language, be clear about how the report will be progressed, do not ask leading questions and only use open ended questions when necessary
- If a victim asks for the information NOT to be shared, if it can be justified to be in the public interest e.g. to protect from harm then it still can be lawfully shared.
- Think about possible social media impact of spreading rumours/exposing victims’ identities etc
- Each incident should be dealt with on a case by case basis depending on the event

- Appendix B

Introduction

The guidance *The Use of Force to Control or Restrain Pupils; Guidance for Schools in England* supersedes and replaces any previous guidance. It applies to all schools. Most of the guidance is non-statutory, though school staff are 'strongly advised' to follow all sections of the guidance but the section on *Recording and Reporting Significant Incidents* is statutory, arising from the *Apprenticeships, Skills and Children Learning Act 2009*.

What the Law says

Section 93 of the *Education and Inspections Act 2006* does not in any way authorise the use of corporal punishment with pupils. The law forbids a teacher to use any degree of physical contact which is deliberately intended to punish a pupil, or which is primarily intended to cause pain, injury or humiliation.

This section allows teachers and other persons who are authorised by the head teacher to have control or charge of pupils to **use such force as is reasonable** in all circumstances to prevent a pupil from doing, or continuing to do, any of the following:

- Committing a criminal offence (including behaving in a way that would be an offence if the pupil were not under age of criminal responsibility);
- Injuring themselves or others;
- Causing damage to property;
- Engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether that behaviour occurs in the class room during a teaching session or elsewhere.

The provision applies when a teacher, or other authorised person, is on the school premises and when he or she has lawful control or charge of the pupil concerned elsewhere such as on a school trip or visit.

Authorised Persons

The Act allows all teachers at a school to use reasonable force to control or restrain pupils. It also allows other people to do so, in the same way as teachers, provided they have been authorised by the head teacher to have control or charge of pupils. Those might include class room assistants, care workers, midday supervisors, specialist support assistants, education welfare officers, escorts, caretakers or voluntary helpers including people accompanying pupils on visits.

Head teachers should identify people, other than teachers, whom they wish to authorise to have control or charge of pupils and therefore to be able to use force if necessary. Authorisation may be on a permanent or long term basis because of the nature of the person's job, or short term for a specific event such as a school trip. The head should explicitly inform the people concerned and ensure that they are aware of and properly understand what the authorisation entails. A list should be kept of all authorised people and ensure all staff know who they are.

Action in Self-Defence or in Emergency

Guidance does not cover all the situations in which it might be reasonable for someone to use a degree of force. For example, everyone has the right to defend themselves against attack provided they do not use a disproportionate degree of force to do so. Similarly, in an emergency, for example if a pupil was at immediate risk of injury or on the point of inflicting injury on someone else, any member of staff would be entitled to intervene. The purpose of

guidance is to make it clear that teachers and other authorised staff are also entitled to intervene in other, less extreme situations.

Types of Incidents

There are a wide variety of situations in which reasonable force might be appropriate or necessary to control or restrain pupils. They will fall into three broad categories;

- Where action is necessary in self-defence or because there is imminent risk of injury;
- Where there is a developing risk of injury, or significant damage to property;
- Where a pupil is behaving in a way that is compromising good order and discipline.

Examples of situations that fall within one of the first two categories

- A pupil attacks a member of staff or another pupil;
- Pupils are fighting;
- A pupil is engaged in, or is on the verge of committing, deliberate vandalism or damage to property;
- A pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by mis-use of dangerous materials or objects;
- A pupil is running in a corridor or on a stairway in a way in which he or she might have or cause an accident likely to injure himself or others;
- A pupil absconds from a class or tries to leave school (this will only apply if a pupil could be at risk if not kept in the class room or at school).

Examples of situations that fall into the third category

- A pupil persistently refuses an order to leave the class room
- A pupil is behaving in a way that is seriously disrupting a lesson

Reasonable Force

There is no legal definition of 'reasonable force' so it is not possible to set out comprehensively when it is reasonable to use force or the degree of force that may reasonably be used. It will always depend upon the circumstances in each case. There are two relevant considerations;

- The use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it. The use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force. Therefore physical force could not be justified to prevent a pupil from committing a trivial misdemeanour, or in a situation that could clearly be resolved without force.
- The degree of force employed must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent. Any force used should always be the minimum needed to achieve the required result.

Whether it is reasonable to use force, and the degree of force that could reasonably be employed, might also depend on the age and understanding of the pupil.

Practical Considerations

Before intervening physically a teacher should, wherever possible, tell the pupil who is misbehaving to stop, and what will happen if he or she does not stop. The teacher should continue attempting to communicate with the pupil throughout the incident and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary. A calm and measured approach to a situation is needed and teachers should never give the impression that they have lost their temper or are acting out of anger and frustration, or to punish a pupil.

Sometimes a teacher should not intervene in an incident without help (unless it is an emergency). For example, when dealing with an older pupil, or a physically large pupil, or more than one pupil, or if the teacher believes he or she may be at risk of injury. In those

circumstances, the teacher should remove other pupils who might be at risk and summon assistance from colleagues, or, where necessary, call the police. The teacher should inform the pupil/s that help has been summoned. Until assistance arrives the teacher should continue to attempt to diffuse the situation orally, and try to prevent the incident from escalating.

Application of Force

Physical intervention can take several forms;

- Physically interposing between two pupils
- Blocking a pupil's path
- Holding
- Pushing
- Pulling
- Leading a pupil by the hand or arm
- Shepherding a pupil away by placing a hand in the centre of the back
- (in extreme circumstances) more restrictive holds

Only staff trained in Team Teach techniques will physically intervene and know when and how such strategies should be deployed.

In exceptional circumstances, where there is an immediate risk of injury, a member of staff may need to take any necessary action that is consistent with the concept of 'reasonable force', for example, to prevent a young pupil from running off a pavement onto a busy road, or to prevent a pupil hitting someone, or throwing something.

In other circumstances staff should not act in a way that might reasonably be expected to cause injury, for example by;

- holding a pupil around the neck, or by the collar, or in any other way that might restrict the ability to breathe
- slapping, punching or kicking a pupil
- twisting or forcing limbs against a joint
- tripping up a pupil
- holding or pulling a pupil by the hair or ear
- holding a pupil face down on the ground

Staff should always avoid touching or holding a pupil in a way that might be considered indecent.

Where the risk is not so urgent the teacher should consider carefully whether, and if so when, physical intervention is right. Teachers should always try to deal with a situation through other strategies before using force. Team Teach techniques are deployed, which are strategies and techniques for dealing with difficult pupils and situations, and may be used to diffuse and calm a situation. In a non-urgent situation force should only be used when all other methods have failed.

That consideration is particularly appropriate in situations where the aim is to maintain good order and discipline and there is no direct risk to people and property. As the key issue is establishing good order any action which could exacerbate the situation needs to be avoided. The possible consequences of intervening physically, including the risk of increasing the disruption or actually provoking an attack, need to be carefully evaluated.

The age and understanding of the pupil is also very relevant in those circumstances. Physical intervention to enforce compliance with staff instructions is likely to be increasingly

inappropriate with older pupils. It should never be used as a substitute for good behaviour management.

Recording Incidents

Section 246 of the *Apprenticeships, Skills, Children and Learning (ASCL) 2009* requires that governing bodies must ensure that a procedure is in place for recording each significant event in which a member of staff uses force on a pupil; and reporting each such incident to each parent of the pupil as soon as is practicable after the incident. This is to ensure that parents are kept informed of serious incidents at school concerning their child. It also provides a level of transparency which means that a spurious or malicious allegation based on the event would be unlikely to succeed. It is important that there is a detailed, contemporaneous written report of any incident (except minor or trivial incidents) where force is used. The member of staff must not report the incident to a parent if it appears to that member of staff that doing so would be likely to result in significant harm to a pupil. If that is the case and there is no parent of the pupil to whom the incident could be reported, then the incident must be reported to the local authority.

There should be an up to date record of all such incidents. Immediately following any incident the member of staff concerned should tell the head or a senior member of staff and provide a written report as soon as possible after. It should include;

- the name/s of the pupil/s involved and where the incident took place,
- the names of any witnesses to the incidents,
- the reason the force was necessary,
- how the incident began and progressed, including details of the pupil's behaviour, what was said by each of the parties, the steps taken to calm or diffuse the situation, the degree of force used, how that was applied and for how long,
- the pupil's response and the outcome of the incident,
- details of any injury suffered by the pupil, another pupil, or a member of staff and of any damage to property.

Staff may find it helpful to seek advice from a senior colleague or a representative of their professional association when compiling a report. They should also keep a copy of the report.

Incidents involving the use of force can cause the parents of the pupil involved great concern. It is always advisable to inform parents of an incident involving their child and give them the opportunity to discuss it. Staff members can sometimes be worried that using force will lead to false accusations of unlawful conduct but if the force used is reasonable all staff will have a robust defence against any allegations.

An individual will not be seen to be failing in their duty of care by not using force to prevent injury of doing so threatened their own safety.

Complaints

The possibility that a complaint might result in a disciplinary hearing or a criminal prosecution, or a civil action, cannot be ruled out. In those circumstances it would be for the disciplinary panel or court to decide whether the use and degree of force was reasonable in the circumstances. In that event the court or panel would have recourse to the provisions of 550A. It would also be likely to take account of the school's policy on restraint, whether that had been followed, and the need to prevent injury, damage or disruption in considering all the circumstances of the case.

Physical Contact with Pupils in Other Circumstances

There are occasions when physical contact with a pupil may be proper or necessary other than those covered in the guidance. Some physical contact may be necessary to demonstrate exercises or techniques during PE lessons, or if First Aid has to be administered.

Young children and children with SEN may need staff to provide physical prompts or help. Touching may also be appropriate where a pupil is in distress and needs comforting. Teachers will use their own professional judgment when they feel a pupil needs this kind of help and support.

There may be some children for whom touching is particularly unwelcome. Some pupils may be sensitive to physical contact because of cultural background or because they have been abused. It is important that all staff receive information about these children. There should be a common approach where staff and pupils are of different sexes. Physical contact with pupils becomes increasingly open to question as pupils reach and go through adolescence and staff should also bear in mind that even innocent and well intentioned physical contact can sometimes be misconstrued.

Appendix C

Offences that could result in an Exclusion

- Serious breaches of the school's behaviour policy,
- If allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in school,
- An accusation of a serious criminal offence outside school.

Permanent Exclusion for a first or one off offence

- Serious actual or threatened violence against another pupil or member of staff,
- Sexual abuse or assault,
- Supplying an illegal drug,
- Carrying an offensive weapon.

Such similar incidents (when in the head teacher's judgment there are 'exceptional circumstances') therefore warrant permanent exclusion for a first offence.

There is no legal obligation on a school to report a criminal offence to the police. However, failure to do so could be deemed as unprofessional conduct and therefore the decision to inform police should be made in conjunction with the governors.

The head teacher will also consider the appropriate circumstances for informing other agencies, especially where other agencies are already involved with the child or their family, or where the child or their family would benefit from the support of another agency.

Lunchtime Exclusion

Pupils whose behaviour at lunch times is disruptive may be excluded from the school premises for the duration of the lunchtime period. A lunchtime exclusion is a type of fixed period exclusion and the same rules apply. Free school meals children who are excluded at lunchtimes still need to be provided with their meal.

Parental Co-operation

If a parent does not comply with an exclusion, the school must have due regard for their safety in deciding what action to take. An exclusion should not be enforced if in so doing the safety of the pupil is at risk. Education Welfare officers and the LEA should be contacted and the appropriate legal action taken.

The Rose Learning Trust



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