

Donnington Wood Infant School & Nursery



BEHAVIOUR POLICY

Date of Policy Creation	27 th April 2016	Named Responsibility	Headteacher - Mrs C Boddy
Date of review completion	28 th April 2016	Named Responsibility	Safeguarding & Premises Committee
Inception of new Policy	28 th April 2016	Named Responsibility	Mrs C Boddy
Date of Policy Adoption by Governing Body	28 th April 2016		

All staff and the wider school community will be given a copy of this policy. Copies are available from the office or via the website for parents and members of the wider community

COMMITTMENT TO REVIEW

This policy will be flexible to change and will be reviewed on an on-going basis to reflect where there are any changes in Government Legislation or any changes in the duty of statutory agencies. If it is not appropriate to refine the policy during the year, then this will be done as a matter of course on yearly basis by a named person responsible, who shall be accountable for that action.

<p>Rights of Pupils</p> <ul style="list-style-type: none"> ❖ To be able to learn to the best of their ability ❖ To be treated fairly, with consideration and respect ❖ To be listened to by everyone in school ❖ To know what is expected ❖ To feel safe ❖ To receive at least 21 hours education per week <p>Rights of Staff</p> <ul style="list-style-type: none"> ❖ To be treated with respect, by pupils, parents, colleagues and visitors ❖ To be able to teach without unnecessary interruption <p>Rights of Parents</p> <ul style="list-style-type: none"> ❖ To be sure their children are treated fairly and with respect ❖ To know that their children are safe ❖ To be able to raise concerns with staff and to be told when there are difficulties <p>Rights of Governors</p> <ul style="list-style-type: none"> ❖ To be kept informed of all developments concerning the behaviour policy 	<p>Responsibilities of Pupils</p> <ul style="list-style-type: none"> ❖ To do their best ❖ To work and play in a kind, friendly and respectful way. ❖ To behave sensibly and appropriately in and around school so as not to disturb others or prevent them from learning. ❖ To respond positively to guidance, instructions and requests from all adults. ❖ To sort out difficulties with others, asking for help if you need it ❖ To treat the school building, grounds and all property with respect. <p>Responsibilities of Staff</p> <ul style="list-style-type: none"> ❖ To treat others with consideration, consistency and respect ❖ To create a safe and stimulating environment in which the pupils can learn ❖ To communicate regularly with parents <p>Responsibilities of Parents</p> <ul style="list-style-type: none"> ❖ To talk to our children about the things they learn and do in school ❖ To raise any concerns with staff as soon as possible ❖ To treat other people's children, other parents, school staff and visitors with respect <p>Responsibilities of Governors</p> <ul style="list-style-type: none"> ❖ To report back on issues concerning standards of behaviour ❖ To visit the school regularly and be actively involved
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Our aim is for every child to recognise that they have personal responsibility for how they choose to behave. We recognise that children at our school and nursery need varying levels of support and guidance to learn about and achieve good behaviour. Although expectations are the same for all children, the strategies used to teach and ensure good behaviour need to be flexible to enable the needs of individual children to be met. As children mature and move through the nursery and school we encourage them to become increasingly independent in managing their own behaviour.

Staff work together to ensure that both expectations for behaviour and approaches to behaviour management are consistent. We believe that the quality of relationships between staff and children are important. Staff make time to talk and listen to children and aim to be consistent in relationships so that children feel equally valued. All behaviour problems of a significant nature are discussed with parents in a partnership approach to help resolve them.

No form of bullying is acceptable at our nursery or school. All children, staff and visitors have the right to work and play without fear of verbal or physical aggression or threat from others.

Equal Opportunities

Equal opportunities is about ensuring that every member of the school community is regarded as being of equal worth and importance, irrespective of culture, race, gender, sexual orientation, learning abilities, sensory or physical impairment, social class or lifestyle; it is about recognising differences, meeting individual needs and taking positive action, so that everyone has equal access to the educational opportunities offered by the school; it is also about regularly monitoring that each child has the opportunity to achieve.

Greater detail including the school's action plan can be found in the Single Equality Policy.

Promoting Good Behaviour

We aim to create a positive, supportive atmosphere to encourage high standards of work and behaviour.

- Self-esteem is raised through encouragement, praise and aspects of the curriculum
- Good behaviour is commended verbally, in class and around school
- Good behaviour and work is rewarded in class by the use of strategies such as positive comments, name on the white board under a smiley face, 'pebbles' in the class jar (leading to a whole class treat), stickers, thumbs up and being given special responsibilities.
- Staff model behaviour expectations
- Examples of good practice are identified and used as models for others.
- Children visit other classes to show good work.
- 'Best Effort' assembly takes place every Monday as a celebration of children's achievement during the past week. They are given a special certificate, their name and achievement is recorded in the Golden Book and names are published in the weekly newsletter.
- Targets for whole classes or individuals are used to promote acceptable behaviour.

Responses to Unacceptable Behaviour

When children behave in ways that are unacceptable, nursery and school staff use a range of strategies and approaches. This will vary dependent on the developmental age and understanding of the child and the nature of the incident. The emphasis is on clearly identifying the unacceptable behaviour and helping the child to achieve good behaviour. Children will be prompted to apologise when their behaviour has impacted on another child or adult.

Some unacceptable behaviour will be dealt with by nursery or school staff through the use of minimal interactions aimed at refocusing the child back on task. These could include: -

- Diversions
- Rule reminders
- Positive directions
- Use of positioning in the classroom

If the above are not effective or the unacceptable behaviour is more serious, a more direct approach is needed. This may include -

- A clear reminder of the rules or limits (this may need to be in a quiet space, away from the location of the incident)
- A reminder of the consequence of repeating the behaviour
- Applying the consequence
- Time out within the room

Persistent or dangerous unacceptable behaviour may be dealt with by the use of appropriate consequences. Consequences to unacceptable behaviour include -

- Miss part of a playtime
- Withdrawal from class to another classroom
- Sent inside from the playground
- Withdrawal from class to the headteacher's office
- Exclusion

Additional Courses of Action

It may be that, as well as, or instead of, disciplining a child, one of the following courses of action will be taken:

- Consultation between staff, including the Headteacher and Inclusion Manager to look at interventions, including
 - CAF/TAC
 - Advice from, or referral to the Behavioural Support Team or other external agencies (e.g. L.S.A.T. or E.P.)
 - consideration of applying for an Educational Health Care Plan.
 - Application by the school following the locally agreed protocol to the Fair Access Panel (FAP) for -
 - Inclusion mentor support in school
 - Short term placement at the Linden Centre (pupil assessment centre)
 - Managed move (following Telford & Wrekin protocol)
- Modified timetable (following Telford & Wrekin protocol)
- Discussion with a child's parents to keep them informally apprised of their child's behaviour difficulties (e.g. via the telephone or at a meeting)
- A school based plan may be structured to support the child. The child's parents may be asked to contribute active support to the plan. This will be a Behaviour Support Plan and will form part of provision management
- Formal meetings, to include parents and others when appropriate, may be arranged by the Headteacher to consider the best ways forward.

Exclusion

Exclusion may be considered in cases where persistent unacceptable behaviour leads to serious problems. Children may be excluded for part of a day e.g. dinnertime or one or more day. The school follows the Local Authority and Department for Education guidelines on behaviour management and exclusions.

Modified timetable

A modified timetable may be considered as a short term measure in agreement with parents. The school follows the Local Authority modified timetables protocol. The aim will always be to return to a full timetable as soon as possible.

Working with parents & carers

When unacceptable behaviour is persistent or a more serious incident occurs, staff will discuss this with parents. Parents have an important part to play in securing the appropriate behaviour of their child at nursery or school. Close working relationships between nursery and school staff and parents are essential in providing effective solutions to difficult problems. Home/school agreements help set out the respective roles of parents, pupils and the school. Parents are kept regularly informed of their child's behaviour and if needed a home/school book linked to set behaviour targets will be sent home.

Through the school's practice of welcoming parents of its registered pupils into the school and parents natural right to need to visit the school from time to time to deal with matters related to their children's education; parents acquire, what is seen in law as, a limited 'licence' to enter the school premises. The law also recognises that in appropriate, hopefully extremely rare circumstances of either very serious or persistent cases of unacceptable behaviour this 'licence' may be revoked by the Headteacher.

Record keeping

Minor, infrequent incidents will usually not be recorded. More serious, or regular incidents may be recorded in the following ways -

- On a behaviour slip
- Home-school book
- Individual notebook or record sheet in the classroom

Applications for support (FAP or other agencies), modified timetables, exclusions will be recorded following the appropriate protocol.

Links with SEN

It should be recognised that repeated misbehaviour can;

- Constitute a Special Educational Need in itself
- Be indicative of a learning difficulty

- Be indicative of lack of appropriate social skills
- Be indicative of emotional upset related to in-school circumstances e.g. bullying
- Be indicative of emotional upset related to out-of-school circumstances e.g. bereavement, family turmoil.

If there are significant behavioural problems a behaviour target plan may be devised with advice from our Inclusion Manager and any other agencies working with the child and family. Parents will be informed and the target plan discussed with the child. The appropriate member of staff will monitor progress and a review date will be set.

Links with Other Agencies

Many children respond well to behaviour management strategies. Support is available in nursery and school through our Pupil and Family Support Manager and Worker. If the unacceptable behaviour continues then the school has links with other agencies in order to plan effectively to support children when their behaviour is a cause for concern. Clear referral procedures exist to enable the school to access specialist advice. If parents are concerned about behaviour at home then support can be sought through Family Connect.

Pastoral care for school staff

If an employee is accused of misconduct and pending an investigation, the governing body will instruct the Headteacher to draw on the advice in the 'Dealing with Allegations of Abuse against Teachers and Other Staff' guidance when setting out the pastoral support school staff can expect to receive if they are accused of misusing their powers.

Leaving the classroom or school grounds

If a pupil runs out of a class we will establish where he or she has gone. Teachers must not run after them but will send a message to the office for adult support (red card). It is advisable to keep a watchful eye on any child who has taken him or herself out of the school building and possibly out of school grounds, unless this provokes the child to run further. If a child is no longer on school premises parents will be contacted. If they are not at home the police will be informed that a pupil has left school and is at risk.

The power to discipline beyond the school gate

Disciplining beyond the school gate covers the school's response to all non-criminal bad behaviour and bullying which occurs anywhere off the school premises and which is witnessed by a member of staff or reported to the school. The governing body must be satisfied that the measures proposed by the head teacher are lawful.

Any bad behaviour when the child is:

- taking part in any school-organised or school-related activity or
- travelling to or from school or
- wearing school uniform or

- in some other way identifiable as a pupil at the school.

Or, misbehaviour at any time, whether or not the conditions above apply, that:

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

As a result of any of these behaviours, the Headteacher will collect witness statements from both adults and children who have witnessed the event. The parents of the child involved will be contacted and invited into school to discuss the matter. Sanctions for the bad behaviour will follow those issued by the school for bad behaviour during the school day. Parental support will be sought for sanctions which they are able to administer outside the school day.

Following any incident, the Headteacher will consider whether it is appropriate to notify the police or Community Support Officers in Donnington of the actions taken against a pupil. If the behaviour is criminal or poses a serious threat to a member of the public, the police will always be informed. If there is any concern that the behaviour may be linked to the child suffering, or being likely to suffer, significant harm, Safeguarding procedures would be followed.

Screening and searching pupils

The Headteacher, Deputy Headteacher and one senior member of staff have a statutory power to search pupils or their possessions, without consent, where they suspect the pupil has certain prohibited items. The items that can be searched for under this power are knives or weapons, alcohol, illegal drugs and stolen items. School staff can seize any banned or prohibited item found as a result of a search or is considered to be harmful or detrimental to school discipline.

Searching with consent

Schools' common law powers to search:

School staff can search pupils **with their consent** for any item which is banned by the school rules.

1. The school does not need to have formal written consent from the pupil for this sort of search - it is enough for the teacher to ask the pupil to turn out his or her pockets or if the teacher can look in the pupil's bag and for the pupil to agree.
2. Items which are banned in school include, mobile phones, electronic games or devices, any item which could be used as a weapon, matches, any form of drugs (including medicines, which have not been prescribed and a medical form completed), knives, firearms, sprays, alcohol or stolen items.
3. If a member of staff suspects a pupil has a banned item in his/her possession, they can instruct the pupil to turn out his or her pockets or bag and if the pupil refuses, the teacher can apply an appropriate punishment as set out in the school's behaviour policy.

4. A pupil refusing to co-operate with such a search raises the same kind of issues as where a pupil refuses to stay in a detention or refuses to stop any other unacceptable behaviour when instructed by a member of staff - in such circumstances, schools can apply an appropriate disciplinary penalty.

Searching without consent

What the law says:

What can be searched for?

1. Knives or weapons, alcohol, illegal drugs and stolen items (referred to in the legislation as 'prohibited items').

Can I search?

2. Yes, if you are the Headteacher, Deputy headteacher or a senior member of staff. But:

- a. you must be the same sex as the pupil being searched; and
- b. there must be a witness (also a staff member) and, if at all possible, they should be the same gender as the pupil being searched.

When can I search?

3. If you have reasonable grounds for suspecting that a pupil is in possession of a prohibited item.

Authorising members of staff

The Headteacher, Deputy Headteacher and Senior member of Staff are authorised to use these powers.

1. Teachers can only request a senior member of staff to undertake a search without consent if they have reasonable grounds for suspecting that a pupil may have in his or her possession a prohibited item. The teacher must decide in each particular case what constitutes reasonable grounds for suspicion. For example, they may have heard other pupils talking about the item or they might notice a pupil behaving in a way that causes them to be suspicious.

2. The powers allow school staff to search regardless of whether the pupil is found after the search to have that item. This includes circumstances where staff suspect a pupil of having items such as illegal drugs or stolen property which are later found not to be illegal or stolen.

Location of a search

1. Searches without consent can only be carried out on the school premises or, if elsewhere, where the member of staff has lawful control or charge of the pupil.

2. The powers only apply in England.

During the search

Extent of the search - clothes, possessions and trays

What the law says:

The person conducting the search may not require the pupil to remove any clothing other than outer clothing. '**Outer clothing**' means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear but 'outer clothing' includes hats; shoes; boots; gloves and scarves.

'**Possessions**' means any goods over which the pupil has or appears to have control - this includes trays and bags. A pupil's possessions can only be searched in the presence of the pupil and another member of staff. The power to search without consent enables a personal search, involving removal of outer clothing and searching of pockets.

Trays

Under common law powers, schools are able to search trays for any item provided the pupil agrees. Pupils will have a tray on condition that they consent to have it searched for any item whether or not the pupil is present.

If a pupil does not consent to a search then it is possible to conduct a search without consent but only for the "prohibited items" listed above.

Use of force

Reasonable force may be used by the person conducting the search (see appendix 4).

After the search

The power to seize and confiscate items - general

What the law allows:

Schools' general power to discipline, as set out in Section 91 of the Education and Inspections Act 2006, enables a member of staff to confiscate, retain or dispose of a pupil's property as a disciplinary penalty, where reasonable to do so.

1. The member of staff can use their discretion to confiscate, retain and/or destroy any item found as a result of a 'with consent' search so long as it is reasonable in the circumstances. Where any article is thought to be a weapon it must be passed to the police.

2. Staff have a defence to any complaint or other action brought against them. The law protects members of staff from liability in any proceedings brought against them for any loss of, or damage to, any item they have confiscated, provided they acted lawfully.

Items found as a result of a 'without consent' search

What the law says:

- A person carrying out a search can seize anything they have reasonable grounds for suspecting is a prohibited item (that is a weapon/knife; alcohol; illegal drugs or stolen items) or is evidence in relation to an offence.
- Where a person conducting a search finds **alcohol**, they must retain it for return to the parent.

- Where they find **controlled drugs**, these must be delivered to the police as soon as possible.
- Where they find **other substances** which are not believed to be controlled drugs these can be confiscated where a teacher believes them to be harmful or detrimental to good order and discipline.
- Where they find **stolen items**, these must be delivered to the police or returned to the owner, providing it is safe to do so.
- Any **weapons or items which are evidence of an offence** must be passed to the police as soon as possible.
- It is school policy to always deliver stolen items or controlled drugs to the police. If the owners of the items are known and do not pose a threat to the pupil, these will be returned to the owner.

Telling parents and dealing with complaints

Schools are not required to inform parents before a search takes place or to seek their consent to search their child.

1. There is no legal requirement to make or keep a record of a search, however as good practice the sheet below will be completed whenever a search and/or confiscation has taken place.
2. The school will always inform the individual pupil's parents or guardians where alcohol, illegal drugs or potentially harmful substances are found along with any other banned items which might be found.
3. Complaints about screening or searching will be dealt with through the normal school complaints procedure.



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Search and confiscation Record

Name of child:

(Male/Female)

Class:

Reason for the search

Names of staff carrying out the search and those staff acting as witness include title

1.

2.

Items found

Other agencies involved - please list with name and title

Parents contacted

Date:

Time:

Sanctions/Next steps

Meeting with parent and child following the incident

Any further intervention or agency involvement required

Report compiled by:

Name and role:

Signature:

Date:

Report countersigned by:

Name and role:

Signature:

Date:

The use of reasonable force

The use of physical intervention is very rare and is, wherever possible avoided. There may be occasions where the use of physical restraint is appropriate; for example if a child is hurting his/her self and/or others or making a threat to injure using a weapon. Any intervention used will always be minimal and in proportion to the circumstances of the incident. All physical intervention will be recorded (see below).

What is reasonable force?

- (i) The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.
- (ii) Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.
- (iii) 'Reasonable in the circumstances' means using no more force than is needed.
- (iv) As mentioned above, schools generally use force to control pupils and to restrain them. Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.
- (v) Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.
- (vi) School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.

Who can use reasonable force?

- (i) All members of school staff have a legal power to use reasonable force
- (ii) This power applies to any member of staff at the school. It can also apply to people whom the head teacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

When can reasonable force be used?

- (i) Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.
- (ii) In a school, force is used for two main purposes - to control pupils or to restrain them.
- (iii) The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.
- (iv) The following list is not exhaustive but provides some examples of situations where reasonable force can and cannot be used.

Schools can use reasonable force to:

- remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- prevent a pupil behaving in a way that disrupts a school event or a school trip or visit;
- prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;

- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground; and restrain a pupil at risk of harming themselves through physical outbursts.

Schools cannot:

use force as a punishment - **it is always unlawful to use force as a punishment.**

Using force

A panel of experts identified that certain restraint techniques presented an **unacceptable risk** when used on children and young people. The techniques in question are:

- the 'seated double embrace' which involves two members of staff forcing a person into a sitting position and leaning them forward, while a third monitors breathing;
- the 'double basket-hold' which involves holding a person's arms across their chest; and
- the 'nose distraction technique' which involves a sharp upward jab under the nose.

Staff training

Training has been provided for staff (CPI training 2011).

Telling parents when force has been used on their child

All incidents of reasonable force are recorded in order to support the child and staff involved. (see sheet below)

What happens if a pupil complains when force is used on them?

- All complaints about the use of force should be thoroughly, speedily and appropriately investigated.
- Where a member of staff has acted within the law - that is, they have used reasonable force in order to prevent injury, damage to property or disorder - this will provide a defence to any criminal prosecution or other civil or public law action.
- When a complaint is made the onus is on the person making the complaint to prove that his/her allegations are true - it is **not** for the member of staff to show that he/she has acted reasonably.
- Suspension must not be an automatic response when a member of staff has been accused of using excessive force. Schools should refer to the "Dealing with Allegations of Abuse against Teachers and Other Staff" guidance where an allegation of using excessive force is made against a teacher. This guidance makes clear that a person must not be suspended automatically, or without careful thought.
- Schools must consider carefully whether the circumstances of the case warrant a person being suspended until the allegation is resolved or whether alternative arrangements are more appropriate.
- If a decision is taken to suspend a teacher, the school should ensure that the teacher has access to a named contact who can provide support.
- Governing bodies should always consider whether a teacher has acted within the law when reaching a decision on whether or not to take disciplinary action against the teacher.

- As employers, schools and local authorities have a duty of care towards their employees. It is important that schools provide appropriate pastoral care to any member of staff who is subject to a formal allegation following a use of force incident.

What about other physical contact with pupils?

- It is not illegal to touch a pupil. There are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary.
- Examples of where touching a pupil might be proper or necessary:
 - a. Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school;
 - b. When comforting a distressed pupil;
 - c. When a pupil is being congratulated or praised;
 - d. To demonstrate how to use a musical instrument;
 - e. To demonstrate exercises or techniques during PE lessons or sports coaching
 - f. To give first aid.



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Use of reasonable force record

Name of child:

(Male/Female) Class:

Reason for the use of reasonable force
Date: time and location of incident
Description of incident by the staff involved, including any attempts to de-escalate and warnings given that force might be used.
Names of staff using reasonable force 1. 2.
Names of staff involved (witnesses)
Details of other children involved (directly or as witnesses), including whether any of the children involved were vulnerable for SEN, disability, medical or social reasons.
Reason for using force and description of force used.
Any injury suffered by staff or pupils and any first aid and/or medical attention required.

Parents contacted

Date:

Time:

Sanctions/Next steps

Meeting with parent and child following the incident

Other agencies involved - please list with name and title

Any further intervention or agency involvement required

Report compiled by:

Name and role:

Signature:

Date:

Report countersigned by:

Name and role:

Signature:

Date:

7. Further reading and guidance

<http://www.education.gov.uk/schools/pupilsupport/behaviour/f0077153/use-ofreasonable-force-advice-for-school-leaders-staff-and-governing-bodies>

<http://www.education.gov.uk/schools/pupilsupport/behaviour/g0076647/guidance-for-governing-bodies-on-behaviour-and-discipline>

<http://www.education.gov.uk/schools/pupilsupport/behaviour/f0076803/advicefor-headteachers-and-school-staff-on-behaviour-and-discipline>

http://www.ico.gov.uk/for_organisations/data_protection.aspx

<http://www.education.gov.uk/childrenandyoungpeople/sen/sen/types/clneeds/a0013105/guidance-on-the-use-of-restrictive-physical-interventions>

<http://www.education.gov.uk/schools/pupilsupport/behaviour/f0076897/screening>

<http://www.education.gov.uk/aboutdfe/advice/f0076882/ensuring-goodbehaviour-in-schools/allegations-of-abuse-against-staff>

<http://www.homeoffice.gov.uk/publications/police/operational-policing/pacecodes/?view=Standard&pubID=810826>