



SUNDON PARK JUNIOR SCHOOL

Behaviour and Discipline Policy

Aims and expectations

It is a primary aim of our school that every member of the school community feels valued and respected, and that each person is treated fairly. We are a caring community, whose values are built on mutual trust and respect for all. The school behaviour policy is therefore designed to support the way in which all members of the school can live and work together in a supportive way. At Sundon Park Junior School we aim to promote an environment where everyone feels happy, safe and secure. Our key aim is to promote good behaviour, rather than merely deter anti-social behaviour. We reward good behaviour and strive to raise self-esteem and pride in the school by developing an ethos of kindness and co-operation.

Our Principles

The key principles agreed by our school community, which underpin our behaviour policy at Sundon Park Junior School are:

- A positive approach to behaviour management
- Awareness of the pupils emotional needs
- Encouragement of self-worth, self-discipline and self confidence
- Mutual respect & pride in our school
- Equal opportunities
- A fair and consistent approach
- Short term rewards
- Clear sanctions to modify behaviour
- Parental partnership - a sense of community and shared values
- Collaboration with outside agencies

First and foremost Sundon Park Junior School seeks to create a caring environment where young people learn to trust adults in a safe environment. We adopt a positive approach to the management of our pupils. We strive to develop high self-esteem and self-discipline. We recognise that good behaviour arises from positive relationships and setting clear, consistent expectations of good behaviour. We believe that self-esteem affects all thinking and behaviour, and impacts on learning and performance. We aim to provide positive everyday experiences for every pupil so that all of our children can reach their full potential.

Our Differentiated Approach

We believe that our response to children who have additional needs relating to a disability must take into account the legislation of the Equalities Act 2010. Schools must not discriminate against disabled pupils and consequently may be required to make reasonable adjustments to ensure their educational and social experiences at our school are as positive and inclusive as possible. For children who display inappropriate behaviour for reasons related to a disability, for example Autism or Asperger's Syndrome, we will differentiate our approach in recognition of the additional difficulties these children may have in managing their actions.

It is our responsibility to support and help all our pupils to behave in a socially acceptable manner and we recognise that the methods of achieving this may vary depending on the individual circumstances of the pupil concerned.

We will ensure all adults working with our pupils are made aware of individual needs where behaviour is likely to be an issue.

The SENCO or SENDA will offer guidance around a pupil's specific needs about how to effectively manage the behaviour of individual children with difficulties.

Promoting Positive Behaviour

At Sundon Park we use 'Good to be Green'. This is a behaviour management scheme which identifies and rewards good behaviour whilst monitoring and imposing consequences for anti-social behaviour.

The classroom resources are very visual and child friendly and allow pupils to instantly see how they are behaving in class.

We believe that it is important to promote a positive message regarding behaviour management at all times and we use the "Good to be Green" slogan to promote our high expectations of behaviour.

Class teachers track behaviour and consistently follow our behaviour management procedures.

We record warnings (orange & red cards) on a **daily basis**, and this is collated by the Inclusion Team each week, to provide a picture of how pupils are behaving in school.

We use a four tier intervention behaviour management system in every class:

1. Reminder
2. verbal warning
3. warning (orange card)
4. consequence (red card)

If a child has had a bad day, they can **start afresh** the following day and begin to work towards their next reward.

A pupil receiving an orange card may be moved back to green once their behaviour is back on track during the lesson.

A pupil who presents persistent challenging behaviour will have targets set through a Behavioural Support Plan.

Children with severe social and emotional problems which impact on behaviour are supported by the Inclusion Team through a range of interventions.

By rigorous monitoring of the class records, we can identify where and when behaviour deteriorates and if necessary provide additional resources and support.

We recognise that some pupils need additional support to help them manage their behaviour in class. In such cases, prompt cards are given to pupils throughout the lesson to help them regulate their own behaviour. Green cards earn rewards whilst orange cards trigger an agreed consequence. At the end of a lesson the cards are totalled up. A green prompt card can cancel out an orange. This enables pupils to regulate their own behaviour during the lesson.

- Green prompts: "well done", "you are working hard", "you are on task" or "good behaviour"

- Orange prompts "focus", "don't disturb others" and "remember your target".

Rewards

Pupils are able to monitor their own behaviour through the 'Good to be Green' scheme.

They can earn rewards for their good behaviour from the class teacher and SLT.

We acknowledge all the efforts and achievements of children, both in and out of school.

Individual pupils with consistently good behaviour are rewarded by class teacher through:

- Daily house points (if green card has been kept all day)
- Weekly gold coins (if green card has been kept all week)
- Fortnightly text home
- The possibility of a postcard home (two to be sent per class per fortnight)

Children are encouraged to share their accomplishments in whole school assemblies.

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 (**Section 91 of the Education and Inspections Act 2006**).

In accordance with **DfE Guidance 2012**, the **1996 Education Act** provides members of staff with the power to use reasonable force to prevent pupils committing an offence, injuring themselves or others or damaging property, and to maintain good order and discipline in the classroom.

If a pupil receives 3 orange cards in one week, the class teacher will contact the parents and discuss their child's behaviour and agree actions to monitor and support behaviour. Minutes of the meeting will be recorded and entered on to the school management system (SIMS) (see appendix C).

If there is no improvement in a child's behaviour, a Behaviour Support Plan will be implemented.

If a pupil receives a red card, the class teacher will contact the parent to invite them in to discuss their child's behaviour. Minutes of the meeting will be recorded on SIMS.

The child may spend some time in isolation during their lunch break, completing the work that they missed when misbehaving in a lesson.

If a child's behaviour is violent or endangers the safety of themselves or others, then a member of the SLT will contact the parents immediately and discuss their child's behaviour and agree further action. Minutes of the meeting will be recorded on SIMS.

Pupils are given a lunchtime detention for fighting, swearing or bullying others. Pupils that receive two or more detentions in one term will be given a behaviour support plan. The class teacher will inform the parents immediately. This will be recorded on SIMS.

All adults are made aware of pupils who have significant issues with behaviour and any support is outlined in their Behaviour Support Plan.

If a pupil makes a **malicious accusation** against a member of staff then disciplinary action will be taken which may include a fixed-term exclusion.

Emotional Coaching

An 'emotional coaching' approach will be taken to help to address any poor behaviour, including that which effects the learning of other pupils.

The emotional coaching process is a three-step process:

Step 1 - the adult recognises, empathises with and validates the feelings of the child and labels them. The purpose of this step is to give the pupil an opportunity to become calm and to identify for a child that all emotions are normal.

Step 2 - the adult empathetically setting limits on the behaviour of the child. This is an opportunity for an adult to ensure a child knows what constitutes acceptable behaviour.

Step 3 - the adult problem-solving with the child - when the child is calm and relaxed and in a rational state we can explore the feelings that gave rise to the behaviour, problem or incident; scaffold alternative ideas and actions that could lead to more appropriate and productive outcome; empower the child to believe they can overcome difficulties and manage their own feelings and behaviour. In this way they are starting to build understanding of alternate ways of dealing with a difficult situation.

It is not always possible to follow these three steps in quick succession. Doing so may cause a child to once again become angry or anxious. It may be more appropriate to carry out step two and, especially, step three at a later time but soon enough that the child understands the connection between their earlier behaviour and the discussion and possible consequence which results.

All members of staff are expected to follow this emotional coaching approach. For particular children or incidents, it may be appropriate for a member of the Inclusion Team or a senior member of staff to complete steps two and three.

Behaviour Support Plans

A behaviour support plan (BSP) may be used alongside a Personal Learning Plan (PLP) for a child with special educational needs or it may be used independently. A child who is identified as possibly in need of a BSP may require additional support for which an EHA form may need to be submitted or the process of identifying the triggers for unacceptable behaviour may lead to an identification of a special educational need.

The use of a BSP is a four stage process:

Stage 1: Pre-identification stage

The purpose of this stage is to ensure the teacher has a clear notion of the scale of the concern where there is persistent low level disruption. Through monitoring, the BSAAdmin may have identified that a pattern of behaviour is not improving as a result of actions taken so far and that a BSA may be necessary. Alternatively, a teacher may be concerned and raise this with the BSAAdmin.

The class teacher will use a timetable as a tally chart to identify the scale of the concern over the course of a week and to establish a pattern of when the identified behaviour occurs. This will be reviewed at the end of the week and a decision made as to whether to move on to stage two or whether to continue to monitor behaviour. (See appendix D)

Stage 2: Diagnosis

The purpose of this stage is to diagnose the causes of poor behaviour and to accurately identify the behaviour which is causing concern.

This stage may be triggered by:

- A pupil receiving three orange cards within a week
- A pupil being given a lunchtime detention due to fighting, swearing or bullying others
- The evidence gathered from stage 1

The need for this stage may therefore be identified by the SENDA, BSAdmin, class teacher, as a result of a vulnerable children meeting or by the Family Worker.

The following actions will take place:

- All adults who work with the pupil will complete a diagnostic form (see appendix E).
- The BSAdmin will work with the pupil to complete a diagnostic form (see appendix F).
- A letter will be sent to the parent/carer by the BSAdmin inviting them to attend a meeting with the BSAdmin and class teacher containing a diagnostic form (see appendices G and L).
- In the time leading up to the meeting, each time an incident occurs, an incident diagnosis form will be completed by the adult involved (see appendix H) which will be analysed by the BSAdmin (see appendix I). The child will complete a pupil incident diagnosis form with the BSAdmin (see appendix J for an example).
- Prior to the meeting with the parent/carer, the BSAdmin will prepare a summary of the information found so far, including taking into account the views of the parent if their form has been returned to school.

Stage 3: BSP

The purpose of this stage is to ensure the parent/carer and school are working together to improve the behaviour of the pupil.

The following actions will take place:

- A meeting will be held with the parent to agree the content of the BSP (see appendix K)
- Two fortnightly meetings will be held to review progress against the BSP
- The class teacher will follow a programme of behaviour modification to tackle the particular behaviour causing concern.

Meeting 1 to agree BSP with parents/carers:

During the meeting the BSAdmin will take notes. The following agenda will be followed:

- Teacher to briefly outline purpose of meeting
- Teacher to describe positive aspects of the pupil's behaviour at school including:
 - Things the pupils enjoys in school
 - Learning strengths
 - Social strengths
 - Positive progress in attainment
- Parent/carer to describe positive aspects of the pupil's behaviour at home
- Teacher to describe the actions taken so far to diagnose the behaviour
- Parent/carer to ask questions about the process if necessary
- Teacher to outline in detail the behaviour causing concern
- Parent/carer and teacher to agree the content of the BSP
- Teacher describe the next steps including setting a date for the next meeting in two weeks
- BSAdmin to read back notes.

Meetings 2 and 3 review meetings with parents/carers:

A letter will be sent to the parent/carer reminding them of the date of the meeting (see appendix M)

During the meeting the BSAdmin will take notes. The following agenda will be followed:

- Teacher share positives since last meeting
- Parent/carer share positives since last meeting
- Parent/carer share concerns since last meeting
- Teacher share concerns since last meeting
- Teacher to lead a review of progress with BSP
- Agree further actions to be taken by school and parent/carer
- Agree date of next meeting in two weeks
- BSAdmin to read back notes.

Taught behaviour programme:

During this intervention the class teacher will work with the pupil one-to-one in order to bring about a modification in the identified behaviour. The outcomes of each meeting will be recorded (see appendix O).

Step 1 - teacher meets with pupil to identify the unwanted behaviour and to make expectations clear. This is done by:

- The teacher describing the unwanted behaviour to the pupil
- The teacher modelling the unwanted behaviour to the pupil
- The teacher modelling the preferred behaviour to the pupil
- The pupil practising the preferred behaviour
- An agreement about the success criteria for the pupil if they are displaying the preferred behaviour
- A written agreement by the pupil including a clear statement of the expected behaviour and success criteria.
- The results will be recorded on a form (see appendix O) which will be copied to the BSAdmin and parents/carers.

Step 2 - teacher monitors pupil behaviour and meets with pupil to review behaviour. This is done by:

- Teacher acknowledging when pupil is following the success criteria and, in a low key way, acknowledging that the pupil is doing this - it is important that the teacher does not praise the good behaviour but acknowledges the application of the success criteria.
- Teacher reminds the pupil of the success criteria if they are not being followed in order to encourage improved behaviour.
- Teacher meets with pupil weekly for a one-to-one meeting to review progress, to reinforce the success criteria and to set new targets if necessary.
- If new targets are set then these should be recorded on the form (see appendix O) and copied to the BSAdmin and parents/carers.

Stage 4: Continued monitoring or actions

The purpose of this stage is to seek support from outside agencies where concerning behaviour is still in evidence or to agree further actions to be taken in school including monitoring where behaviour has improved.

The following actions will take place:

- Continuing to use the incident diagnosis form as necessary
- Progress will be reviewed by the BSAdmin and teacher to agree likely next steps. This may include:
 - Monitoring where behaviour has improved to an acceptable level
 - An two week extension to the BSP period if behaviour has improved but is not yet at the level expected
 - A new BSP to tackle different aspects of the pupil's behaviour
 - Seeking support from external agencies.
- A final review meeting will be held to decide on future actions.

Meeting 4 final review meeting with parents/carers

A letter will be sent to the parent/carer reminding them of the date of the meeting (see appendix N)

During the meeting the BSAdmin will take notes. The following agenda will be followed:

- Teacher share positives since last meeting
- Parent/carer share positives since last meeting
- Parent/carer share concerns since last meeting
- Teacher share review of progress against BSP
- Agree next steps.
- BSAdmin to read back notes.

The Role of the Class Teacher

We treat **all** children sensitively with care, respect and understanding. It is the responsibility of the Class Teacher to ensure that the school code is enforced, and that their class behaves in a responsible manner during lesson time.

Every Class Teacher discusses the school code with their class at the beginning of the year. In this way, every child in the school knows the standard of behaviour that we expect in our school.

We have high expectations of all children in terms of behaviour, and strive to ensure that all pupils work to the best of their ability.

Every class teacher follows the 'Good to be Green' behaviour management scheme in the same way so that there is consistency across the school.

The Class Teacher will liaise regularly with parents to discuss the needs of a child. In addition, they may meet with the SENDA and liaise with external agencies as necessary to ensure that behavioural issues are dealt with effectively.

All meetings regarding incidents of poor behaviour are recorded on the school management system (SIMS) to ensure a consistent message is communicated amongst the child, parents and school staff.

If there are incidents of anti-social behaviour, the Class Teacher may discuss these in principle with the whole class.

Any incidents of inappropriate behaviour are **handled discreetly** with the individual and not in front of the whole class.

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. These are dealt with by the BSAdmin who will then inform the Head Teacher of any incidents and monitor the children involved over an extended period.

Incidents of anti-social behaviour at lunchtimes are dealt with by the Lunchtime Supervisors, working closely with the BSAdmin and senior staff.

Behavioural incidents are recorded on a concerns sheet and passed to the class teacher or a senior member of staff on the same day.

Pupils who persistently misbehave or can't cope at lunch time will be required to spend time being supervised individually by a senior member of staff or a member of the Inclusion Team.

The Role of the Head Teacher

In accordance with **Section 89 (1) Education and Inspections Act 2006**, the head teacher has set out measures in this behaviour policy which aim to:

- promote good behaviour, self-discipline and respect
- prevent bullying
- ensure that pupils complete assigned work; and
- regulate the conduct of pupils

The Head Teacher supports the staff by

- implementing this policy
- setting the standards of behaviour
- supporting all staff in the implementation of this policy

The Head Teacher keeps records of all reported serious incidents of misbehaviour.

The Head Teacher (or Deputy Head teacher) has the responsibility for giving fixed-term suspensions to individual children for serious acts of misbehaviour. For repeated or very serious acts of anti-social behaviour, the Head Teacher (or Acting Head teacher) may permanently exclude a child. The Head Teacher will then inform the Governing Body.

The role of Parents

The school works collaboratively with parents, so children receive a consistent message.

Expected behaviour is outlined in the school prospectus.

We expect parents to support their child's learning, and to co-operate with the school to achieve the best possible education for their child.

We try to build a supportive dialogue between the home and the school, and we inform parents as soon as possible if we have concerns about their child's welfare or behaviour.

When a child joins the school, a 'Home - School Partnership' form is attached to the admission form. Parents are asked to read this and discuss it with their child. Parents and children are then asked to sign to say that they have read and understood the agreement.

If we have to use reasonable sanctions, we expect parents to 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 or BSAAdmin. If the concern remains, they should make an appointment to speak with the relevant member of the senior leadership team. By this point most problems are usually resolved. However, if this is not the case parents should contact the Headteacher and then the school Governors in writing via the school office so a formal grievance or appeal process could be implemented.

The Role of Governors

The Governing body has agreed the key principles of this policy. It is the responsibility of the governing body to set down these general guidelines on standards of discipline and behaviour, and of reviewing their effectiveness.

The governing body has a general responsibility for the conduct of the school with a view to promoting high standards of educational achievement (**Section 21 of the Education Act 2002**)

Under the **Education Act 2002 as amended by the Education Act 2011**, the governing body reviews certain exclusions and must consider any representations about an exclusion made by the parents of the excluded pupil. These arrangements came into force from 1st September 2012.

The requirements on a governing body to consider exclusion depend upon a number of factors.

Governing bodies will perform the key role of determining whether an excluded pupil should be reinstated. This will involve reviewing the decision of the head teacher and considering the outcome of any independent review panel hearing.

Where parents dispute the decision of a governing body not to reinstate a permanently excluded pupil, they can ask for this decision to be reviewed by an independent review panel.

Fixed-term and permanent exclusions

Only the Head Teacher (or the acting Head Teacher) has the power to exclude a pupil from school. The Head Teacher or Deputy Head teacher may exclude a pupil for one or more fixed periods, for up to 45 days in any one school year. The Head Teacher (or Acting Head teacher) may also exclude a pupil permanently. It is also possible for the Head Teacher to convert a fixed-term exclusion into a permanent exclusion, if the circumstances warrant this.

If the Head Teacher excludes a pupil, she informs the parents immediately, giving reasons for the exclusion. At the same time, the Head Teacher makes it clear to the parents that they can, if they wish, appeal against the decision to the governing body. The school informs the parents how to make any such appeal.

The Head Teacher informs the LA and the governing body about any permanent exclusion, and about any fixed-term exclusions beyond five days in any one term.

The governing body itself cannot either exclude a pupil or extend the exclusion period made by the Head Teacher.

The Head teacher may exclude (for a fixed period of time or permanently) a child for a number of reasons, including;

- Severe physical assault against a pupil
- Physical assault against an adult
- Verbal abuse /threatening behaviour against a pupil
- Verbal abuse /threatening behaviour against an adult
- Theft
- Damage to the school property
- Persistent disruptive behaviour
- Bullying
- Making a malicious accusation against a member of staff.

Monitoring

The Head Teacher and BSAAdmin monitor the effectiveness of this policy on a regular basis and report to the governing body.

The school records of incidents of misbehaviour in the schools management system (SIMS). The Class Teacher records minor classroom incidents which are monitored each week by the BSAAdmin. We also record incidents that occur at break and lunch time.

Lunchtime supervisors provide feedback to senior members of staff and/or class teachers about any incidents which occur at lunch time. This may be logged in the school management system (SIMS).

The Head Teacher keeps a record of any pupil who is suspended for a fixed-term, or who is permanently excluded. This information will be recorded in the schools management system (SIMS)

The governing body monitor the rate of suspensions and exclusions, and ensure that the school policy is administered fairly and consistently.

Finally, this policy is shared annually with all members of the school community including parents.

Review

The Governing Body reviews this policy annually.

Agreed by Governors on 13th December 2017

Signed by Chair of Governors:

A handwritten signature in black ink, appearing to read 'Fay Sordby', written over a faint horizontal line.

Next review date: December 2018

The following documents should be considered alongside this policy:

- Appendix A - Home School Partnership from School Prospectus
- Appendix B - DfE Guidance: Ensuring Good Behaviour in Schools

- Appendix C - meeting with parent record form
- Appendix D - Blank timetable for monitoring
- Appendix E - Behaviour Support Plan - Staff View
- Appendix F - Behaviour Support Plan - Pupil View
- Appendix G - Behaviour Support Plan - Parent/Carer View
- Appendix H - Behaviour Support Plan - Incident Form
- Appendix I - Incident Diagnosis Form
- Appendix J - Pupil Incident Report
- Appendix K - Behaviour Support Plan
- Appendix L - Initial Letter to Parents
- Appendix M - Review Meeting Letter to Parents
- Appendix N - Final Review Meeting Letter to Parents
- Appendix O - Good to be Green One to One Meeting Record with Pupil.

The legal framework upon which the policy is based:

- Education Act 1996
- School Standards and Framework Act 1998
- Education Act 2002
- Education and Inspections Act 2006
- Education Act 2011

Home School Partnership

We are very pleased that you and your child are members of the Sundon Park Junior School community. We hope to work closely together to ensure your child has a happy and successful time at our school. We also hope to develop effective links between home and school to ensure that your child develops intellectually, socially and emotionally and is able to take full advantage of all that school life has to offer.

We recognise that, as parents, you are closer to your child and understand his/her needs more than we ever will in school. Our experience suggests that there are ways in which you can demonstrate your interest in a valuable and supportive way. We are asking you to enter into a partnership between home and school to strengthen these aims.

As a school we will:

- Provide a safe, caring and disciplined environment.
- Ensure that each child has the opportunity to develop as an individual.
- Provide challenging programmes of teaching, learning and guidance appropriate to the needs of each child.
- Monitor the development of each child and inform parents of their child's progress through written reports, consultation evenings and individual interviews.
- Help children to develop a sense of caring and concern for the welfare of others.
- Provide each child with a home/school contact book.
- Set a regular and appropriate programme of homework.
- Celebrate the success of the children.
- Promote respect for other races, religions, genders and attitudes.
- Provide early warnings about any concerns or problems related to a child's work or behaviour.

As a pupil I will:

- Arrive at school on time.
- Be kind and thoughtful to others by my words and actions.
- Take care of the school's and other people's belongings.
- Always dress smartly in school uniform.
- Move around the school sensibly and quietly.
- Work and play safely both inside and outside.
- Always try to do my best work.
- Listen carefully and follow instructions straight away.
- Work quietly without disturbing others.
- Have the correct equipment for each lesson.

This code of conduct was written by the children and states the behaviour expected at all times at Sundon Park Junior School.

As a family we will:

- Support the school's behaviour policy and code of conduct.
- Ensure our child is correctly dressed and equipped for schoolwork.
- Ensure our child attends school promptly and regularly.
- Ensure our child's home/school contact book is read, signed and returned to school.
- Ensure homework is completed and returned to school at the required time.
- Foster a positive attitude towards school and learning.
- Praise and encourage good work, effort and behaviour.
- Share any problems or concerns that may affect our child's education or behaviour immediately.
- Attend and support activities and events organised by the school and wider community, such as the Friends of Sundon Park Junior School or Governing body.

DfE Guidance: Ensuring Good Behaviour in Schools

A summary for head teachers, governing bodies, teachers, parents and pupils

Introduction

The role of the Government is to give schools the powers they need to provide a safe and structured environment in which teachers can teach and children can learn.

The Government expects:

- all pupils to show respect and courtesy towards teachers and other staff and towards each other;
- parents to encourage their children to show that respect and support the school's authority to discipline its pupils;
- head teachers to help to create that culture of respect by supporting their staff's authority to discipline pupils and ensuring that this happens consistently across the school;
- governing bodies and head teachers to deal with allegations against teachers and other school staff quickly, fairly and consistently in a way that protects the pupil and at the same time supports the person who is the subject of the allegation; and
- that every teacher will be good at managing and improving children's behaviour.

This document summarises the legal powers and duties that govern behaviour and attendance in school and explains how they apply to teachers, governing bodies, pupils and parents.

The behaviour policy

Every school must have a behaviour policy¹. The **governing body** is responsible for setting general principles that inform the behaviour policy. The **governing body** must consult the **head teacher, school staff, parents and pupils** when developing these principles.

Head teachers are responsible for developing the behaviour policy in the context of this framework. They must decide the standard of behaviour expected of **pupils** at the school and how that standard will be achieved, the school rules, any disciplinary penalties for breaking the rules and rewards for good behaviour. The behaviour policy must include measures to prevent all forms of bullying among **pupils**. **Head teachers** must publicise the school behaviour policy, in writing, to **staff, parents and pupils** at least once a year.

Powers to discipline²

Teachers, teaching assistants and other paid staff with responsibility for pupils have the power to discipline **pupils** whose behaviour is unacceptable, who break the school rules or who fail to follow a reasonable instruction.

Their power to discipline applies to pupil behaviour in school and outside school, in certain circumstances.

Punishment

Teachers, teaching assistants and other paid staff with responsibility for pupils can impose any reasonable disciplinary penalty in response to poor behaviour. Reasonable penalties can include: confiscation, retention or disposal of a pupil's property; and detention. **Head teachers** can also decide to **exclude a pupil for a fixed period (to suspend) or to permanently exclude** them.

¹ Section 89 of the Education and Inspections Act 2006 for maintained schools and the Independent Schools Standards Regulations 2010 for Academies and Free Schools. What follows is a description of how the law works for maintained schools.

² Applies to all maintained schools, Academies and Free Schools

Searching pupils³

School staff can search **pupils** with their consent⁴ for any item.

Head teachers and **staff authorised by the head teacher** have the power to search **pupils** or their possessions, without consent, where they suspect the pupil has a “prohibited item”. Prohibited items are:

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that has been or is likely to be used to commit an offence , cause personal injury or damage to property
- any item banned by the school rules which has been identified in the rules as an item which may be searched for.

Use of reasonable force⁵

All **school staff** have the power to use reasonable force to prevent **pupils** committing an offence, injuring themselves or others or damaging property, and to maintain good order and discipline in the classroom.

Head teachers and **staff authorised by the head teacher** can use such force as is reasonable when searching a pupil without consent for prohibited items except where the search is for an item banned by the school rules.

Allegations of abuse against staff

Allegations of abuse must be taken seriously, but schools should ensure they 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 must be made to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated. Suspension must not be used as an automatic response when an allegation has been reported.

The school's behaviour policy should set out the disciplinary action that will be taken against **pupils** who are found to have made malicious accusations against school staff.

Exclusion⁶

The **head teacher** decides whether to exclude a pupil, for a fixed term or permanently, in line with the school's behaviour policy, taking into account all the circumstances, the evidence available and the need to balance the interests of the pupil against those of the whole school community.

Parents have the right to make representations to the governing body (or discipline committee) about an exclusion and **the governing body** must review the exclusion decision in certain

³ Applies to all maintained schools, Academies and Free Schools

⁴ The ability to give consent may be influenced by the child's age or other factors

⁵ Applies to all maintained schools, Academies and Free Schools

⁶ Applies to maintained schools through s 52 Education Act 2002 and to Academies and Free Schools through their funding agreements

circumstances, which include all permanent exclusions⁷. Where a governing body upholds a permanent exclusion parents have the right to appeal the decision to an independent appeal panel.

Schools are under a duty to provide suitable full-time education for an excluded **pupil** from the sixth school day of any fixed period exclusion of more than five consecutive school days. **Local authorities** are under a duty to provide suitable full-time education from the sixth school day of a permanent exclusion.

Parents⁸

Schools are required to have, and to ask parents to sign, a Home School Agreement that outlines the responsibilities of the **parent** and the **school**; including those around behaviour and attendance.

Parents are under a legal duty to ensure that their child (aged 5-16) receives a suitable full-time education either at a school or by making other suitable arrangements.

Where a child is not a registered pupil and other suitable arrangements are not made, the **parent** may receive a school attendance order from the **local authority** requiring them to register their child at a school.

For school-registered **pupils** or those attending Pupil Referral Units (PRUs), **parents** must ensure that their child attends punctually and regularly. If they do not, the **school** or **local authority** may ask them to sign a parenting contract or may issue a penalty sanction of £50 (rising to £100). The **local authority** may also prosecute a parent who fails to ensure their child's regular school attendance or apply to the courts for an education supervision order in respect of the **pupil** himself/herself.

Parents have a clear role in making sure their child is well behaved at school. If they do not, the **school** or **local authority** may ask them to sign a parenting contract or may apply for a court-imposed parenting order.

Parents must take responsibility for their child, if excluded, and ensure that they are not in a public place without good reason during school hours within the first five school days of any exclusion. If they do not, the **school** or **local authority** may issue a penalty sanction of £50 (rising to £100).

Parents must also ensure that their child attends the suitable full time education provided by the school governing body or the local authority from the sixth day of exclusion.

Parents are expected to attend a reintegration interview following any fixed period exclusion from primary school and any fixed period exclusion of more than five days from secondary school. Failure to attend may make it more likely that the court will impose a parenting order if the **school** or **local authority** applies for one.

⁷ Paragraphs 100 to 103 'Improving behaviour and attendance: guidance on exclusion from schools and Pupil Referral Units

⁸ References to parent or parents are to fathers as well as mothers, unless otherwise stated.