

# Branton Community Primary School Breamish Valley Community Nursery



## Behaviour and Discipline Policy

December 2014

Reviewed Sept 16, updated July 2017

# Branton Primary School and Breamish Valley Nursery

## Behaviour and Discipline Policy (Including "Control and Restraint" and "Searching and Screening")

"Good behaviour is a necessary condition for effective teaching and learning to take place and an important outcome of education which society rightly expects."

(Education Observed D.E.S. 1987)

At Branton Primary School and Breamish Valley Nursery, the behaviour of our children has been recognised as exemplary. However there is a need to have an understood, consistent approach to children's' behaviour so that systems are in place should the need arise.

### **Our policy is based on the belief that:**

- Good behaviour is not automatically learned but needs to be taught and supported by parents.
- Classroom behaviour can change and that we as teachers can assist children to manage their behaviour more effectively.
- A child with problems is the school's problem not an individual teacher's problem.

### **Aims of the Policy**

- For staff to project themselves as good role models, co-operating and supporting one another, and treating colleagues and pupils with courtesy, consideration and respect.
- For staff to have a high standard of pupil expectation in all aspects of work.
- For staff to try to raise the levels of pupils' self-esteem.
- To provide a broad, balanced and differentiated curriculum which is both interesting and relevant.
- To provide a varied range of teaching and learning styles to suit the needs of pupils.
- To provide an attractive learning environment and quality resources.
- To track pupil progress, set challenging though achievable targets and support children in achieving them, so that children know their efforts are valued and that progress matters.
- To encourage children to accept varying degrees of responsibility, both in and out of the classroom, with the purpose of promoting independence, self-reliance and trustworthiness. To encourage all children, particularly the older children, to act as positive role models to the younger children and to be respectful and courteous to one another, to staff and the adults they come into contact with in and out of school.
- To make provision for a happy working atmosphere in school by promoting the pastoral care of children, with staff giving support and guidance to each individual child.
- To consistently and fairly implement reward and sanctions systems.
- To encourage school/parental partnership, to promote children's education and maintain standards of behaviour.

"We consider that the best way to encourage good standards of behaviour in a school is a clear code of conduct ..... within a positive community atmosphere."

(Discipline in Schools - Elton Report)

Other relevant documentation: Anti Bullying Policy, Equalities and Diversity Policy, Special Educational Needs and Disability (SEND) Policy, Attendance Policy, Marking Policy, Control and Restraint Policy, Home School Agreement.

**Our purpose is:-**

- to maintain levels of good behaviour
- to provide a consistent approach in rewarding good behaviour
- to provide a consistent approach in responding to unacceptable behaviour
- to ensure that behaviour does not inhibit learning or impede potential.

**The Adults' Role**

Teachers and Teaching Assistants and all adults in school need to establish consistent levels of acceptable behaviour with the support of parents, governors and management. Positive expectations, praise and reward are the key to successful classroom management. Pupils need to know how to make good choices.

They need to receive consistent positive encouragement as means of motivation. They need to be taught to manage their own behaviour.

Teacher's need to recognize that effective conditions for learning: (planning, pitch, pace, participation etc.) will impact positively on general classroom behaviour.

**Assertive Mentoring**

'Attitude' is carefully tracked at least termly. This includes attendance, punctuality, behaviour, effort, homework and uniform. Each area is colour coded: Green excellent/very good, Yellow-acceptable/borderline, Red-unacceptable/impaired. Targets and support are agreed where necessary.

**Rules**

School rules are kept to an essential minimum and will be included in our home/school agreement. They have been developed to be meaningful to children. None are too difficult. They are all designed to develop courtesy, good manners and mutual respect. They are to protect children from injury, to care for equipment and to maintain a hygienic, healthy environment.

Anti-social behaviour is not condoned. It is essential that parents and teachers work together through discussion and action on any problems which develop.

If damage or loss is caused to school property through repeated carelessness or vandalism, parents will be asked to ensure that their child repays a reasonable proportion of the cost from pocket money. Any action however, will be with understanding and in keeping with that of a responsible parent.

At Branton Primary School and Breamish Valley Nursery we should

- respect ourselves
- respect each other
- respect our school and grounds
- respect our environment

Our mission statement, devised from contributions by children, parents and our local community, communicates the values that we at Branton and Breamish agree important in helping our children become independent, responsible and caring members of our community.

At Branton Primary School we are full of cheer!

Confident

Happy

Enlightened

Effective

Respectful

**Our school rules related to our behaviour policy.**

#### **Jewellery**

Watches and stud earrings are the only items of jewellery which may be worn at school and these must be removed during P.E. and swimming lessons. Teachers are not to assist children with the removal of jewellery. If children cannot remove it themselves it should be taken out at home on the days the child does PE. Any articles removed should be locked in the school office for the duration of the lesson.

Reasons: Rings, necklaces, bracelets etc. can turn a minor incident into a major accident if caught on apparatus or entangled in another child's clothing or hair. Even stud earrings have the potential to cause severe tears to the wearer's ears or injury to others.

## **PE Kit**

Appropriate clothing must be worn for all PE activity

Indoors:- No jewellery. Plimsolls, shorts, School PE or white T- shirt (in gymnastics children may be required to work in bare feet for grip, this is dependent on the advice from the gymnastics coach.)

Reasons: It is dangerous to go on the apparatus wearing trainers or similar footwear because it is more difficult to feel. A combination of bare feet and trainers, etc. can result in trampled toes and damaged nails. Children should exert themselves during PE and therefore should have extra clothing to compensate for heat loss.

Outdoors:- No jewellery. Plimsolls or trainers, shorts, School PE or white T- shirt, (Tracksuit in cold weather).

Reasons: Slip on shoes or laced shoes even with small heels are not suitable for games lessons. They provide insufficient grip and may cause injury to self or others.

## **School Clothing**

The wearing of school uniform is voluntary, however we do think our children look very smart and tidy in their uniform and it means that all children feel part of the school community, wearing their school badge with pride.

Badged items of school uniform may be purchased from the school office. Further items of appropriate colours and styles are available from a variety of suppliers and supermarkets. We also ask that our parents provide their children with appropriate clothing to enable their child/children to take part in outdoor activities, dependent on the time of year and prevailing weather conditions such as waterproof coats, wellington boots, hats, scarves and gloves, or sunhats and sun cream.

Footwear must be well fitting, supportive and appropriate to our environment.

Reasons: School uniform reinforces school identity and eliminates 'brand' fashion and stigma. High heel shoes and boots, mules or crocs are unsafe for our school environment.

If any parents have difficulty in meeting the costs of these items please speak to Mrs Ryan or Mrs McCann.

## **Personal property**

The school cannot accept responsibility for the loss or damage to clothing or personal property. Toys, games and sports equipment must not be brought to school (except on special occasions when the teacher gives permission such as for 'Show and Tell'). Any money brought into school should be handed in as soon as possible and never left in trays, bags or coats.

Reasons: Suitable toys, games and sports equipment are provided for the playground and indoor play. Unsuitable equipment may present a risk to children and present the potential for theft.

## **Mobile Phones**

Mobile phones can only be brought to school in exceptional circumstances and only with the prior permission of the Headteacher. Such requests will be considered on an individual basis.

If permission is granted mobile phones must be handed in to the school office upon arrival and collected at the end of the school day. They should never be left in trays, bags or coats or used during school hours.

Reasons: During school hours contact is possible through the school's land lines.

Mobile phones are regarded as potentially hazardous to health. They present an unacceptable disturbance to lessons, potential for theft and cyber bullying.

### **Behaviour Guidelines Procedures**

On the whole, we do not believe in shouting as a behaviour management technique.

However there may be occasions when it is necessary to use a raised voice i.e. in order to re-establish control, be heard on the playground etc.

Occasionally, it is necessary, in exceptional circumstances, for a child to be removed from the class. In these situations, a member of support staff should always accompany/supervise the child to ensure safety and supervision. If support staff are not available, the assistance of another member of staff should be called for.

Our Control and Restraint guidelines (found later in this policy) clearly define what is and is not acceptable practice should physical intervention be required. It is vital that any such intervention be reported and recorded. Staff are trained for safe handling and de-escalation techniques (Team Teach techniques).

Our school site is kept secure at all times with boundary gates locked after arrival in the morning until the end of the school day.

If a child should run out of school for whatever reason, staff should not overreact and must never run after them. They may be placing a child in greater danger by doing so.

The Headteacher should be informed immediately and lessons returned to normal as quickly as possible.

In most cases the child will remain on site, stay within visual contact or quickly return.

Once the child has calmed down, the head or appropriate staff member, will attempt to approach the child and calmly persuade him/her to return to school and discuss the situation.

If the child refuses or leaves the site, parents should be informed immediately and asked if they would like the police informing. If parents and emergency contacts are unavailable (stored in file in office) the Police should be informed directly.

Upon returning to school it must be made clear to the child that there is no justification for leaving the premises and alternative strategies explained i.e. voluntary 'Time Out'. As well as trying to solve the cause of the problem, the child must be left in no doubt as to the dangers they are exposing themselves to and how seriously the school views this behaviour.

### **Movement in and around School**

All movement in and around school should be purposeful. Staff should see that all children are suitably supervised when moving around the school.

Children not behaving appropriately should be encouraged to do so; reminded of what is expected or face sanctions for repeated lapses.

Example: If observed running, a child should be sent back to a stated point and be observed to walk correctly, accompanied by positive verbal feedback by the teacher or other adult

such as 'There you are, you can walk sensibly. Well done!' and so on. Remember be positive - "Please walk" rather than "Don't run"

If observed running with a total disregard for other people or displayed work then sanctions should be brought to play.

Children observed behaving appropriately, politely and considerately, i.e. holding doors, lining up quietly etc., should be thanked, praised or rewarded with the current themed reward.

### **Playtime Supervision**

Teachers and teaching assistants are required to perform supervisory duties including playtime supervision. A minimum of two staff members are required to supervise morning playtimes when the nursery children are in school. At other times when an individual member of staff is supervising they should carry a 'walkie talkie' to summon other staff when needed or to alert staff of pupil movements. Supply teachers should cover the duty of absent teachers but should never be without support.

All staff should be fully aware of playtime procedures, rules, sanctions and rewards and apply them consistently. The '**Playground Book**' needs to be used whenever necessary to record the application of these procedures and track the behaviour of individuals.

When on duty, staff should circulate and take the opportunity to socialize with our children whilst maintaining an overview of the play area and spotting potential problems before they escalate.

At the end of playtime children will be called to line up by the supervising adult. If on the school field they should line up at the gate, if on the school yard they should line up in year groups at the rear door. Good behaviour whilst entering school should be reinforced with praise and/or rewards.

In poor weather, duty staff may decide that children should not go outside at break time. They may decide to; work through and allow a later playtime if there is a break in the weather, or allow an indoor playtime with suitable, quiet activities provided for children. It is permissible for staff to share supervision of indoor play allowing teachers and teaching assistants the opportunity to take a break, provided that children are never left unsupervised.

### **Playtime procedures**

Children are not allowed to remain in the building unsupervised.

Children may not bring balls or equipment from home for use at playtimes but may use those supplied by the school. Football should only be played on the lower part of the school field allowing areas to be left for quieter activities.

Any misuse of playground equipment will lead to confiscation.

The school field is on two levels, staff supervising need to be on the same level as the children, or if two members of staff are on duty, one should be on each level.

Any other behaviour at playtime should be dealt with by the teachers on duty, or reported to a senior member of staff according to severity or frequency and recorded in the '**playground book**'.

Any child needing medical attention at playtime will be dealt with by a member staff with first aid training, the majority of staff hold current Paediatric First Aid Certificates. After playtime all children can be reminded that playtime is over and that a change in behaviour is expected in and around school (i.e. indoor voices).

## **Behaviour Guidelines**

### **Rewards**

It is very important that praise and reward should have great emphasis. Children will achieve more, be better motivated and behave better, when staff commend and reward their successes rather than focus on their failure.

**Praise** has a reinforcing and motivational role. It helps a child believe he/she is valued. Praise can be delivered in formal and informal ways, in public or in private; it can be awarded to individuals or to groups; it can be earned for the steady maintenance of good standards as well as for particular achievements.

### **Rewards**

#### **1) General**

- Favourable comments can and should be entered on pieces of work, (see Marking Policy).
- Written School Reports should comment favourably on good work, behaviour, involvement in and general attitude to school life.
- Recognition can be given to success of differing kinds in assemblies, e.g. presentation of certificates such as 'Star of the Week', swimming and cycling proficiency awards etc.
- Children's work can/should be displayed as much as possible both in the classroom and the corridor of the school.
- Specific privileges can be awarded to individuals/groups of children, e.g. in the use of school facilities, (computers, library, games equipment, etc.).
- Opportunities for giving children greater responsibility in school should be fostered e.g. Playtime Buddies, Health and Safety Monitors, School Council etc.
- Above all, praise and encouragement in and out of lessons should be used as much as possible.

#### **2) Whole School Reward System – School 360 'points' or Class 1 reward system**

As well as the rewards listed above the school has designed and adopted a consistent approach for rewarding and encouraging good behaviour, effort and manners based on the collection of topic linked rewards. These may be awarded for any actions, deeds or attitudes which are deemed noteworthy and may include :-

- Particularly good work/effort.
- Displaying good manners.
- Displaying a caring attitude towards others.
- Staying on task etc.

When awarding the rewards the member of staff should reinforce the good behaviour e.g. 'You can have a point/token for waiting so patiently'.

**Once awarded these should never be deducted.**

They are intended to help staff focus on positive rather than negative behaviour. E.g. if a child is continuing to stay on task when a partner is trying to distract him, staff may choose to reward the child on task rather than apply a sanction to the child who is not.

The reward system is graded as follows:-

Any noteworthy behaviour = 1 award (recorded on school chart or on School 360)

A reward can be awarded by any staff member to any child at any time. All staff should reward and reinforce positive behaviour as it occurs. This reinforces our philosophy that **the care of all our children is the responsibility of all adults in school.**

### 3) Certificates

A weekly assembly will be dedicated for the praise and recognition of children who have been noted to have done something noteworthy by each member of staff each week. This is our Celebration assembly.

This may be linked to Attainment, Achievement or Attitude. The focus of certificates will vary, depending on school priorities - e.g. respect, writing, hard work etc.

### 4) Attendance

These awards are given for consistently good attendance. Results are announced at the end of each term and a reward will be given to the child with the best attendance that term.

## Behaviour Guidelines

### Sanctions

In the use of sanctions, pupils learn from experience to expect fair and consistently applied punishments that differentiate between serious and minor offences. Sanctions are applied consistently by all staff, but with the provision for flexibility to take account of individual circumstances.

Note See also notes on 'Control and Restraint', later in this policy

· If behaviour results in physical or verbal abuse towards a teacher/adult a Violent Incident form should be completed and a copy forwarded to the LA.

· If physical intervention of any kind is required then a 'Major Incident' record should be completed as soon as possible.

· Any other incident deemed 'serious' or resulting in injury should be recorded on a Major Incident form, the teacher's class diary or the Playground Incident Book.

We have an agreed system of sanctions to register disapproval of unacceptable behaviour. Responses range from polite reminders to permanent exclusion, and are intended to:

· Provide clarity and consistency of suitable responses.

· Minimise disruption to others especially teaching and learning time.

· Provide every opportunity for children to correct their own behaviour, make sensible choices and prevent further sanctions being applied.

· Allow early involvement of parents, the Headteacher / SENCO and support agencies.

· Do everything reasonably possible to avoid exclusion from school.

When sanctions are applied, children should be helped to understand why what they have done is not acceptable. Express your displeasure with the **action** and never the **child** i.e 'That was a silly thing to do because...' and not 'You are a silly boy'.

### SANCTIONS PROCEDURE - CLASSROOM

Children should be familiar with our procedures and know what will happen next if they refuse the sanction or continue with the behaviour.

Professional judgement is required regarding which step best reflects the most suitable sanction given the behaviour displayed. . **Depending on the nature of the offence this may include immediate, permanent exclusion.** However, as a general rule for minor misdemeanours, the following sequence should be adhered to, with steps 1 and 2 being compulsory.

If unacceptable behaviour occurs:

**(Classroom Teacher or Teaching Assistant) Use normal strategies:**

e.g. Polite requests, warnings (no more than three), repositioning, separating etc.

**Step 1**

**(Classroom teacher) Give a final warning:**

Use the agreed phrase, 'This is your final warning. Do you understand?'

Children should be fully aware of what this means and the possible consequences of continuing with the behaviour.

**FROM NOW ON NO MORE WARNINGS. TAKE ACTION**

**Step 2**

**(Classroom teacher) Time Out (A)**

- Child sent to designated area of classroom
- 5-10 minutes sitting alone in order to reflect, calm down etc. without causing disturbance.
- Adult records when, why on class list

If behaviour improves return to lesson.

If not or if child refuses, move to **Step 3**

**For a regular offender:**

- Record who, when, why.
- Possible removal of treats / playtime etc.
- Discussion with Headteacher / SENCO : consider Behaviour Intervention.

**Step 3**

**(Teacher colleague) Time Out (B)**

- Child escorted to designated colleague.
- Up to 1 hour working alone without causing disturbance or as appropriate to the age of the child. .
- Possible removal of a treats / playtime.
- Child and adult records when, why in Attitude section of Mentoring file.

If behaviour improves return to class.

If not or if child refuses, move to **Step 4**

**For a regular offender:**

- Discussion with Headteacher/SENCO : consider School Support of the Code of Practice.
- Begin monitoring to identify areas of concern / possible causes/ appropriate targets.
- Complete a 'Behaviour Assessment Profile' if necessary.
- Parents informed by letter that behaviour is a cause for concern.
- Parents discuss concerns agree targets/support.
- Consider alternative strategies, inform other agencies.
- Access to extra-curricular/enrichment activity linked to improvement.

## **Step 4**

### **(Headteacher) Time Out (C)**

- Child escorted to Head
- 1 session or up to half a day working alone without causing disturbance.
- Record who, when, why and store in Attitude section of Mentoring file.
- Parents informed of removal by letter.

If behaviour improves return to class.

If not or if child refuses, move to **Step 5**

#### **For a regular offender:**

- Discussion with Head/ SENCO : consider the need for outside school support  
Plus
- Initiate closer monitoring i.e. frequency monitoring, time sampling etc.
- Complete a 'Behaviour Assessment Profile'.
- Parents / LEA informed by letter that child's behaviour is causing serious concern.
- Meeting with parents to investigate possible causes/alternative strategies i.e. parents working alongside child, reduced school day etc.
- Access to extra-curricular / enrichment activities dependant on progress.
- Referral to multi agencies i.e. Behaviour Support/Ed Psych etc.

## **Step 5**

### **(Head /SENCO) Pastoral Support Programme (On Report)**

- Teacher completes a Behaviour Assessment Profile.
- Involvement of all necessary agencies, i.e. Behaviour Support, Educational Psychologist etc.
- Consider EHA.
- PSP Meeting with parents/child.
- Clear/realistic targets for behaviour agreed (maximum of three).
- Clear rewards/consequences identified for success/failure (including possible exclusion).
- Daily feedback to child (x 5), weekly feedback to parents.
- PSP to last a minimum of two weeks/a maximum of 16 weeks, and reviewed fortnightly

If targets are achieved remove from PSP.

If PSP failed, move to **Step 6**.

## **Step 6**

### **(Headteacher) Behaviour Contract**

A last step before exclusion

- Clear specific rules which the child **must** uphold in order to remain in school.
- Further sanctions an immediate consequence of breaking the contract.
- Reviewed weekly.
- Parents, Chair of Governors, Behaviour Support informed.
- Complete a EHA.

If behaviour improves return to PSP

If not move to **Step 7**.

## **Step 7**

### **(Headteacher) Internal Exclusion (5 days or more)**

- Parents, Chair of Governors, Behaviour Support informed by letter.
- Child has no contact with own class or classmates.
- No access to playground, extra-curricular or enrichment activity.

If behaviour improves return to class on a Behaviour Contract or PSP. If not move to **Step 8**.

Following latest government guidance

### **Step 8**

#### **(Headteacher) Fixed Short Term Exclusion (up to 5 days per term)**

- Parents, Chair of Governors, LEA Officer informed by letter.
- Parents may make representations to Chair of Governors.
- Pupil Discipline Committee may meet but cannot reinstate.
- Upon return to school, child stays on Contract or PSP for a minimum of four weeks.

If behaviour improves remove from PSP. If not move to **Step 9**.

### **Step 9**

#### **(Headteacher) Fixed Long Term Exclusion (up to 45 days per year).**

- Parents, Chair of Governors, LEA Officer informed.
- Discipline Committee meet (parents/child or representative may attend/make representations).
- LEA Officer must be invited to attend but may not reinstate.
- Discipline Committee either reinstate or uphold the exclusion.
- Upon return to school or if reinstated child stays on Contract or PSP for a minimum of eight weeks.

If behaviour improves remove from PSP. If not move to **Step 10**.

### **Step 10**

#### **(Pupil Discipline Committee) Permanent Exclusion**

- Parents, Chair and Clerk of Discipline Committee, LEA Officer informed.
- Discipline Committee meet and consider all representations and reports (parents/child may attend).
- Discipline Committee either reinstate or uphold exclusion.
- Parents notified of right to appeal.
- If appeal successful, or reinstated child stays on Contract or PSP for the maximum 16 weeks.
- If appeal unsuccessful, remove child from school roll.

Serious incidents need to be treated on an individual basis and the circumstances investigated.

In exceptional circumstances permanent exclusion may be considered for a first or 'one off' offence. These may include:

- Serious actual or threatened violence against another pupil or a member of staff;
- Sexual abuse or assault;
- Supplying an illegal drug;

- Carrying an offensive weapon;
- Serious deliberate damage to school property.

## **SANCTIONS PROCEDURE - PLAYGROUND**

If unacceptable behaviour occurs:

### **Step 1**

**(Dinner Supervisor/Duty Staff) Use normal strategies:**

- Polite but firm request, discussion, separation etc. **NO MORE THAN 3 WARNINGS**

### **Step 2**

**(Dinner Supervisor/Duty Staff) Give a final warning**

- Use agreed phrase, 'This is your final warning. Do you understand?'

**FROM NOW ON NO MORE WARNINGS: TAKE ACTION.**

### **Step 3**

**(Dinner Supervisor/Duty Teacher) Time Out /Isolation A**

- Stand for no longer than 5 minutes in a designated area, (facing wall) to reflect and calm down.

- Child has name added to **Lunchtime behaviour log**.

If behaviour improves return to playground.

If not, if child refuses or if behaviour is more serious move to **Step 4**.

### **Step 4**

**(Dinner Supervisor/Duty Staff) (Isolation B)**

- Member of internal duty staff sent for and takes over responsibility.
- Child removed from playground.
- Child stays in isolation for remainder of playtime/lunchtime.
- Child has second entry into behaviour log with reason.
- Class teacher informed.
- Possible loss of next playtime.

For a regular offender: (i.e. 4 entries into the playground book or Lunchtime Behaviour Log in one week over a given period)

- Discussion with Team Leader and/or SENCO: Consider School Action of the Code of Practice.
- Begin monitoring to identify areas of concern / possible causes/ appropriate targets.
- Inform parents of concerns / targets (IEP).
- Consider alternative strategies.
- Possible removal of extra-curricular/ curriculum enrichment activity.
- Isolation from yard (step 5)

### **Step 5**

**(Class teacher) Missing playtimes (Isolation C)**

For more serious incidents including violent behaviour:

- Misses playtime for up to five consecutive days.

- Record who, when, why in Behaviour Log book.
- Parents informed of situation by letter.
- Children to report to Headteacher's office at the start of playtime/lunchtime.
- Further discussion with SENCO; consider School Action Plus or Code of Practice.

For a regular offender:

- Discussion with Head/ SENCO: Consider the need for formal assessment.
- Initiate closer monitoring i.e. frequency monitoring, time sampling etc.
- Complete a 'Behaviour Assessment Profile'.
- Parents informed by letter that behaviour is a major cause for concern.
- LEA informed that child is at risk of exclusion.
- Meeting with parents to investigate possible causes/alternative strategies.
- Access to extra-curricular activities dependant on progress.
- Access to curriculum enrichment activities dependant on progress.

## **Step 6**

### **(Headteacher) Pastoral Support Plan**

For those getting regular detention or committing serious incidents:

- Involvement of all necessary agencies, i.e. Behaviour Support, Educational Psychologist etc.
- PSP Meeting with parents/child.
- Clear/realistic targets for behaviour agreed (maximum of three).
- Clear rewards/consequences identified for success/failure (including possible exclusion).
- Daily feedback to child, weekly feedback to parents
- PSP to last a minimum of two weeks/a maximum of 16 weeks, and reviewed fortnightly

## **Step 7**

### **(Headteacher) Behaviour Contract**

A last step before exclusion.

- Clear specific rules which the child **must** uphold in order to remain in school.
- Exclusion an immediate consequence of breaking the contract.
- Reviewed fortnightly.
- Parents, Chair of Governors informed.

If behaviour improves return to PSP If not move to **Step 8**.

Following guidance under Section 6 of DfEE Circular 10/99 or to be superseded by any more recent guidance from the DfE.

## **Step 8**

### **(Headteacher) Fixed Short Term Exclusion (5 days or less per term)**

- Parents, Chair of Governors, LEA Officer informed by letter.
- Parents may make representations to Pupil Discipline Committee.
- Pupil Discipline Committee may meet but cannot reinstate.
- Upon return to school, child stays on Contract or PSP for a minimum of four weeks.

If behaviour improves remove from PSP. If not move to **Step 9**.

## **Step 9**

### **(Pupil Discipline Committee) Fixed Long Term Exclusion (up to 45 days per year).**

- Parents, Chair of Governors, LEA Officer informed.
- Discipline Committee meet (parents/child or representative may attend/make representations).
- LEA Officer must be invited to attend but may not reinstate or uphold exclusion.
- Discipline Committee either reinstate or uphold the exclusion.
- Upon return to school or if reinstated child stays on Contract or PSP for a minimum of eight weeks.

If behaviour improves remove from PSP. If not move to **Step 10**.

## **Step 10**

### **(Pupil Discipline Committee) Permanent Exclusion**

- Parents, Chair of Governors, LEA Officer informed.
- Discipline Committee meet and consider all representations and reports (parents/child may attend).
- Discipline Committee either reinstate or uphold exclusion.
- Parents notified of right to appeal.
- If appeal successful, or reinstated child stays on Contract or PSP for the maximum 16 weeks.
- If appeal unsuccessful, remove child from school roll.

## **Troubled children**

The school acknowledges that a small minority of children may for whatever reason lack the maturity or self-discipline to make the correct choices available to them in order to control their own behaviour. This may be especially true of children with or being assessed for EHC plan and those in public care. For these children neither the normal rewards or sanctions procedures may be sufficient to support them or protect other children from their actions.

In these exceptional circumstances the school will make every effort to avoid exclusion. It is vitally important that parents are informed and involved when behaviour targets are agreed in order to establish possible causes and form a partnership of support.

Regular communication between home and school as well as daily feedback to the child regarding progress is essential. This can be achieved through the use of:

- Behaviour books (for KS1 and less mature KS2 children).
- Behaviour Reports (for KS2).

Both use the school 'reward' system for showing when targets are achieved over short periods (individual sessions/playtimes etc.) and any reason why they were not achieved.

## **Behaviour Targets**

- Should provide limited (maximum of three) unambiguous and, above all, **achievable** targets for the child's behaviour e.g.

"To stay on task at all times" is not a realistic target for the best behaved child let alone a troubled child.

- If clear targets cannot be identified - monitor (see appendix)
- Should provide clear consequences for breaking the agreement e.g. exclusion.

If in doubt, consult Headteacher.

Daily feedback on progress should be given and targets reviewed fortnightly either:

- to make targets more difficult as behaviour improves,
- to set new areas to tackle or
- to remove completely from report.

Branton Primary School acknowledges that there may be times when it may become necessary to physically restrain a pupil in the interests of that person's safety - or that of other pupils.

The school recognises the importance of placing its policy on physical restraint within the context of the whole school approach to discipline. This part of our Attitude and Behaviour Policy sets out the steps taken within school to positively promote and encourage positive attitudes and good behaviour among pupils. It is specific about expected standards of behaviour and what is unacceptable. It sets out a range of progressive sanctions and steps that the staff may apply when needed.

We are aware of the difficulties that staff can sometimes be faced with in their everyday dealings with pupils on matters of behaviour and discipline. The school's approach to physical restraint is based on the beliefs that

- pupils are entitled to a safe and secure environment in which a high value is placed upon learning how to behave toward others
- staff are also entitled to a safe and secure environment at work and should be offered personal support and guidance about what is expected of them in difficult situations.

The school has a duty of care to all its pupils. Staff are required to act in a way that safeguards and promotes the welfare of the pupils and to do everything they can to protect a child from harm, from harming others or causing serious damage to property.

In exceptional circumstances, this duty of care may involve the use of reasonable force.

### **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.

### **Control and Restraint** For FAQs see Appendix C

(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.

School does not require parental consent to use force on a student.

School does **not** have a 'no contact' policy. There is a real risk that such a policy might place a member of staff in breach of their duty of care towards a pupil, or prevent them taking action needed to prevent a pupil causing harm.

Physical restraint will, at no time, be used as a threat, punishment or means of forcing compliance when there is no risk to people or property.

Whenever possible, staff should have used a range of behaviour management strategies to diffuse the situation before restraint becomes necessary - e.g. discussion, diversion, persuasion, time out. Knowledge of the child and previous behaviour is important and should be taken into consideration, including any information regarding Special Educational Needs and Disabilities. Restraint should only be used as a last resort, or when staff feel that immediate action is required.

The following is a list of examples illustrating when physical intervention may become necessary: this list is not exhaustive and there are many factors to take into account.

Staff should use their professional judgement and common sense to appraise if the use of reasonable force will actually inflame a situation further.

#### **Situation / Action**

- A child needs guiding back to their place or activity - A gentle steer/ guiding hand approach: eg. Hand on shoulder, upper arm or in the case of a young child holding hands
- Preventing a child from leaving the classroom where leaving would put the child at risk or disrupt others - Blocking the exit of the child by standing in the way
- Removing a disruptive child from class - This would depend on the nature and level of disruption. A child may be physically removed, or the class may be removed and the child left in situ.
- Preventing a child from leaving the school premises where leaving would put the child at risk - Blocking the exit of the child by standing in the way
- A child putting him/ herself in danger by being unable to walk on a pavement on a school trip - With a younger child holding hands, walking beside an older child on the outer edge of the pavement: in both cases pulling them back from the road if they walk out into traffic
- Preventing a child from attacking a member of staff or another pupil - Holding the child by the shoulders/ upper arms for no longer than is necessary

- Stopping a fight in the playground - Holding the child by the shoulders/ upper arms for no longer than is necessary
- A child having a physical outburst that may cause him/ herself or others harm - Holding the child by the shoulders/upper arms for no longer than is necessary

### Using force

A panel of experts (Physical Control in Care Medical Panel - 2008) 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.

These techniques will not be used in Branton Primary School.

Once the decision to intervene physically has been made, the member of staff should

- give clear instructions warning the pupil that unless he / she conform, then physical restraint will be used
- calmly explain to the pupil that staff are unable to let him/her hurt others and that once they have calmed down the restraint will cease
- summon another member of staff, if possible to act as a witness and ensure the safety of both parties. If no other member of staff is available then restraint should only be attempted when staff feel sure of success
- use only the minimum amount of force necessary for the minimum amount of time
- gradually relax the restraint as soon as it is judged safe to do so, allowing the child to regain self-control
- reassure the pupil that no harm will follow

Both the pupil and member of staff should be given time to recover, if possible. It is important to acknowledge that emotional upset may take longer to get over than the physical symptoms.

Incidents should be reported to the Headteacher as soon as possible, and then recorded, using the Record of Restraint incident form. Copies of this form can be found in the school office and should be returned to the Headteacher as soon as possible and certainly before the member of staff leaves school for the day

Following any incident opportunities will be made for the staff to discuss and reflect upon what has happened and why, leading to ideas and strategies for future management of this pupil and his/her behaviour

### Telling parents when force has been used on their child

It is good practice for schools to speak to parents about serious incidents involving the use of force and to consider how best to record such serious incidents. It is up to schools to decide whether it is appropriate to report the use of force to parents.

In deciding what is a serious incident, teachers should use their professional judgement and also consider the following:

- the pupil's behaviour and level of risk presented at the time of the incident

- the degree of force used
- the effect on the pupil or member of staff
- the child's age

The Headteacher will also monitor the use of restraint, including consideration of

- the appropriateness of the intervention
- attempts at diffusing the situation
- that correct post restraint procedures have been carried out
- the need for individual behaviour management plans
- the need for inset/training for staff

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

(i) All complaints about the use of force will be thoroughly, speedily and appropriately investigated.

(ii) 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.

(iii) 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.

(iv) 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.

(v) School must consider carefully whether the circumstances of the case warrants a person being suspended until the allegation is resolved or whether alternative arrangements are more appropriate.

(vi) 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.

(vii) The Governing Body 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.

### **Physical Contact with Pupils**

(i) 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.

(ii) Examples of where touching a pupil might be proper or necessary:

- Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school;
- When comforting a distressed pupil;
- When a pupil is being congratulated or praised;
- To demonstrate how to use a musical instrument;
- To demonstrate exercises or techniques during PE lessons or sports coaching;
- To give first aid.

This section is based on non-statutory advice from the Department for Education. It is intended to explain schools' powers of screening and searching pupils so that school staff have the confidence to use them.

## **What legislation does this advice relate to?**

Education and Inspections Act 2006

Health and Safety at Work Act etc. 1974

### **Key Points**

- School staff can search a pupil for any item banned under the school rules, if the pupil agrees (The ability to give consent may be influenced by the child's age or other factors)
- Head teachers and staff authorised by them 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 which they consider harmful or detrimental to school discipline.

### **Screening**

At present we do not have screening technology at Branton Primary School.

### **Searching with consent**

#### **Schools' common law powers to search:**

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

1. School is not required 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 or tray and for the pupil to agree.
2. Staff, pupils and children are banned from bringing the following items to school: knives or weapons, alcohol, illegal drugs and 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 sanction as set out in the school's behaviour policy.
4. Should a pupil refuse to co-operate with such a search the school will contact parents to discuss the issue.

### **Searching without consent**

#### **What the law says:**

What can be searched for?

#### **Screening, Searching and Confiscation**

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

Can I search? Yes, if you are a member of school staff and authorised by the head teacher.

But:

- a. you must, if possible, 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. For example, it is possible for a female teacher to search and act as a witness in a search of a male pupil where there is only one or no male member of staff in a school or taking part in a school trip.

When can I search?

If you have reasonable grounds for suspecting that a pupil is in possession of a prohibited item. The law also says what must be done with prohibited items which are seized following a search.

### **Authorising members of staff**

At Branton Primary School all members of staff have authorization to search pupils however as there will most likely be no male members of staff available the Headteacher should then be consulted about whether a search goes ahead.

### **Establishing grounds for a search**

1. Teachers can only 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.
3. School staff can view CCTV footage (if available) in order to make a decision as to whether to conduct a search for an item.

### **Location of a search**

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, for example on school trips in England or in training settings.

### **During the search**

#### **Extent of the search – clothes, possessions, desks and lockers**

### **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 desks, lockers 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; but not an intimate search going further than that, which only a person with more extensive powers (e.g. a police officer) can do.

## Children's trays

Under common law powers, school is able to search lockers and desks for any item provided the pupil agrees.

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 as defined in this policy

## 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 may retain or dispose of it.
- Where they find **controlled drugs**, these must be delivered to the police as soon as possible unless there is a good reason not to do so - in which case the drugs must be disposed of.
- 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. This would include, for example, so called 'legal highs'. Where staff suspect a substance may be controlled they should treat them as controlled drugs as outlined above.
- Where they find **stolen items**, these must be delivered to the police unless there is a good reason not to do so - in which case the stolen item should be returned to the owner. These stolen items may be retained or disposed of if returning them to their owner is not practicable.
- In determining what is a "good reason" for not delivering **controlled drugs or stolen items** to the police the member of staff must have regard to guidance issued by the Secretary of State, Section 550ZC (6) Education Act 1996 (see paragraphs 1 to 4 below).
- Any **weapons or items which are evidence of an offence** must be passed to the police as soon as possible.
- It is up to teachers to decide whether there is a good reason not to deliver stolen items or controlled drugs to the police.

In determining what a 'good reason' is, the member of staff should take into account all relevant circumstances and use their professional judgement to determine whether they can safely dispose of a seized article.

Where staff are unsure as to the legal status of a substance and have reason to believe it may be a controlled drug they should treat it as such.

With regard to stolen items, it would not be reasonable or desirable to involve the police in dealing with low value items such as pencil cases. However, school staff may judge it appropriate to contact the police if the items are valuable (iPods/laptops) or illegal (alcohol/fireworks).

School can dispose of alcohol as they think appropriate but this does not include returning it to the pupil.

### **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.

There is no legal requirement to make or keep a record of a search.

School will inform the individual pupil's parents or guardians where alcohol, illegal drugs or potentially harmful substances are found, though there is no legal requirement to do so.

Complaints about screening or searching should be dealt with through the normal school complaints procedure.

### **Associated Resources**

Link to Use of Reasonable Force - advice for head teachers, staff and governing bodies

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

Link to Behaviour and Discipline in Schools - guidance for governing bodies

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

Link to Behaviour and Discipline in Schools - advice for head teachers and school staff

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

Link to Information Commissioner for advice on the Data Protection Act

[http://www.ico.gov.uk/for\\_organisations/data\\_protection.aspx](http://www.ico.gov.uk/for_organisations/data_protection.aspx)

### **Legislative links**

Education and Inspections Act 2006

<http://www.legislation.gov.uk/ukpga/2006/40/contents>

Health and Safety at Work etc Act 1974

<http://www.hse.gov.uk/legislation/hswa.htm>

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Adapted for use by Branton Primary School from a policy by JA Jenkins, Amble First School 2012

ZCA Ryan December 2014

Agreed by....., on behalf of the Governing Body

Date.....

Reviewed by staff team Sept '16 on behalf of the *Governing Body*

Date.....

## Appendix A

### GOOD PRACTICE

The quality of teaching and the organisation of the physical environment have a considerable effect on children's behaviour.

#### Always:

1. Create an interesting, stimulating and attractive classroom environment.
2. Provide an ordered environment in which everything has a place. Children should know where materials/equipment are and how to treat them with respect.
3. Make sure the children know what they are doing and that their work is matched to their ability.
4. Be aware of what is going on around you.
5. Do not be static.
6. Do not let children queue.

**Remember** that problems are normal when children are learning and testing the boundaries of acceptable behaviour.

#### Remember to:

- Set high standards
- Apply rules firmly and fairly
- Smile and relate
- Avoid confrontation
- Listen
- Stay calm
- Use humour
- Know the children as individuals
- Look out for good behaviour
- Praise quickly and consistently
- Praise the behaviour rather than the child

We do have a choice in how we behave; we can either give pupils a negative experience by using sarcasm, ridicule and humiliation which tends to destroy their self-esteem. Or, we can give them a positive experience that will build their self-esteem.

#### Never: -

- Humiliate - it breeds resentment
- Shout - it diminishes you
- Over react - the problem will grow
- Use blanket punishment - the innocent will resent you
- Over punish - never punish what you cannot prove

## **CHILDREN'S RIGHTS**

- To be looked after by caring adults
- To be taught well
- To be able to rely on an atmosphere conducive to learning
- To be made to feel welcome
- Not to be talked down to
- To feel as important as anyone else
- Not to be smacked or shaken
- Not to be bullied
- Not to hear swear words

## Appendix B

### RECORDING ISOLATION: Notes

#### Time Out A : a class list

It is not essential or even desirable that all isolations are always recorded but do record if:

- Monitoring individuals
- Patterns in behaviour emerge
- An individual is frequently being isolated

#### Time Out B: one sheet per child

All should be recorded and stored in the child's Mentoring File:

- To check on frequency of isolation
- Identify any patterns in behaviour
- Facilitate target setting and parent discussion
- To help with possible IEPs

#### Time Out C: one sheet per incident

More detailed recording is required. What happened, and why.

A letter should be sent to parents

All should be recorded and stored in the child's Mentoring File:

Statements/Comments should be brief but succinct, clear, unambiguous e.g. not 'disturbing class', 'being a nuisance' which are meaningless and open to misinterpretation, but rather 'tore up Anthony Brown's work', 'thumped Rebecca Smith in the back', 'refused to sit for story' etc., which are specific and understandable.

### Frequently Asked Questions

#### **I'm worried that if I use force a pupil or parent could make a complaint against me. Am I protected?**

Yes, if you have acted lawfully. If the force used is reasonable all staff will have a robust defence against any accusations.

#### **How do I know whether using a physical intervention is 'reasonable'?**

The decision on whether to physically intervene is down to the professional judgement of the teacher concerned. Whether the force used is reasonable will always depend on the particular circumstances of the case. The use of force is reasonable if it is proportionate to the consequences it is intended to prevent. This means the degree of force used should be no more than is needed to achieve the desired result. School staff should expect the full backing of their senior leadership team when they have used force.

**What about school trips?**

The power may be used where the member of staff is lawfully in charge of the pupils, and this includes while on school trips.

**Can force be used on pupils with SEN or disabilities?**

Yes, but the judgement on whether to use force should not only depend on the circumstances of the case but also on information and understanding of the needs of the pupil concerned.

**Am I expected to restrain or try to control my pupils?**

There is a power, not a duty, to use force so members of staff have discretion whether or not to use it. However, teachers and other school staff have a duty of care towards their pupils and it might be argued that failing to take action (including a failure to use reasonable force) may in some circumstances breach that duty.

**Are there any circumstances in which a teacher can use physical force to punish a pupil?**

No. It is always unlawful to use force as a punishment. This is because it would fall within the definition of corporal punishment, which is illegal.