

HURST GREEN PRIMARY SCHOOL



Policy for School Behaviour and Discipline

Policy for the attention of			
Audience	Key Audience	Optional Audience	Additional/Notes
Senior Leadership Team	√		
Teachers	√		
Teaching Assistants	√		
Administrative Staff	√		
Lunchtime Supervisors	√		
Site Manager		√	
Cleaners		√	
Governors	√		
Parents	√		
Website	√		
Local Authority		√	

Responsibility of	School Improvement
Review frequency	Annually
Previous versions agreed	October 2016; December 2017; October 2018; November 2020; October 2022
This version agreed	9 October 2023
Next review date	Autumn 2024

POLICY FOR SCHOOL BEHAVIOUR AND DISCIPLINE

Hurst Green Primary School wishes to provide a school environment that is safe and stimulating for the children in our care. In order to ensure that this is so, we have introduced a policy with set procedures to create a calm, secure and happy working environment for all.

We acknowledge our legal duties under the Equality Act 2010, in respect of Safeguarding, and in respect of pupils with Special Educational Needs.

This policy has been written in line with Rights Respecting Schools and its principles of

- Individuals have the right to feel safe, secure, valued and to be able to reach their potential
- Individuals have a responsibility towards themselves, each other and the school community
- Discipline should encourage that responsibility by providing a consistent, fair and reassuring framework within which all members of the school community can work
- Each member of the school community will be accorded the same rights, responsibilities and opportunities regardless of race, religion, sex or class

1. Aims

- To develop a Behaviour Policy, supported and followed by the whole school community – parents, teachers, children and Governors – based on a sense of community and shared values.
- To foster a caring, family atmosphere, in which teaching and learning can take place in a safe and happy environment.
- Through the school curriculum, to teach moral values and attitudes as well as knowledge and skills. (This will promote responsible behaviour, self-discipline, self-respect and respect for other people and property).
- To reinforce good behaviour, by providing a range of rewards for children of all ages and abilities, rather than simply to punish bad behaviour.
- To make clear to children the distinction between minor misdemeanors and serious misbehaviour and the sanctions that will follow any misbehaviour.
- To resolve behavioural problems in a caring and sympathetic manner as they occur, in the expectation of achieving an improvement in behaviour.

See Appendix 4 for link to the Department's advice on the Equality Act 2010

Teachers have power to discipline pupils for misbehaviour which occurs in school and, in some circumstances, outside of school.

The power to discipline also applies to all paid staff (unless the Head Teacher says otherwise) with responsibility for pupils, such as teaching assistants.

2. School Rules

Our school rules identify the key principles and expectations as to how we behave and conduct ourselves each day. These principles communicate the behaviour expectations clearly to all members of the school community and distinguish between right and wrong. Children are expected to be taught and follow these rules right from the start.

- We are **READY** to learn
- We are **RESPONSIBLE**
- We are **RESPECTFUL**
- We are **SAFE**

These principles are known to the children as the 3 Rs (RRRS)

3. School values:

School values are fundamental beliefs that the school views as being of central importance. Our set of school values form the foundation on which our school operates. These are the values that we want our pupils to have fully incorporated into their own personal values by the time they leave Y6.

- Friendship
- Perseverance
- Honesty
- Respect
- Equality
- Kindness
- Tolerance
- Trust
- Ambition

These principles and values have been formulated with the safety and well-being of the children in mind, and to create a secure climate of mutual respect where children are aware of expectations and receive positive guidance whilst learning to play a responsible role within school and its wider community.

4. Responsibilities

The Head Teacher

The Head Teacher will model and respect the principles of Ready, Responsible, Respectful and Safe.

The Head Teacher will ensure the Behaviour Policy is implemented in school and will be involved in serious breaches that may involve exclusion. Where there are serious breaches of the school policies relating to pupil behaviour, the Head Teacher may implement a fixed or permanent exclusion. In all instances of exclusion the Head Teacher will follow the published exclusions guidance in consultation with Dudley Exclusion Team. Only the Head Teacher can make decisions regarding exclusion.

The Head Teacher will publicise the school behaviour policy, in writing, to staff, parents and pupils at least once a year.

The Governors

Governing bodies of maintained schools have a duty under section 175 of the Education Act 2002 requiring them to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children.

Governors will ensure that the school provides an environment that promotes positive behaviour in order for effective learning to take place. Governors will respect and model the principles of Ready, Responsible, Respectful and Safe.

Governors will ensure that the behaviour policy is published on the school website.

The Senior Leadership Team

To support and empower any members of staff who are experiencing challenging behaviour, by helping them to improve their practice. SLT will respect and model the principles of Ready, Responsible, Respectful and Safe.

All staff

To building positive, caring relationships with every pupil so that they feel valued, understood, safe and cared for. Staff will respect and model the principles of Ready, Responsible, Respectful and Safe.

Parents

To work in partnership with the school and support the systems and structures related to behaviour management and behaviour for learning. When on school grounds, parents are expected to respect the behaviour principles of Ready, Responsible, Respectful and Safe.

Pupils

To take full responsibility for their own learning and actions throughout the day. To be aware of the rewards and sanctions relating to behaviour and to be respectful to other members of the school community so that everyone can be ready to learn. To act in such a way that all members of the school community stay safe.

Some pupils, in line with their individual needs, require a differentiated approach to their behaviour management. These pupils may have different rewards and sanctions in line with their individual needs and targets.

5. Rewarding Good Behaviour

A major intent of this policy is to encourage pupils to exhibit good behaviour; this is reinforced with a whole school Zone Board system and a House Point system.

All children start the day with their name in Green Zone. Children can move up to silver or gold zone as a result of good behaviour choices. Children can move down to amber or red zone as a result of inappropriate behaviour choices. Children in Key Stage One who end the day in either silver or gold zone are given a silver or gold sticker to stick on their jumpers and in Key Stage Two in their homework diaries.

Children in Key Stage Two are able to use their stickers as 'currency' and exchange them for a variety of rewards and prizes. These incentives will be changed regularly to maintain interest.

Children from year one to six are awarded house points and weekly totals are shared in assembly. The children in the team with most house points at the end of a half term are able to have a non-uniform day.

Additional type of incentives and rewards will be found from class to class to meet the needs of individual children and cohorts. Children can be rewarded for academic and non-academic achievements, for effort and for being caring, and for all aspects of good work and behaviour.

Examples of such additional behaviour strategies and rewards include...

- Children who finish the year with 50+ Gold stars will receive a special badge for their tie.
- Incentive stickers are given to children by teachers and dinner supervisory staff.
- Oral and written praise such as comments in person, comments in books, table awards, golden tickets, star of the week, etc.
- In mathematics Club 27, 40, 55, 55+ and 100 grid provides each child from Year 2 upwards the opportunity to gain badges and shields (presented in assembly) for their success in learning multiplication/division and number facts.
- Children may display their achievements, both in and out of school, in sharing assemblies and talent assemblies.
- Children are sent to senior leaders for specific praise
- Each week, one child in each class is given a special mention by staff in 'Mentions' assembly. Certificates are sent home to raise awareness of parents of the praise children receive in assembly.
- Children who always exhibit a range of positive behaviours are rewarded with recognition as an 'Always Child'. Every half-term, teachers will put forward the names of the 'Always' children in their class and names will be added to an Always board in the classroom. Always children will receive a badge to wear on their tie. A different colour badge is used to represent being an Always Child in each year group, meaning that children can build up their Always badges each year. There is a special award for any children who reach Y6 and have been awarded an Always badge for every school year.

- Expectations for our Always children at Hurst Green are age appropriate and adapted slightly for our youngest children. Always children will be demonstrating the attributes listed below.
 - I am always READY to learn.
 - I am always RESPECTFUL towards others.
 - I understand that I am RESPONSIBLE for my own behaviour and set a good example of this to others at all times of the school day.
 - I always do what I can to keep others SAFE.
 - I am always in green, silver or gold.
 - I am always kind, caring and polite.
 - I always complete the work I am asked to do and do it to the best of my ability.
 - I always follow school and class rules.
 - My teacher can always count on me to do the right thing.
 - I am always a good friend to others.
 - I always set a good example to others at all times of the day.
 - I keep my belongings tidy and organised.
 - I often go above and beyond in what I do and the way I conduct myself.
 - I always persevere when faced with challenges in my learning.
 - I always try my best to wear uniform correctly.

Parents are also informed of the praise given to their child through comments in the homework diaries and children taking home certificates and stickers.

Most children respond to a positive approach where their efforts are acknowledged and make considerable efforts to improve their work and, when necessary, their behaviour.

6. Sanctions and discipline

Teachers can discipline pupils whose conduct falls below the standard which could reasonably be expected of them. This means that if a pupil misbehaves, breaks a school rule or fails to follow a reasonable instruction, the teacher can impose a sanction/loss of privilege on that pupil. To be lawful, the sanction (including loss of free time) must satisfy the following three conditions:

- 1) The decision to sanction a pupil must be made by a paid member of school staff or a member of staff authorised by the Head Teacher;
- 2) The decision to sanction the pupil and the sanction itself must be made on the school premises or while the pupil is under the charge of the member of staff; and
- 3) It must not breach any other legislation (for example in respect of disability, special educational needs, race and other equalities and human rights) and it must be reasonable in all the circumstances.

A sanction must be proportionate. In determining whether a sanction is reasonable, section 91 of the Education and Inspections Act 2006 says the penalty must be reasonable in all the circumstances and that account must be taken of the pupil's age, any special educational needs or disability they may have, and any religious requirements affecting them. There will be times when children behave unacceptably. Children need to discover where the boundaries of acceptable behaviour lie, as this is a part of growing up.

Minor breaches of discipline are dealt with by the class teacher, in a caring, supportive and fair manner, having regard to the age of the child. All children are taught about the consequences resulting from poor behaviour.

Each case is treated individually. Generally, children are reminded that they are responsible for their own actions and that breaking rules has consequences. Each class has a behaviour consequence chart. Children will receive warnings will move down the Zone Board if the

behaviour continues, however good behaviour will reverse that action, thus demonstrating the importance of making good choices. (Appendix 2)

Some children may have their own individual behaviour plans and may not follow the zone board system.

Examples of appropriate sanctions include:

- Verbal warning
- Time out in another class or year group
- Loss of privileges
- Missing break time or lunchtime
- Extra work, or repeating unsatisfactory work until it meets the required standard.
- Internal exclusion from class
- School based community service- such as tidying a classroom

In more extreme cases the following sanctions may be used:

- Lunchtime suspension – see later information
- Fixed-term suspension – see later information
- Permanent exclusion – see later information

Corporal punishment is illegal in all circumstances.

If the unacceptable behaviour is persistent or recurring, and falls outside of the behaviour routinely dealt with by using the Zone Board system, the Assistant Head Teacher, then the Deputy Head Teacher or Head Teacher become involved and take appropriate additional actions such as an individual behaviour plan (IBP) report system, involvement of outside agencies, fixed term exclusions and permanent exclusions.

CPOMS reporting system is an internal system used to record any serious/repeated incidences within school. These are then analysed and reported to governors.

Graduated response

A graduated response system is applied to behaviour at Hurst Green. This links to both safeguarding and special educational needs (

Appendix 3). This system allows all stakeholders to understand when concerns regarding behaviour need to be escalated.

Supporting pupils following a sanction

Following a sanction, strategies are used to help all pupils to understand how to improve their behaviour and meet the behaviour expectations of the school. These might include:

- A targeted discussion with the pupil
- A phone call with parents
- Completing a self-reflection task
- Inquiries into circumstance outside school
- Considering whether the current behaviour system is appropriate.

7. Procedures for Dealing with Major Breaches of the Behaviour Policy

Major breaches of discipline such as physical assault; bringing prohibited items or weapons to school; deliberate damage to property; stealing, leaving the school premises without permission and/or verbal abuse would be immediately referred to SLT.

This type of behaviour is rare at Hurst Green and it is the duty of the members of the Senior Leadership Team to deal with it promptly to stop it persisting. Parents are informed of their child's behaviour and other agencies/ strategies might be discussed e.g. use of the counselling service, friendship groups, Educational Psychologist etc. Consideration of a multi-agency assessment would be made for pupils who display continuous disruptive behaviour. We have a duty to consider whether

the behaviour under review gives cause to suspect that a child is suffering, or is likely to suffer, significant harm. Where this may be the case, staff will follow the school's safeguarding policy. They should also consider whether continuing disruptive behaviour might be the result of unmet educational or other needs. At this point, the school should consider whether a multi-agency assessment is necessary.

8. Suspensions

The Head Teacher will decide whether to suspend a pupil, 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. In the case of a permanent exclusion, the GB Discipline Committee will meet within 15 days to decide whether to uphold the head teacher's decision or re-instate the child back to school.

The Head Teacher may consider the following questions:

1. Is the behaviour in breach of the school Behaviour Policy? If so, have any other sanctions described in the policy been used and to what effect? Could any other sanctions be used as an alternative with the parents' agreement?
2. Has the school previously supported the child (what/when/what level of impact did this have?) Does the child have any recognised behaviour problems? Have reasonable adjustments already been made or could they now be made? (Evidence could be SEN documentation eg EHCP, IEP, Risk Assessments) Even if the child does have a recognised behaviour problem the school has a duty of care to all children. If the risk to others cannot be controlled, then exclusion should be considered.
3. Would allowing the child to remain in school seriously harm the education or welfare of other children or adults?

Once all other considerations have been made then an exclusion may be applied. In this case, the school will follow Local Authority guidelines and DfE Exclusion procedures.

If the Head Teacher is unavailable and/or uncontactable, then Natalie Webb, Deputy Head Teacher, can issue a fixed term suspension in the Head Teacher's absence, provided attempts to contact the Head Teacher have been made.

It is illegal for the school to send home a pupil due to poor behaviour unless via a fixed or permanent exclusion/suspension.

The pupil will be provided with work for the first 5 days of an exclusion. Parents will receive a letter outlining the reason for the exclusion and the length of time. A meeting will be held with the child and parents when the child returns to school. The school will adhere to Local Authority, DfE and relevant legal guidelines for exclusions.

The Local Authority may be contacted by the school for advice on individual and general matters relating to exclusion.

9. Recording incidents of inappropriate behaviour.

Staff will use CPOMS to record day-to-day behaviour incidents. The LA incident recording system will be used for more serious breaches that meet the conditions shown below.

Examples of incidents recorded on CPOMS:

- An incident resulting in a member of staff speaking to a parent about a child's behaviour.

- An incident where a child has been put on red and therefore needs to have some reflective time.
- An incident where members of the senior leadership team have become involved with a child's behaviour.
- Incidents of behaviour concerning a child with an IBP

LA Accident/Incident Record

This is used to record:

- any incidents involving a child, or anyone employed in school, resulting in personal injury or damage to property
- loss, theft, or damage to property
- any other incidents or matters of a serious nature.

This record is not for minor incidents in day-to-day classroom management but for serious occurrences of challenging behaviour.

10. Confiscation of inappropriate items:

Certain items are not allowed to be brought into school, including mobile phones (unless agreed by the Head Teacher). Where mobile phones are brought to school by Y6 pupils, they are kept in the office during the day and collected by pupils at home-time.

Staff are able to confiscate, retain or dispose of pupils' property, under the general power of discipline (Education Act 2011), as long as it is in reasonable circumstances. Once an item is confiscated, the member of staff must make an effort to keep the property safe. The confiscated item must be returned to the child's parent/carer explaining why it was confiscated.

The law protects staff from liability of damage to, loss of confiscated items provided that they have acted lawfully.

Staff have the power to search without consent for prohibited items including:

Power to search without consent for "prohibited items", including:

- 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; and
- any item banned by the school rules which has been identified in the rules as an item which may be searched for.

Any object or article that could be used to commit an offence, damage property or cause harm/injury to self or others.

Where appropriate, items may be handed to the police.

Where it is appropriate, the Head Teacher (or Deputy Head Teacher) will consider whether to involve other outside agencies.

See appendix 4 for link to Screening, Searching and Confiscation – advice for head teachers, staff and governing bodies:

11. The Power to discipline beyond the school gate

Disciplining beyond the school gate covers the school's response to all non-criminal bad behaviour and bullying which occurs anywhere off the school premises and which is witnessed by a member of staff or reported to the school.

The school is able to respond to incidents of inappropriate behaviour when the child is:

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

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

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

In all of these circumstances the Head Teacher will consider whether it is appropriate to notify the police or anti-social behaviour coordinator in their local authority of the actions taken against a pupil. If the behaviour is criminal or poses a serious threat to a member of the public, the police should always be informed. In addition, school staff should consider whether the misbehaviour may be linked to the child suffering, or being likely to suffer, significant harm. In this case the school staff will follow the safeguarding policy.

12. Pastoral Care for School Staff

The school will not automatically suspend a member of staff who has been accused of misconduct, pending an investigation. The Head Teacher will draw on the advice of LADO and the 'Dealing with Allegations of Abuse against Teachers and Other Staff' guidance when setting out the pastoral support school staff can expect to receive if they are accused of misusing their powers.

See appendix 4 for Link to guidance on Dealing with Allegations of Abuse against Teachers and Other Staff.

13. Racist/Homophobic remarks:

Any words or actions that cause offence to another person and are considered racist by the offended person will be deemed as a racist remark.

The Head Teacher will be informed and the pupil spoken to, with appropriate sanction given where applicable. A record of the incident is kept on CPOMS and reported to the governors. Parents of both the perpetrator and victim are informed

14. Lunchtime Supervision

At lunchtime, supervision is by the team of mid-day supervisory assistants and at least one member of the senior management teaching staff. The team should maintain order; usually by reminding

children of the standard of behaviour expected. Lunch time staff will follow the school behaviour policy.

The children should treat the supervisory staff with the respect due to all adults at Hurst Green Primary School. Verbal or physical abuse is not tolerated. Serious misbehaviour or repeated disobedience at lunchtime is brought to the attention of the Head Teacher/Deputy Head Teacher. This results in loss of privileges and break times. Parents will be informed if there is no improvement in behaviour and the child will be excluded from the premises at lunchtime for a set period. This could be followed, if necessary, by more fixed term or permanent exclusion.

15. Physical Intervention

Staff can 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. One member of staff has been MAPA trained and may be called on should physical intervention be necessary. However, any paid employee may physically intervene if the above conditions are met. If a child is physically handled, then the parent of the child would be notified and a meeting with the parent/ carer arranged in order to put a physical handling plan in place.

The Incident is recorded and the situation discussed with the Head Teacher or Deputy Head Teacher, who will work with the member of staff and parents to devise an action plan to meet that child's and the school's needs. This might include the involvement of other agencies – Social Services, Psychological Service, Pupil Referral Service, etc.

See Appendix 4 for link to Use of Reasonable Force – advice for head teachers, staff and governing bodies:

Dealing with Bullying

Bullying is not tolerated at Hurst Green Primary School. Please see our anti-bullying policy for further details.

Parents

Parents can help by recognising that an effective School Behaviour Policy requires close co-operation between parents, teachers and children. Parents should discuss the school rules with their child, emphasising that they support the rules.

Attending Parents' Evenings and parents' functions and by developing informal contacts with school helps to reinforce their support for the Policy. Learning and teaching cannot take place without sound discipline and parents should recognise that staff will deal with behaviour problems patiently and positively.

Parents will be notified if staff are concerned about specific incidents or patterns of poor behaviour.

Parents will be contacted if we believe that your child needs an Individual Behaviour Plan or a Positive Coping Plan. These will be put together by staff and parents will also be involved.

Staff development

Both new and current staff are given yearly and termly updates and training regarding behaviour. This training extends to students and new starters.

Pupil transition

As part of the introduction to Hurst Green, a children will be informed of the rules, routines and expectations of the school.

Covid Behaviour Additions

Added to the Behaviour & Discipline Policy – agreed by governors 02.11.20

- Children are expected to follow school instructions on hygiene, such as handwashing and sanitizing.
- Children are expected to follow clear expectations about sneezing, coughing, tissues and disposal, in line with the "catch it, bin it, kill it" message.
- Children will be given clear rules about not coughing or spitting at or towards any other person.
- Pupils must inform a member of staff if they are experiencing symptoms of coronavirus.
- Any coughing/spitting on another pupil will result in a sanction
- Children not to share water bottles.

Remote Learning Behaviour

- Clear rules are in place for pupils at home about conduct in relation to remote education – parents have been given clear guidance.
- Clear process for online learning and for children to keep themselves safe when online – parents have been given clear guidance.

Further information

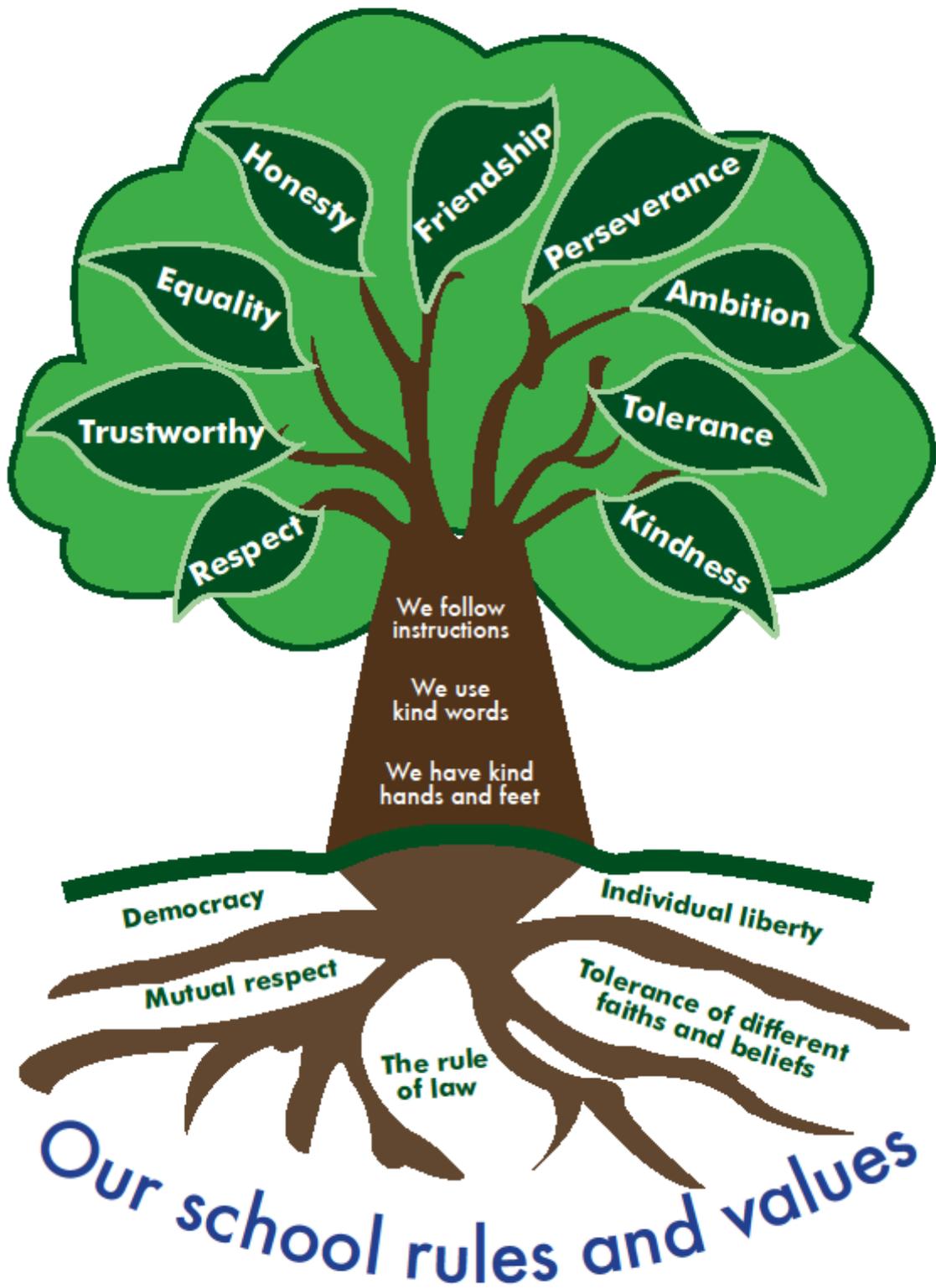
Parents must not approach other parents or children if a problem has occurred with their child at school. The child's class teacher should be informed and the matter will be dealt with either by the teacher, Assistant Head Teachers, or the Head Teacher/Deputy Head Teacher, as appropriate.

Governors have the right to refuse access to school or school grounds to a parent who does not follow this procedure or behaves in an inappropriate manner. Hurst Green Primary is a zero-tolerance zone. Any form of aggression or verbal abuse towards staff will not be tolerated.

Copies of this policy can be requested from the Head Teacher or found on the school website.

Data protection

This policy adheres to the principles under data protection law. For further information please review the school's data protection policy published on the school's website



Appendix 2 Zone Board Flow Chart

Fast Track

If the behaviour of a child is judged to be phase 3, the child can be fast tracked and moved to red instantly and may be reported to SLT, depending on severity.
Parents to be informed.

1

Child to be told why behaviour choice is inappropriate (refer to 3Rs) and then given a verbal warning.
Provide choice and a consequence.

"If you choose to continue....you will move to amber."

2

If child needs second verbal warning, child is moved down to amber on the zone board with an explanation why.

Child may need a brief discussion with teacher, and time to reflect on their behaviour choices.

3

If a child is spoken to again whilst on amber, the child is given another warning that they may be moved to the red zone if they continue making poor behaviour choices.

"You have been moved to amber because..... You have chosen not to stop this behaviour. If you continue, you will move to red."

Children are to have period of reflection during their next available free time which is applicable to their age. For instance, a discussion with the teacher, finishing work at play time, missing some play or lunch time.

This time cannot be earned back.

If a child has moved into the red zone, it must be logged on CPOMS

Appendix 3 Graduated Responses

Stage	Provision required	Behaviour profile	Support and provision	Assessment, recording and monitoring systems	Consequence as a result of behaviour
1	Universal provision	<ul style="list-style-type: none"> • Generally outstanding behaviour • Sometimes can be an occasional blip which may sometimes result in a consequence • Generally, responds well to behaviour policy 	<ul style="list-style-type: none"> • Discussion with child to find out if anything is worrying them or upsetting them • Discussion with the child-learning point identified and what to do next time • Praise as soon as possible for making the right choice • Use of the behaviour chart and house points • Discuss what happened with your child and possible ways forward next time • Implement visual timetable • Pupil made aware of the school's expectation of whole school behaviour (RRRS) • Jigsaw/PSHE assemblies/lessons delivered • Children fill in a reflective behaviour sheet during Red zone 	<ul style="list-style-type: none"> • Pupils reviewed at Pupil Progress and discussed with Assistant Headteachers • 2 parents' evenings and 1 written report with the opportunity for parents to be updated. • Star rewards collated at the end of the year by the teacher • Use of CPOMS for red zone sanctions • Parents to be informed a physical breach in school code of conduct • AHT to monitor and log red zone children • NEW 'Always board' • School report to parents(summer) 	<ul style="list-style-type: none"> • Missed playtimes • Missed part of lunchtimes • Class teacher discussions with parents • Informal discussion with parent as necessary (phone if not collecting)
2	Early intervention support Please note at this stage the support is	<ul style="list-style-type: none"> • Emerging pattern of behaviour • Occasional refusal to work 	In addition to Stage 1: <ul style="list-style-type: none"> • Class teacher to have a formal discussion with parents 	<ul style="list-style-type: none"> • Class teachers to monitor for patterns in children's behaviour at this stage and this to be reviewed at Pupil Progress meetings with 	<ul style="list-style-type: none"> • More formalised contact with parents regarding patterns/changes in behaviour • Phone call to be made to parents by AHT if

	<p>delivered from ongoing behaviour management and might not be regular.</p>	<ul style="list-style-type: none"> • Distracting class from working • Difficulty interacting with peers during structured and/or unstructured times 	<p>outlining concerns</p> <ul style="list-style-type: none"> • Additional strategies to be used in class (these could be rewards) • Teacher to discuss with SENDCO/AHT or HT to discuss any area of need and strategies • Use of de-escalation strategies (staff training Autumn) 	<p>Assistant Headteacher or through CPOMS.</p> <ul style="list-style-type: none"> • More in depth discussion during Pupil Progress meetings to discuss the children • Parents are to be informed of difficulties in behaviour during parents evening (spring/summer) and/or on school report (summer term) 	<p>consecutive numbers of red zone behaviour occur</p> <ul style="list-style-type: none"> • Payback of lost learning time • Removed from class for a period of time
3	<p>Targeted, additional support</p> <p>At this stage the support must be timetabled and delivered regularly.</p>	<ul style="list-style-type: none"> • Continued pattern of behaviour with no sign of improvement over a half term. • Significant downfall in behaviour over a short period of time • Increasingly not meeting expectations (structured or unstructured times) • Individual modifications are not having a positive response • Regularly hurting other children 	<p>In addition to Stages 1 - 2:</p> <ul style="list-style-type: none"> • Monitor and place on an Individual Behaviour Plan+system if behaviour does not improve after a given period of time • CT, behaviour lead to meet with parents to have open discussion around school and home. Target will be set for the next half term. • Recap meeting with parents • Complete Behaviour Profile (updated later) • SDQ and Boxall (Emotional education-training to follow) 	<ul style="list-style-type: none"> • Attend discussions with class teacher on a daily/ weekly basis as necessary. • Logs on meeting with parents in CPOMS • Behaviour plan created by behaviour lead and shared with parents • New individualised behaviour system created 	<p>Meeting to be held with CT and AHT to have discussions with parents</p> <p>Exclusion (internal) for lunchtime or afternoon</p>

		<ul style="list-style-type: none"> Consistently poor language choices Ignoring staff instructions 	<ul style="list-style-type: none"> Colour monster and three houses work Discussions with behaviour SEND and Safeguarding lead to seek further support in different areas Daily/weekly check in with behaviour lead or wellbeing lead/ Where possible, a support LSA may be offered 		
4	<p>Targeted, intensive additional support</p> <p>At this stage the support is timetabled and prioritised.</p>	<ul style="list-style-type: none"> Individual modifications are not having a positive response Continued decline of behaviour from levels 2/3 	<p>In addition to Stages 1 – 3:</p> <ul style="list-style-type: none"> Referrals to specialist support through mental health and/or SEND Personalised support, working on an individualised curriculum focusing on needs identified by specialist support Pastoral lead/SEND involvement Play therapy Social groups Outside school intervention including Sycamore Centre 	<ul style="list-style-type: none"> CPOMS to record any behaviour problems Letter of fixed exclusion sent to parents and council 	<ul style="list-style-type: none"> Head teacher/behaviour lead discussions with parents Fixed term exclusion (less than 5 day) Fixed term exclusion with work provision (more than 5 days) Reduced timetables
5	<p>Provision over and above that which would be expected at universal and targeted</p>	<ul style="list-style-type: none"> Possible extreme behaviours including physical or verbal abuse Severe destruction of school property 	<p>In addition to Stages 1 – 4:</p> <ul style="list-style-type: none"> Complete risk assessment Consider pupil to be raised at consultation cluster meeting 	<ul style="list-style-type: none"> Meeting with the local authority 	<p>permanent exclusion</p>

	support levels because pupil's needs are exceptional, severe, complex and long		with appropriate professionals and suggestions implemented		
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Associated resources

Link to the Department's advice on the Equality Act 2010:

<http://www.education.gov.uk/aboutdfe/policiesandprocedures/equalityanddiversity/a0064570/the-equality-act-2010>

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

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

Link to Screening, Searching and Confiscation – advice for head teachers, staff and governing bodies:

<http://www.education.gov.uk/schools/pupilsupport/behaviour/behaviourpolicies/f0076897/screening-searching-and-confiscation>

Link to guidance on Dealing with Allegations of Abuse against Teachers and Other Staff:

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



Department
for Education

APPENDIX 4

Use of reasonable force

Advice for headteachers, staff and
governing bodies

July 2013

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Summary

About this departmental advice

This is non-statutory advice from the Department for Education. It is intended to provide clarification on the use of force to help school staff feel more confident about using this power when they feel it is necessary and to make clear the responsibilities of headteachers and governing bodies in respect of this power.

Expiry or review date

This advice will be kept under review and updated as necessary.

Who is this advice for?

- School leaders and school staff in **all schools**¹ in England.

Key points

- School staff have a power to use force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action.
- Suspension should not be an automatic response when a member of staff has been accused of using excessive force.
- Senior school leaders should support their staff when they use this power.

¹ “All schools” include Academies, Free Schools, independent schools and all types of maintained schools

What is reasonable force?

1. 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.
2. 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.
3. 'Reasonable in the circumstances' means using no more force than is needed.
4. 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.
5. 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.
6. 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?

- All members of school staff have a legal power to use reasonable force².
- This power applies to any member of staff at the school. It can also apply to people whom the headteacher 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?

- Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.
- In a school, force is used for two main purposes – to control pupils or to restrain them.
- 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.

² Section 93, Education and Inspections Act 2006

- The following list is not exhaustive but provides some examples of situations where reasonable force can and cannot be used.

Schools can use reasonable force to:

- remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- prevent a pupil behaving in a way that disrupts a school event or a school trip or visit;
- prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground; and
- restrain a pupil at risk of harming themselves through physical outbursts.

Schools cannot:

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

Power to search pupils without consent

In addition to the general power to use reasonable force described above, headteachers and authorised staff can use such force as is reasonable given the circumstances to conduct a search for the following “prohibited items”³:

- 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.

Force **cannot** be used to search for items banned under the school rules.

Separate guidance is available on the power to search without consent – see the ‘Further sources of information’ section for a link to this document.

Communicating the school’s approach to the use of force

- Every school is required to have a behaviour policy and to make this policy known to staff, parents and pupils. The governing body should notify the headteacher that it expects the school behaviour policy to include the power to use reasonable force.
- There is no requirement to have a policy on the use of force but it is good practice to set out, in the behaviour policy, the circumstances in which force might be used. For example, it could say that teachers will physically separate pupils found fighting or that if a pupil refuses to leave a room when instructed to do so, they will be physically removed.
- Any policy on the use of reasonable force should acknowledge their legal duty to make reasonable adjustments for disabled children and children with special educational needs (SEN).
- Schools do not require parental consent to use force on a student.
- Schools should **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.
- By taking steps to ensure that staff, pupils and parents are clear about when force might be used, the school will reduce the likelihood of complaints being made when force has been used properly.

Using force

- A panel of experts⁴ 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.

⁴ Physical Control in Care Medical Panel - 2008

Staff training

- Schools need to take their own decisions about staff training. The headteacher should consider whether members of staff require any additional training to enable them to carry out their responsibilities and should consider the needs of the pupils when doing so.
- Some local authorities provide advice and guidance to help schools to develop an appropriate training programme.

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 parents⁵.
- In deciding what is a serious incident, teachers should use their professional judgement and consider the:
 - pupil's behaviour and level of risk presented at the time of the incident;
 - degree of force used;
 - effect on the pupil or member of staff; and
 - the child's age.

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

- All complaints about the use of force should be thoroughly, speedily and appropriately investigated.
- Where a member of staff has acted within the law – that is, they have used reasonable force in order to prevent injury, damage to property or disorder – this will provide a defence to any criminal prosecution or other civil or public law action.
- When a complaint is made the onus is on the person making the complaint to prove that his/her allegations are true – it is not for the member of staff to show that he/she has acted reasonably.
- Suspension must not be an automatic response when a member of staff has been accused of using excessive force. Schools should refer to the “Dealing with Allegations of Abuse against Teachers and Other Staff” guidance (see the ‘Further sources of information’ section below) where an allegation of using excessive

⁵ References to parent or parents are to fathers as well as mothers, unless otherwise stated.

force is made against a teacher. This guidance makes clear that a person must not be suspended automatically, or without careful thought.

- Schools must consider carefully whether the circumstances of the case warrant a person being suspended until the allegation is resolved or whether alternative arrangements are more appropriate.
- If a decision is taken to suspend a teacher, the school should ensure that the teacher has access to a named contact who can provide support.
- Governing bodies should always consider whether a teacher has acted within the law when reaching a decision on whether or not to take disciplinary action against the teacher.
- As employers, schools and local authorities have a duty of care towards their employees. It is important that schools provide appropriate pastoral care to any member of staff who is subject to a formal allegation following a use of force incident.

What about other physical contact with pupils?

- It is not illegal to touch a pupil. There are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary.
- Examples of where touching a pupil might be proper or necessary:
 - 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; and
 - To give first aid.

Frequently Asked Questions

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

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

Q: How do I know whether using a physical intervention is 'reasonable'?

A: 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.

Q: What about school trips?

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

Q: Can force be used on pupils with SEN or disabilities?

A: 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.

Q: I'm a female teacher with a Year 10 class - there's no way I'd want to restrain or try to control my pupils. Am I expected to do so?

A: 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.

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

A: 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.

Further sources of information

Other departmental advice and guidance you may be interested in

- [Guidance on the Use of Restrictive Physical Interventions for Staff Working with Children and Adults who display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders \(2002\)](#)
- [Guidance on the Use of Restrictive Physical Interventions for Pupils with Severe Behavioural Difficulties \(2003\)](#)
- [Screening, searching and confiscation – advice for headteachers, staff and governing bodies.](#)
- [Dealing with allegations of abuse against teachers and other staff – guidance for local authorities, headteachers, school staff, governing bodies and proprietors of independent schools](#)

Associated resources (external links)

- [Police and Criminal Evidence Act 1984 \(PACE\) Code G: Revised Code of Practice for the Statutory Power of Arrest by Police Officers](#)



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