

# Happisburgh CE VA Primary & Early Years School

*Learning for Life ... To be the best you can be*

*"Let your light shine" Matthew 5:16*



## Behaviour and Discipline Policy

### Status

Statutory

### Purpose

Happisburgh School holds an important position in the wider community, educating the young citizens of tomorrow in a way that will ensure that they take a positive and proactive role within their community in the future. At Happisburgh, we believe that everyone should feel valued and respected, and that each person is treated fairly and well. We are a caring community, with strong Christian Values that are built on kindness, trust and respect for all. This policy is designed to support the way in which all members of the school can live and work together in a supportive way. It aims to promote an environment where everyone can feel happy, safe and secure.

### Our Golden Rule

*Treat others in the way you would like to be treated*

Positive behaviours and attitudes are developed through:

- the study of Christian Values
- an understanding of British Values
- SMSC lessons

Through these, all pupils will be encouraged to develop:

- respect for others: their feelings, opinions, cultures, limitations and the right to individuality
- respect for themselves: pride in their own achievement and that of others in the school, high standards of behaviour and dress, and the desire to produce their best work at all times
- respect for the environment: their own, the schools and other people's property and the community in which we live
- respect for the future: the belief that we can all make a difference by our contribution to the local, national and global community.

### **Overall, the policy will:**

- emphasise providing opportunities for pupils to take responsibility and be involved in decision-making
- establish and promote consistent expectations of both staff and pupils
- promote self-discipline and proper regard for authority among pupils
- encourage good behaviour and respect for others and prevent all forms of bullying among pupils
- foster a culture in which pupils' achievements are recognised and celebrated
- ensure that staff are seen to be fair and consistent
- ensure that all staff are able to take prompt and effective action when pupils behave inappropriately.
- promote working in partnership with home and external agencies.

To ensure a consistent, whole school approach, we have:

- established a whole school charter (**see appendix 1**) and individual class charters
- established, agreed and understood codes of general behaviour (**see appendix 2**)
- established, agreed and understood positive learning behaviours
- established rewards and sanctions
- developed children's understanding that they are responsible for their own behaviour

On an individual basis, we have agreed to:

- Offer verbal praise
- Allocate stickers / dojos
- Write behaviour plans for individuals
- Create star charts where necessary

### **Who was consulted?**

All pupils are consulted at the beginning of each academic year on the rules, rewards and sanctions. Student council monitors the effectiveness of the practices through the year. Parents/carers are encouraged to support the policy through the home-school agreement.

### **Relationship to other policies**

This policy is linked to the Safeguarding Policy, the Anti-Bullying Policy, the Teaching and Learning Policy, the Equalities Policy, and the Home-School Agreement.

### **Roles and responsibilities of head teacher, other staff, governors**

The **head teacher** will be responsible for ensuring that this policy is implemented and for reporting to the governing body on its impact. He/she will ensure that staff receive appropriate training and support and that the statutory guidelines in place re exclusions are applied. Ultimately, and only once all procedures have been followed, she or he will address the possibility of excluding a student.

**Teachers and support staff** will be expected to draw on the following principles of good practice:

- be consistent and fair in the application of rewards and sanctions, not ignoring poor behaviour and celebrating good behaviour as a way of maximising students' self-esteem and confidence as learners.

- set high standards early in order to help pupils establish regular punctual attendance and good behaviour from the start, involving parents in the process.
- intervene promptly where there is poor behaviour or unexplained absence, so it is clear that this is not acceptable.
- employ techniques such as pastoral support, pupil mentoring and buddying to help improve and maintain high standards of behaviour and discipline.
- identify underlying causes since poor behaviour may be linked to a pupil's problems in understanding lessons. Consider additional literacy or numeracy support to address poor behaviour effectively.
- recognise that when they need to challenge pupils the focus must be on the behaviour. In the first instance correction should usually be a private matter between teacher and child to avoid resentment; followed by the use of teacher-owned classroom-based strategies, prior to the sanctions outlined in the policy for rewards and consequences
- give pupils choices and help them to understand the consequences. Where preventative approaches have been unsuccessful and consequences have been applied it is important that the teacher repairs and rebuilds their relationship with the pupil prior to the next lesson
- provide an appropriate curriculum, and high-quality teaching, promoting challenge and high expectations. Plan lessons to include differentiation for ability and different learning styles, activities that are engaging and challenging, and assessment for learning opportunities. Deliver lessons with pace and enthusiasm.
- ensure that teaching methods promote active participation for all, within a challenging and supportive environment. Aim to develop the skills, knowledge and understanding which will enable pupils to work and play in co-operation with others.
- create a stimulating learning environment that promotes independence and on-task behaviour.
- encourage pride in achievement. Use displays to promote pupils' self-esteem. Celebrate the achievements of pupils whether they happen in or out of school, whether individual children, classes or year groups, through mentions in celebration assembly, certificates or prizes and feedback to parents and carers.

**Teachers** should make every effort to solve any discipline problems themselves as they arise. The option of referral should not be taken too quickly. However, it is recognised that in certain circumstances referral may be necessary and staff should not hesitate to ask for guidance and assistance from the head teacher. Teachers are expected to deal with the following in the first instance:

- monitoring of effort and achievement, monitoring of homework, manners, care for the environment, bad language, respect for others.
- pupils displaying poor behaviour that disrupts the education of peers, does not allow the teacher to teach, or undermines the calm respectful ethos of the school may be referred to the Head teacher.

All staff should refer pupils to the Head teacher for the following behaviour:

- use of obscene/offensive language directed at a member of staff including racist language
- an assault on a member of staff, an assault on another pupil
- fights between pupils
- theft
- vandalism
- wilful disobedience

If bullying is suspected or reported, the incident will be dealt with immediately by the member of staff who has been approached. A clear account of the incident will be recorded and given to the head teacher, they will interview all concerned and will record the incident. Parents/carers will be kept informed. Sanctions will be used as appropriate and in consultation with all parties concerned. Support will be offered to the pupil who has been bullied to rebuild confidence and self-esteem. **See anti-bullying policy**

### Parents/carers

The school works collaboratively with parents, so children receive consistent messages about how to behave at home and at school. We work with parents to support their child's learning and development at school, as set out in the home-school agreement. We try to build a supportive dialogue between the home and the school, and we inform parents immediately if we have concerns about their child's welfare or behaviour.

We expect parents to support the school if sanctions are applied for misbehaviour. If parents have any concern about the way their child has been treated, they should initially contact the class teacher. If the concern remains, they should contact the head. If these discussions cannot resolve the problem, a formal grievance or appeal process can be implemented with the governing body

### Governors

The governing body has the responsibility of setting down these general guidelines on standards of discipline and behaviour, and of reviewing their effectiveness. The governors support the head teacher in carrying out these guidelines. The head teacher has the day-to-day authority to implement the school behaviour and discipline policy, but governors may give advice to the head teacher about particular disciplinary issues. The head teacher must take this into account when making decisions about matters of behaviour.

### Arrangements for monitoring and evaluation

The governing body will evaluate the impact of this policy by receiving data from the headteacher on:

- fixed-term and permanent exclusions – number of and analysis of behaviour
- instances of bullying and action taken

Prior to any review of the policy, feedback will be sought from the school council, staff and parents/carers on the effectiveness of the policy.

### Date established by governing body – DD/MM/YY

This policy has been reviewed and adopted by the full Governing Body at the meeting on: 1 June 2020

Signed and dated by:

The Headteacher

Kathryn Jackson 

1 June 2020

and

The Acting Chair of Governors

Amanda Sands  1 June 2020

# Happisburgh School Charter



*We value and respect everyone in our school therefore we will:*

- *Be friendly and polite to everyone we meet*
- *Listen to each other*
- *Consider each other's feelings*
- *Involve each other in our work and play*

*We understand that we come to school to learn therefore we will:*

- *Encourage each other to do our best*
- *Work hard and persevere in all we do*
- *Be proud of our achievements and those of others*
- *Respect the rights of others to learn*

## Our Behaviour and Consequences Chart

### Our Golden Rule – Treat people the way you would like to be treated

#### Level 1 – Green

Example of Behaviour	Consequences to Behaviour
<ul style="list-style-type: none"> <li>I am following our school Golden Rule</li> </ul>	<ul style="list-style-type: none"> <li>I am working and playing nicely resulting in the possibility of rewards</li> <li>Adults around me are happy and helpful</li> </ul>

#### Level 2 – Blue

Example of Behaviour	Consequences to Behaviour
<ul style="list-style-type: none"> <li>I have accidentally hurt someone physically or with words</li> <li>I have not listened to instructions</li> </ul>	<ul style="list-style-type: none"> <li>I will get advice and support from an adult and be expected to apologise and follow instructions immediately.</li> </ul>

#### Level 3 – Yellow

Example of Behaviour	Consequences to Behaviour
<ul style="list-style-type: none"> <li>I keep on misbehaving and not listening, and I have been clearly warned 3 times</li> </ul>	<ul style="list-style-type: none"> <li>I will have a time out for 5 minutes in a specific place which is chosen by an adult I will be shown or given a yellow card which I will give back after my 5 minutes are up</li> </ul>

#### Level 4 – Orange

Example of Behaviour	Consequences to Behaviour
<ul style="list-style-type: none"> <li>I have purposefully hurt another person either physically or with words</li> <li>I have not listened to instructions and have been rude to adults</li> <li>I have continued to ignore warnings</li> </ul>	<ul style="list-style-type: none"> <li>I will be shown or given a red card and sent to speak to my teacher, another teacher or Miss Jackson</li> <li>I can expect to miss playtime, write about what went wrong or be excluded from sitting with my friends at lunch</li> <li>My family may be told about my behaviour</li> </ul>

#### Level 5 – Red

Example of Behaviour	Consequences to Behaviour
<ul style="list-style-type: none"> <li>I am behaving in a way, both physically and verbally, that is a danger to myself or others</li> </ul>	<ul style="list-style-type: none"> <li>I will be removed from where children are and Miss Jackson or Mrs Heaps will speak to me</li> <li>I may not be allowed back into my class and will do my learning and play away from my classmates</li> <li>My family will be told about my behaviour</li> </ul>

If I cause major disruption or cause injury, I may be excluded from school for a fixed period

# Use of reasonable force

Advice for headteachers, staff and governing bodies

July 2013

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.

## 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 (1) "All schools" include Academies, Free Schools, independent schools and all types of maintained schools 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 force
- 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.
- 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 Section 93, Education and Inspections Act 2006 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”

- 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.

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). Section 550ZB(5) of the Education Act 1996
- 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 experts identified that certain restraint techniques presented an unacceptable risk when used on children and young people. The techniques in question are:
  - the 'seated double embrace' which involves two members of staff forcing a person into a sitting position and leaning them forward, while a third monitors breathing;
  - the 'double basket-hold' which involves holding a person's arms across their chest;
  - the 'nose distraction technique' which involves a sharp upward jab under the nose.

### **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 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 parents
- 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.

Physical Control in Care Medical Panel - 2008

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

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

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

- Governing bodies should always consider whether a teacher has acted within the law when reaching a decision on whether or not to take disciplinary action against the teacher.
- As employers, schools and local authorities have a duty of care towards their employees. It is important that schools provide appropriate pastoral care to any member of staff who is subject to a formal allegation following a use of force incident.

### **What about other physical contact with pupils?**

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

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