

# Oak Lodge Primary School

## Behaviour and Discipline Policy

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Agreed by committee	PPC Committee	January 2015
Reviewed by committee	PPCC Committee	January 2018
<b>Next Review January 2019</b>		

# Behaviour and Discipline Policy

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## **1. STATEMENT OF PRINCIPLES**

At Oak Lodge Primary School, we believe that good behaviour is the key to a good education. We work to create a learning environment where everyone feels valued, secure and motivated to learn and we are committed to enabling high standards of behaviour throughout the school. We recognise that these standards are best promoted when everyone (staff, parents and children) have a shared understanding of what is acceptable and unacceptable behaviour. By promoting good behaviour we can build individual and collective esteem and encourage good personal relationships.

At Oak Lodge, the school, the Governors and staff seek and expect the following:

- All of our children to be kind, caring and considerate to each other.
- Everyone to care about the school, to look after the buildings and equipment inside.
- Everyone to respect the property of others, while developing the ability to involve and share.
- The parents to be involved and supportive
- The adults working in school to be calm, caring and considerate, providing excellent role models for the children to follow.

Our day to day approach will be patient and positive, knowing that children are individuals and respond better to praise and privilege, rather than to criticism. However, negative behaviour will not be ignored. It will be tackled and dealt with through a range of methods, as detailed later in this policy.

## **2. SCHOOL BEHAVIOUR OBJECTIVES**

The objective of our policy is:

- To create an environment that has high expectations of and reinforces good behaviour.
- To develop pupil's self-discipline and self-control in the classroom and outside, encouraging children to recognise and respect the rights of others and their own responsibilities.
- To enhance pupils self-esteem and motivate children to make the right choices.
- To enforce sanctions, ensuring children are aware that in life there are choices and consequences.
- To provide support for children, parents and all members of staff.

The Governing Body has a duty under S175 Education Act 2002 that requires them to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children.

## **3. EXPECTATIONS OF BEHAVIOUR**

To enable children to meet behaviour expectations and to ensure consistency across the school, Oak Lodge promotes a set of School Values as follows:

Respect  
 Resilience  
 Communication  
 Co-operation  
 Adaptability  
 Morality  
 Thoughtfulness  
 Enquiry

Our School Values are taught as part of the International Primary Curriculum (IPC) and are affirmed by all school staff. All school staff are expected to reinforce and reward our School Values using our 'Passport to Success'. Every child is given a 'Passport to Success' - a sticker collection card and when a child displays an appropriate behaviour, school staff may award the relevant School Value sticker. The aim is for a child to collect all eight stickers and on doing so they will be awarded a special lapel badge that they are able to wear in school.

Our School Values feature strongly within the themes for our assemblies, during which teachers and children also share specific examples regarding their awarding and receiving School Value stickers.



In consultation with the children, these School Values have been used to help create the School Code of Conduct, which is intended to form a practical guide to support children's positive behaviour.

The School Code is key stage specific to enable it to be meaningful and age appropriate: there is therefore one version for Key Stage 1 and one version for Key Stage 2 as follows:

**Key Stage 1**

We will use kind hands, feet and words  
 We will look after our property and everyone else's  
 We will listen when other people are talking  
 We will always try our best

**Key Stage 2**

Respect each other and our school  
 Listen, work hard and try your best  
 Take risks and learn from your mistakes

Be kind and help each other  
Ask questions and make the right choices

In order to help support children, all members of staff have a responsibility to reinforce both the School Values and the School Code and both of these will be displayed prominently within each classroom. It is expected that this reinforcement will take place both through both through teaching and the management of behaviour.

#### **4. COLLECTIVE RESPONSIBILITY**

At Oak Lodge Primary School, we firmly believe that every member of our school community has a responsibility to teach children socially acceptable behavior. Ensuring high standards of behaviour is recognised therefore to be a collective responsibility between parents, staff, governing body, children and other agencies involved with school. It is vital then that the behaviour policy is clear, that it is well understood by staff, parents and pupils and that it is consistently applied.

#### **5. THE ROLE OF THE HEADTEACHER**

It is the role of the Headteacher to:

- Lead in setting aims and standards, showing respect and valuing all members of the school community
- Implement the school Behaviour Policy consistently throughout the school
- Support staff in the implementation of the policy
- Enable staff management and training
- Foster a sense of community
- Establish good internal and external communications
- Ensure the health, safety and welfare of all the children in the school
- Report to Governors, when requested, on the effectiveness of the policy

The Headteacher (and Senior Management) have access to records of all reported incidents of misbehaviour in Behaviour Folders.

The Headteacher has the responsibility for giving fixed-term suspensions to individual children for serious acts of misbehaviour. For repeated or very serious acts of anti-social behaviour, the Headteacher may permanently exclude a child. Both these actions are only taken after the School Governors have been notified.

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

#### **6. THE ROLE OF THE SENIOR MANAGEMENT TEAM**

The Senior Management Team will:

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- Ensure the School Values and School Code are promoted effectively across the school
- Ensure our 'Helping my House' Behaviour Management system is applied consistently and effectively across the school
- Promote good behaviour through praise and rewards
- Demonstrate commitment to the School Code at all times and lead by example
- Support and monitor class teachers in applying the systems of rewards, sanctions and behaviour management strategies explained in the policy
- Keep records of all relevant incidents. Discuss these incidents with class teachers and agree on the most effective and appropriate way of dealing with these and informing parents. Record the agreed use of sanctions
- Offer full support to any teacher or member of staff involved in dealing with these incidents
- Be familiar with LA procedures for establishing a Pastoral Support Programme (PSP) and for exclusion if this becomes necessary
- Liaise with outside agencies as and when necessary and keep records of involvement using the standard school format

## **7. THE ROLE OF GOVERNORS**

The Governing Body must ensure that policies are designed to promote good behaviour and discipline on the part of its pupils.

The governing body has the responsibility of setting down the general principles of discipline and behaviour in the school in order to guide the head teacher in determining measures to promote good behaviour and discipline amongst pupils. In addition, it is required to agree the School's Behaviour Policy and review its effectiveness.

The governors support the Headteacher in implementing the Behaviour Policy. The Headteacher has the day-to-day authority to implement the school's Behaviour Policy, though governors may give advice to the Headteacher about particular disciplinary issues. The Headteacher must take this into account when making decisions about matters of behaviour.

The governors will be involved in formal exclusions.

## **8. THE ROLE OF THE CLASS TEACHER**

The class teacher will:

- Promote high expectations of the children in terms of behaviour, and strive to ensure that all children work to the best of their ability.
- Demonstrate respect and tolerance and treat each child fairly.

- Ensure lessons are interesting, challenging, well-paced and that they motivate and engage the interest of pupils.
- Promote good behaviour with a focus upon praise and reward.
- Set work which is appropriate to pupils' abilities.
- Ensure support staff are aware of the needs of pupils who may require special attention or support.
- Ensure the safety and welfare of the children within a well organised and attractive learning environment.
- Ensure classroom procedures and expectations are clearly understood.
- Display the School Code, School Values and House Point Chart prominently within the classroom.
- Ensure the School Values and School Code are reinforced consistently and effectively in their class, and make sure that their class behaves in a responsible manner during lesson time.
- Appropriately maintain and record significant incidents of inappropriate behaviour in the Class Behaviour Folder according to agreed guidance.
- Implement the 'Helping my House' Class Behaviour Reinforcement System according to agreed guidance.
- Demonstrate a full commitment to inclusion as well as the school's Behaviour Policy, Anti-Bullying and Equality and Diversity Policies, the PSHCE Curriculum and the Home School Agreement at all times.
- Be well prepared, ensuring lessons start and end on time and that necessary materials are available.
- Know and use the agreed systems of rewards and sanctions outlined in the relevant policies and guidance, working closely with the Senior Management Team in the best interests of individual pupils and the school community.

Teachers have statutory authority to discipline pupils whose behaviour is unacceptable, who break the school rules or who fail to follow a reasonable instruction. The power also applies to all paid staff (unless the head teacher says otherwise) with responsibility for pupils, such as teaching assistants.

Teachers can discipline pupils at any time the pupil is in school or elsewhere under the charge of a teacher, including on school visits.

Teachers can also discipline pupils for misbehaviour outside school.

Teachers have a specific legal power to impose detention outside school hours, though imposing detention outside school hours is not currently a power Oak Lodge chooses to utilise.

Teachers can confiscate pupils' property.

The class teacher liaises with external agencies, as necessary, to support and guide the progress of each child.

The class teacher reports to parents about the progress of each child in their class, in line with the whole-school policy.

- The Headteacher fully supports the staffs' authority to discipline.
- To follow and apply the Behaviour Policy
- To be fair and consistent
- To develop an effective working atmosphere

## **9. THE ROLE OF THE FAMILY WORKER**

The Family Worker will provide support as appropriate by:

- Talking through difficult issues - through Listening Ear strategies;
- Providing life skills groups;
- Compiling social stories;
- Reinforcing a behaviour modification plan;
- Providing occasional support in the classroom as appropriate.

## **10. THE ROLE OF NON-TEACHING STAFF**

It is the responsibility of all staff to:

- Promote high expectations of the children in terms of behavior.
- Strive to ensure that all children complete work to the best of their ability.
- Treat each child fairly, with respect and understanding.
- Ensure that the School Code and School Values are reinforced in their class, and that their group behaves in a responsible manner during lesson time.
- Report any significant incidents back to the class teacher.

## **11. PARENTAL INVOLVEMENT**

We value our partnership with parents/carers and encourage involvement in all aspects of school life including discipline and behaviour. Staff welcome early contact if parents have a concern about their child's behaviour or fear that they are being upset by others. If parents and school work together we believe that the discipline and behaviour of pupils will be maintained and respected by all.

Parents can help in the following ways:

- By ensuring that pupils arrive punctually for the start of the school day.

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- By ensuring regular attendance at school and avoiding unnecessary pupil absence.
- By ensuring that pupils have appropriate dress for school and PE so as to take a full part in all school activities.
- By co-operating with the school and supporting the School Code and our policy that all pupils are expected to behave in a responsible manner, both towards themselves and others, showing consideration and respect for other people at all times.
- By ensuring that pupils show a proper regard for other people's property, buildings and the environment.
- By adhering to the Home-School Agreement, which details the agreed responsibilities of parents, pupils and teachers.

## **12. REWARDS**

Our primary strategy to manage behaviour is to reward and recognise the positive, rather than emphasise the negative. It is important to keep this philosophy in mind. For the majority of children this approach will work; sanctions should be needed only for a minority of children.

It is important that the main focus for rewards and sanctions should be within the classroom, extending to Senior Management where necessary. They should be applied in a fair and consistent manner with appropriate parental involvement.

Rewards can include the following:

- Physical gestures e.g. smiles, thumbs up
- Written praise e.g. a positive comment on children's work, report
- Verbal praise e.g. to the child, parent, another adult in school
- Stamps, stickers, including Headteacher Award sticker
- Peer group praise e.g. applause, name read out in class assembly,
- School Value awards in Celebration Assemblies
- House Points, House Point badges, House Point certificates in House Assemblies, House treats
- Trophies and Special Awards
- Placing value on achievements e.g. work shown to another class, another teacher, to the Headteacher
- Mention in Newsletter
- Special responsibilities e.g. being a monitor/house captain
- Child, group or class, singled out as a role model
- Pupil of the week.

### **House System**

At Oak Lodge, we have a strong House system with four houses: Dickens (red), Pitt (yellow), Wilberforce (blue) and Wolfe (green). The house system is a positive way of valuing children's individual achievements and encouraging a healthy competitive, team spirit. It is intended to reward positive behaviour, in order to motivate children and build self-esteem. It is designed to operate consistently throughout the school as follows:

- All children belong to one of these four house teams and siblings are in the same house.
- Children can earn house points by working hard, achieving well and displaying positive behaviours and the School Values.
- House Point charts will be displayed prominently in all classes and Year 6 monitors will total up the points on a weekly basis.
- Each week, all the house points awarded are counted and announced in assembly.
- At the end of each half term the house with the largest number of house points are rewarded with a special treat!
- Upon reaching 25 house points, during half-termly House Assemblies children are awarded a certificate and a Ruby badge to wear on their lapel, 50 points an Emerald badge and certificate, 100 points a Sapphire badge and certificate and if they achieve 200 points they receive the Gold badge and certificate.
- House Captains for each House are selected from Year 6 and are voted for by the pupils in their house. We have a boy and girl House Captain and a boy and girl Vice-Captain. They are expected to be excellent role models for the children in school. Their duties include handing out the badges and certificates in House assemblies and organising sports teams for inter-house sports events.

### 13. HELPING MY HOUSE' CLASS BEHAVIOUR MANAGEMENT SYSTEM

As part of our behaviour management strategy, all year groups from Year 1 to Year 6 operate our 'Helping my House' classroom behaviour management system which is based upon the principles of the 'It's Good to be Green' behaviour strategy. This forms a very visual approach to behaviour reinforcement serving to:

- Praise and recognise all children behaving in a positive way.
- Enable a clearly understood system with consistent consequences for any children who do not behave in a positive way.

#### Display in the classroom

- A 'Good to be Green' type card holder is displayed in every class with pockets for each child's name.
- All pupils start each day with a green card in their name holder.
- We expect all pupils to behave well in school throughout the day. Their card remains green to show this good behaviour.
- To reinforce expectations, the School Code will be displayed next to or near the card holder.
- Representatives on the School Council have worked together to produce our School Code and decide upon unacceptable behaviours.



#### Reward charts and House Points

- At the end of the week, all pupils who have remained on a green card will receive two house points to add to their individual total and the total for their house. Our intention by doing this is to

praise and recognise the effort from all children and so avoid any child's good behaviour being overlooked.

### **Warnings and Consequence Cards**

If a child contravenes expected behaviours, the following actions will be taken:

Warning—the child should be given a verbal warning to indicate their negative behaviour and that they are at risk of receiving a yellow card

- **Yellow Card**—If negative behaviour continues after the warning, the child will be given a yellow warning. This means their green card will be replaced with a yellow one. If on yellow, there is the chance to earn back a green card throughout the day.
- **Red Card** - In the event negative behaviour continues after the yellow card, the child will be given a red card. This means their yellow card will be replaced with a red card. A red card will result in loss of free time/playtime. Parents are informed if their child receives a red card. A teacher may allow a child to revert to yellow after they have missed free time; in exceptional circumstances only will a child be able to go back to green from red.

In the unlikely event that negative behaviour continues further, then the pupil will be referred to the Deputy Headteacher and following that the Headteacher. Teachers should send for Mrs Jackson in these instances. The Deputy Headteacher or Headteacher as appropriate will contact parents.

On rare occasions, if the level of behaviour is serious, the teacher may need to issue an immediate red card or referral to the Deputy Headteacher/ Headteacher as appropriate.

All Yellow and Red cards will be recorded in the class behaviour grids using the following codes:

Y (Yellow at end of the day)

R (Red at the end of the day)

YG (Yellow to Green— *this will not lead to 2 house points*)

RY (Red to Yellow)

RG (Red to Green— *this will not lead to 2 house points*)

Red card misbehaviour should be recorded in writing in the behaviour folder.

**IN ALL DISCIPLINARY ACTIONS, IT IS ESSENTIAL THE CHILD KNOWS THAT IT IS THE BEHAVIOUR WHICH IS UNACCEPTABLE, NOT THE CHILD AS A PERSON.**

### **Monitoring**

Senior Management will review class Behaviour Folders on regular basis in order to inform any further necessary actions.

## **14. TEN SIMPLE GUIDELINES FOR POSITIVE BEHAVIOUR MANAGEMENT**

1. Establish a friendly, positive, supportive relationship with the pupils in your care.
2. Make sure, wherever possible, that pupils are doing purposeful activities that they enjoy.
3. As soon as it occurs, reward positive behaviour with attention and praise. 'Catch them being good'.

4. Where possible, identify when behaviour problems are likely to arise and try to divert to modify the pupils' behaviour before discipline is needed.
5. Know and refer to the School Code and the School Values. Be clear, firm and polite about the behaviour boundaries.
6. Know what sanctions you can use, but try to avoid using them - especially if a quiet word or reminder will do.
7. Always remain calm when you speak to pupils. This will help you maintain your authority and confidence and keep your relationships with them positive.
8. Be positive e.g. use of 'please walk', rather than 'don't run'
9. Avoid the use of sanctions when support strategies will suffice.
10. Use the school's monitoring, report and behaviour referral systems so that you support each other in addressing the individual pupil's needs and those of the whole school.

## **15. BEHAVIOUR MODIFICATION**

This process can be used with individual groups of children, classes or year groups as appropriate. All members of staff involved with the target group should work corporately and consistently.

### **Intervention Techniques**

The following intervention techniques may be used in the development of individual programmes of support for specific children with behaviour problems after consultation with Senior Management and Special Needs Coordinator.

- **Ignoring** i.e. where practical ignore inappropriate behaviour, praise appropriate behaviour (role models).
- **Positive Questioning** e.g. what are you doing?, what should you be doing?, Good you know what to do so can you do it,
- **Positive Choices** If you do this, then this will happen (positive outcome) If you choose to do this, then this will happen (negative outcome). Now you choose what you are going to do
- **Assertive discipline**
- **Compliance Training** i.e. provide practice in following instructions in settings where praise can be given. Use of games - Follow My Leader, Simon Says, etc.
- **Refer to School Code/School Values** i.e. positively phrased - incompatible with undesirable behaviour. Take the rule and provide examples. Use praise for positive actions.
- **Modelling** i.e. indicate role models displaying appropriate behaviour. Adults to be good role models.

- **Distraction** i.e. if a difficult situation is likely to develop distracting the child's attention, e.g. give a specific task, send a message, etc.
- **Time Out** .i.e. pupils given 'time out' - an opportunity to work under supervision but away from the classroom situation or a period of reflection, standing alone on the playground during playtime within sight of the teacher or supervisor.

## **16. BEHAVIOURS AND CONSEQUENCES**

The school employs a number of sanctions to enforce good behaviour, and to ensure a safe and positive learning environment. We employ each sanction appropriately to each individual situation. The following table is not intended to form an exhaustive list of behaviours and resulting consequences; it is intended as a supportive guide.

Examples of behaviour prompting a warning / yellow card include:	Strategies and Consequences
<ul style="list-style-type: none"> <li>Talking out of turn during class/group discussion time, or when a teacher or other adult is talking</li> <li>Raised voices from a group or individual child</li> <li>Off task behaviour</li> <li>Not responding to an instruction</li> <li>Walking around the classroom without permission</li> <li>Any attention seeking behaviour</li> </ul>	<ul style="list-style-type: none"> <li>Be positive - search out good behaviour and give praise - be explicit about what you want/what you are praising and what you expect</li> <li>Use the child's name</li> <li>Simple direction - use respectful language, accompanied by 'please' and 'thank you'</li> </ul>
Examples of behaviour prompting a red card include:	Strategies and Consequences
<ul style="list-style-type: none"> <li>Repeated repetition of behaviour demonstrated at previous level</li> <li>Destroying or damaging school or other children's property or work</li> <li>Rudeness to peers or adults - name calling, taunting, swearing, not respecting other people's space</li> <li>Ignoring the teacher's instructions on several occasions</li> <li>Taking or hiding property</li> <li>Leaving the classroom without permission</li> </ul>	<ul style="list-style-type: none"> <li>Loss of free time</li> <li>Time out in class</li> <li>Write a letter of apology or apologise verbally</li> <li>Complete unfinished work in own time, e.g. playtime</li> <li>Possible temporary withdrawal of a privilege or participation in a special event</li> <li>Carrying out a useful task in the school</li> <li>Confiscation of personal items where these are being used inappropriately</li> <li>Contact with parents</li> </ul>
Examples of behaviour prompting referral to Senior Management include:	Strategies and Consequences
<ul style="list-style-type: none"> <li>Constant repetition of behaviour demonstrated at previous level</li> <li>Harming someone</li> <li>Serious challenges to authority, including repeated refusal to undertake tasks</li> <li>Deliberately throwing objects with the intention of breaking them or hurting someone</li> <li>Deliberately destroying or damaging school or other children's property</li> <li>Harmful or offensive name calling, including racist remarks, or obscene language</li> </ul>	<ul style="list-style-type: none"> <li>As above</li> <li>Contact with parents</li> <li>Possible involvement of Behaviour Support Team</li> <li>Drawing up of a Behaviour Plan/behaviour Report</li> <li>In the case of racist incidents, the incident will be recorded and reported to the Local Authority</li> <li>Possible exclusion from classroom for a fixed period of time</li> <li>In the case of property damage, recompense may be sought from parents in accordance with Charging and Remissions policy</li> <li>Possible lunchtime exclusion from school for a fixed period of time</li> <li>Confiscation of personal items where these are being used inappropriately</li> </ul>
Examples of behaviour prompting immediate involvement of Senior Management include:	Strategies and Consequences
<ul style="list-style-type: none"> <li>Fighting and intentional physical harm to other children</li> <li>Serious and persistent challenges to authority</li> <li>Leaving, or attempting to leave school grounds without permission</li> <li>Verbal abuse of any staff, volunteers, adults</li> <li>Persistent bullying, including racial harassment</li> <li>Extremely dangerous or violent behaviour</li> <li>Extreme cases of property damage</li> <li>Very serious challenges to authority</li> <li>Physical abuse of any staff member, volunteers, adults</li> <li>Persistent harmful or offensive name calling, including racist remarks</li> </ul>	<ul style="list-style-type: none"> <li>As above</li> <li>Immediate removal of pupil from the scene</li> <li>Confiscation of personal items where these are being used inappropriately</li> <li>Immediate contact with parents to discuss incident</li> <li>Involvement of Behaviour Support Team, outside agencies as appropriate</li> <li>Drawing up of a Behaviour Plan / Behaviour Report</li> <li>Fixed term or permanent exclusion</li> <li>Pastoral support programme set up</li> </ul>

N.B. For a list of behaviours which may lead to exclusion, see Appendix 1.

## E-Club

There are occasions when for various reasons, a child may not apply their best effort to a particular piece of work. In order to help reinforce high expectations and to provide each child with the opportunity to prove to themselves what they are capable of achieving, they may be asked to attend e-Club (Effort Club) to complete or redo a piece of work. Parents will be informed when this has been the case. E-Club is a supervised lunchtime club.

## 17. SANCTIONS

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 for that pupil.

To be lawful, the punishment (including detentions) must satisfy the following three conditions:

- 1) The decision to punish 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 punish the pupil and the punishment 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 punishment must be reasonable. In determining whether a punishment is reasonable, the penalty must be proportionate to the circumstances and account must be taken of the pupil's age, any special educational needs or disability they may have, and any religious requirements affecting them.

The head teacher may limit the power to apply particular punishments to certain staff and/or extend the power to discipline to adult volunteers, for example to parents who have volunteered to help on a school trip.

Corporal punishment is illegal in all circumstances.

Schools should 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, school staff should follow the schools' 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.

The following are sanctions which may be imposed by the Class Teacher:

- Withdrawal of privilege relative to misbehaviour
- Playtime detention
- Parents informed and involved in the behaviour management process
- Use of Report Card or Report Book (SMT member informed)

- Time out e.g. outside area under supervision, another group, another class
- Child to sit by teacher
- Reasoned explanation of why the behaviour is unacceptable, followed by an appropriate sanction e.g. a verbal or written apology, repetition of an unsatisfactory task.
- Child to assist in rectifying the problem they have caused
- A verbal reprimand appropriate to the child and misbehaviour e.g. within the group, individually
- Developmental written comment on work
- Work to be completed in the child's own time or at home.
- Child sent to another appropriate adult to explain their misbehaviour.
- Referral to Senior Management/Headteacher

## **18. EXCLUSIONS**

We do not wish to exclude any child from school, but sometimes this may be necessary. In the event of an extreme misdemeanour, a child may therefore be excluded. The school follows the DfE 2012 *Guidance Exclusion from maintained schools, Academies and pupil referral units in England*. For a list of behaviours which may lead to exclusion, see Appendix 1. The length and type of exclusion will depend on the individual incident and/or circumstances.

## **19. DETENTIONS OUTSIDE SCHOOL SESSIONS**

School staff have a statutory power to put pupils aged under 18 in detention after school sessions and on some weekend and non-teaching days. Detentions are lawful if:

- pupils and parents have been informed that the school uses detentions as a sanction; and
- the school gives parents 24 hours' notice of detentions outside school sessions.

At present, Oak Lodge Primary School has chosen not to include detention outside school sessions as a sanction it will use.

## **20. PUPILS' CONDUCT OUTSIDE THE SCHOOL GATES**

Teachers have a statutory power to discipline pupils for misbehaving outside of the school premises. Head teachers have a specific statutory authority to regulate pupils' behaviour in these circumstances 'to such extent as is reasonable'.

Subject to the school's behaviour policy, the teacher may discipline a pupil for any misbehaviour 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 response to non-criminal bad behavior, Senior Management (in consultation with Governors if necessary) will review each case on an individual basis in order to inform actions to be taken.

## **21. MALICIOUS ALLEGATIONS**

The school takes its responsibilities for safeguarding and child protection very seriously and will aim to deal with allegations quickly in a fair and consistent way that provides effective protection for the child and supports the person who is the subject of the allegation. Every effort will be made to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated. Suspension will not be used as an automatic response when an allegation has been reported. However, any allegation found to be maliciously made will be treated as a serious offence and disciplinary sanctions will be applied. The Head and Governing body will deal with such matters.

## **22. CONFISCATION OF INAPPROPRIATE ITEMS**

There are two sets of legal provisions, which enable school staff to confiscate items from pupils:

The **general power to discipline** enables a member of staff to confiscate, retain or dispose of a pupil's property as a punishment and protects them from liability for damage to, or loss of, any confiscated items.

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

## **23. USE OF REASONABLE FORCE**

The legal provisions on school discipline also provide members of staff with the power to use reasonable force to prevent pupils committing an offence, injuring themselves or others or damaging property, and to maintain good order and discipline in the classroom.

Head teachers and authorised school staff may also use such force as is reasonable given the circumstances when conducting a search without consent for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm. Force **cannot** be used to search for items banned under the school rules.

School staff have a legal power to use reasonable 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.

***Please Note: Parental consent is not required to restrain a pupil.***

### **What is Reasonable Force?**

- 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.
- Reasonable 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.
- 'Reasonable in the circumstances' means using no more force than is needed.
- As mentioned above, schools generally use reasonable 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.
- **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.
- 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 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?**

- Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.
- In a school, reasonable 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 judgment 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.
- The judgement as to whether to use force with disabled children and those with SEN should depend on the circumstances of the case and also on information and understanding of the needs of the pupil concerned.

### **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.
- 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.

### **Communicating the school's approach to reasonable force**

- Every school is required by law to have a behaviour policy and to make this policy known to staff, parents and pupils. This policy should include guidance on the use of reasonable force although this is not a legal requirement.
- Any policy on the use of reasonable force should acknowledge their legal duty to make reasonable adjustments for disabled children and children with SEN.

- Schools do not require parental consent to use reasonable force on a student.
- 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.

## 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.

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

If the use of force has been applied to a child then a record will be made and the parents/guardians will be informed.

In deciding what is a serious incident, teachers should use their professional judgment 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.

## What happens if a child 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'* [DFE-00061-2011] 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.

## **24. REVIEW AND MONITORING**

This policy overlaps with other policies and should be reviewed in conjunction with those policies, in accordance with the schools review cycle.

Related policies and documents:

- Anti-bullying policy
- Special Educational Needs (SEN)
- Equal Opportunities Policy
- Attendance Policy
- Child protection policy
- Disability Discrimination Scheme.

## APPENDIX 1

### NATIONAL STANDARD LIST OF REASONS FOR EXCLUSION

The DfE has produced a national standard list of reasons to be used when reporting an exclusion. The 12 categories should cover the main reasons for exclusions and the 'other' category should be used sparingly. The further details suggesting what the descriptors cover should be used as a guide and are not intended to be used as a tick list for exclusions.

#### **Physical assault against pupil**

Includes:

- fighting
- violent behaviour
- wounding
- obstruction and jostling

#### **Physical assault against adult**

Includes:

- violent behaviour
- wounding
- obstruction and jostling

#### **Verbal abuse/threatening behaviour against pupil**

Includes:

- threatened violence
- aggressive behaviour
- swearing
- homophobic abuse and harassment
- verbal intimidation
- carrying an offensive weapon

#### **Verbal abuse/threatening behaviour against adult**

Includes:

- threatened violence
- aggressive behaviour
- swearing
- homophobic abuse and harassment
- verbal intimidation
- carrying an offensive weapon

#### **Bullying**

Includes:

- verbal
- physical

- homophobic bullying
- racist bullying
- cyber bullying

### **Racist abuse**

Includes:

- racist taunting and harassment
- derogatory racist statements
- swearing that can be attributed to racist characteristics
- racist bullying
- racist graffiti

### **Sexual misconduct**

Includes:

- sexual abuse
- sexual assault
- sexual harassment
- lewd behaviour
- sexual bullying
- sexual graffiti

### **Drug & Alcohol related**

Includes:

- possession of illegal drugs
- inappropriate use of prescribed drugs
- drug dealing
- smoking
- alcohol abuse
- substance abuse

### **Damage**

Includes damage to school or personal property belonging to any member of the school community:

- vandalism
- arson
- graffiti

### **Theft**

Includes:

- stealing school property
- stealing personal property (pupil or adult)
- stealing from local shops on a school outing
- selling and dealing in stolen property

### **Persistent disruptive behaviour**

Includes:

- challenging behaviour
- disobedience
- persistent violation of school rules

**Other**

Includes incidents which are not covered by the categories above but this category should be used sparingly.