



Positive Behaviour Policy

Including anti-bullying, racism, exclusion and restraint guidance

This policy has been reviewed in line with Department for Education documents 'Behaviour and discipline in schools' (January 2016), 'Preventing and tackling bullying' (July 2017) and 'Exclusion from maintained schools, academies and pupil referral units in England' (September 2017)

Date adopted	March 2018	Owner	ELT
Last reviewed		Review cycle	Annual

Through our strong Christian values of love, friendship, responsibility, courage, honesty and respect, we aim to serve our community by providing an education of the highest quality within the context of Christian belief and practice. This policy is underpinned by these values. We believe in providing a nurturing environment which will enable each child to feel secure and confident and allow them to achieve their full potential. Respecting others and having a positive attitude of self-worth is effective motivation to self-discipline and good behaviour. Discipline comes from within and self-discipline needs to be built upon.

Our values-based curriculum creates an ethos of good behaviour where pupils treat one another and the school staff with respect because they know that this is the right way to behave. That culture extends beyond the classroom to the corridors, the dining hall, the playground, and beyond the school gates including travel to and from school. Values of respect for staff and other pupils, an understanding of the value of education, and a clear understanding of how our actions affect others permeate the whole school environment and are reinforced by staff and older pupils, who are expected to set a good example to the rest.

We:

- Create a positive climate with high expectations.
- Ensure fair treatment for all regardless of age, gender, race, ability and disability.
- Promote honesty and courtesy.
- Encourage children to take age-appropriate responsibility for their own behaviour and develop strategies to deal successfully with conflict.
- Encourage relationships based on kindness, respect and understanding of the needs of others.
- Show appreciation of the efforts and contribution of all.
- Provide a caring and effective learning environment.
- Emphasise the importance of being valued as an individual.

Class Expectations

At the beginning of the school year rules and the need for them are discussed. High standards of behaviour are expected and agreed upon and the Class Rules are displayed in every classroom. We have a vast range of strategies to support children to develop appropriate and acceptable behaviours.

School Expectations

School expectations are embodied by our Values Jigsaw and are shared within the homework diary and are on display around the schools. This jigsaw is designed to make the schools a productive and rewarding place for all those who learn here. These expectations are clear and understood by all with an ambition that they are demonstrated by all stakeholders.



There are numerous ways in which we expect children to demonstrate these expectations such as:

- Always trying their best and being a good friend.
- Treating everyone and everything with respect.
- Listening to others
- Being kind and helpful.
- Work hard on our learning.
- Looking after property
- Showing great manners

Rewards

We believe that rewards have a motivational role; helping children to see good behaviour is valued. The most common reward is praise, informal and formal, public and private, to individuals and groups. Other forms of rewards are:

- stickers, stamps, cards, certificates;
- special responsibilities/privileges;
- celebration assembly;
- class mascot (infants);
- tea party and team points (juniors);
- Values Tie (juniors).

Sanctions

Although we believe rewards are central to the encouragement of good behaviour, when children misbehave they need to know that consequences/sanctions will follow. Discipline does not need to be severe to be effective in helping a child see where they went wrong and how to behave in a better way in future. The following sanctions are applied to register the disapproval of unacceptable behaviour. We will always ensure that any sanction is appropriate and proportionate to the offence. These are flexible and are applied at the discretion of the class teacher:

- Verbal warning and reminder of expected behaviour.
- Move places.
- Move to another class (by prior arrangement).
- Withdrawal of privileges or responsibilities.
- Withdrawal from playtime in order to reflect on behaviour.
- Use of methods of restorative justice.
- Referral to Year Group Leader.
- Referral to member of the Executive Leadership Team.
- Letter/phone call/meeting with parent.

Individual children presenting persistent distracting behaviour or failing to keep to our expectations will be encouraged to improve specific aspects of their behaviour often with the support of clear targets on an Individual Action Plan (IAP) or a behaviour contract. Targets are agreed by the class teacher, child and parents. The child assesses their own achievement in each session as does the teacher. As the child achieves success they are motivated and encouraged to improve their behaviour. Specific strategies are given to help the child make step-by-step improvements towards acceptable behaviour.

When anti-social or aggressive behaviour is observed more than once and sanctions alone are ineffective, additional specialist help and advice from an educational psychologist or the specialist teaching service may be necessary after careful evaluation of the curriculum, classroom organisation and management, and whole school procedures have taken place to eliminate contributory factors.

The final sanction would be exclusion.

Dealing with racist, religious or cultural incidents

At our school we value all God's children by caring for ourselves and for others. This includes caring for pupils of diverse ethnic minorities and for those with religious or cultural differences. Diversity is celebrated in many ways including through awareness-raising in assemblies, R.E. lessons, Circle Time and Citizenship.

All children will be made aware of the unacceptability of racial, religious and cultural prejudice through input in assemblies, R.E. lessons, Circle Time and PSHE lessons. In general, any bullying on the grounds of race, religion or culture will be dealt with immediately using our strategies to combat incidents of bullying.

Behaviour which shows prejudice and intolerance is not acceptable. The school will record all racist incidents (Appendix 1). All recorded incidents will be reported to the pupil's parents/guardians, the school governors and the LEA. The behaviour of perpetrators of racism will be monitored. Failure to modify their behaviour after all strategies have been exhausted will lead to exclusion.

Dealing with discipline beyond the school gates

Governors have decided to adopt Department for Education guidance relating to the power to discipline beyond the school gate to such an extent as is reasonable, including where pupils are:

- Taking part in any school-organised or school-related activity

- Travelling unaccompanied to and from school
- Wearing school uniform
- In some other way identifiable as a pupil at the school

We recognise that the school community goes beyond the school gates. However, in all cases of misbehaviour the teacher can only discipline the pupil on school premises or elsewhere when the pupil is under the lawful control of the staff member. It is the staff members' responsibility to promote good behaviour to enable the children to behave well.

Resolving conflicts

Children are encouraged to take responsibility for sorting out their own conflicts. Members of staff take responsibility for teaching them, modelling this, and for seeing that children carry them out and reach a successful conclusion. Staff members look to support the children in learning how to avoid repeating similar conflicts.

Children are encouraged to listen to one another, without interrupting, to express their feelings and to resolve conflict without resorting to violence, swearing or abuse.

The role of children

We expect children to take responsibility for their own behaviour, and aim to give children responsibilities in which they can demonstrate and model good behaviour.

The role of all members of staff

We have high expectations of the children in terms of behaviour. It is the responsibility of all members of staff to ensure that the schools' expectations are met and that children behave in a responsible manner by the staff members thinking of the child and environment and making it easier for the child to settle.

All members of staff provide good role models for the children, modelling desired behaviour in the way in which they listen to the children, in the tone of their voice, and in their own behaviour.

Members of staff treat children fairly, with respect and understanding, and ensure the schools' expectations are met consistently. All members of staff deal with incidents of misbehaviour and apply appropriate sanctions. More serious incidents are reported to the class teacher for recording.

The role of the class teacher

It is the responsibility of each class teacher to ensure that the schools' expectations are met by their class at all times.

If a child misbehaves repeatedly, the class teacher ensures records are kept and filed in the 'Pink Files'. In the first instance, the class teacher deals with incidents him/herself. However, if misbehaviour continues, the class teacher seeks help and advice from a senior colleague. If behaviour is disrupting the learning of others or there is concern for the safety of the child or others and another member of staff is called upon to help with a situation then the staff member who helped to resolve the situation is to meet with the member of staff who asked for support for a debrief. The process will include completing a debriefing form together.

When there are concerns about the behaviour or welfare of a child, the class teacher contacts the parent(s) and keeps them informed of the child's progress.

If a child continues to misbehave, the class teacher seeks help and advice from a senior colleague, who may refer to the Inclusion Leader. A child may be placed on the SEN register to assist with targeted behavioural development in line with Code of Practice.

The class teacher in liaison with our Inclusion Leader may set up a Behaviour Support Plan which may include setting the pupil specific targets or subsequently a Pastoral Support Programme, and liaise with external agencies, as necessary, to support and guide the progress of the child.

The role of leaders

Leaders support staff by setting the standards of behaviour and by supporting staff in the implementation of the policy. The Executive Leadership Team keeps records of all reported serious or repeated incidents of misbehaviour.

The Executive Head Teacher has the responsibility for giving fixed-term exclusions to individual children for serious acts of misbehaviour. For repeated or very serious acts of anti-social behaviour, the Executive Head Teacher may permanently exclude a child. Both these actions are taken in conjunction with the school governors.

The role of parents

We work collaboratively with parents, so that children receive consistent messages about how to behave at home and at school. The key professional in this process of communication is the class teacher who has the initial responsibility for pupil welfare. We will support parents with a family support worker where needed.

We explain all the schools' expectations, and expect parents to read these and support them.

We expect parents to support their child's learning, and to work in partnership with the schools, as set out in the home-school agreement. We try to build a supportive dialogue between the home and the school and inform each other immediately if we have concerns about the child's welfare or behaviour.

If we have to use reasonable sanctions to reinforce expected behaviour, parents are expected to support our actions. 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 Year Group Leader and, in the unlikely event that the concern continues, they should contact a member of the Executive Leadership Team (as per our complaints policy).

Where the behaviour of a child is causing concern, it is important that all those working with the child in the schools are aware of those concerns, and the steps that are being taken in response.

Fixed-term and permanent exclusions

Only the Executive Head Teacher (or a member of the Executive Leadership Team) has the power to exclude a pupil from school. The Executive Head Teacher may exclude a pupil for one or more fixed periods, for up to 45 days in any one school year. The Executive Head Teacher may also exclude a pupil permanently.

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

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

The governing body would form a discipline committee, which is made up of three members. This committee considers any exclusion appeals on behalf of the governors. When an appeals panel meet to consider exclusion, they consider the circumstances in which the pupil was excluded, consider any representation by the parents and the LEA, and consider whether the pupil should be reinstated.

Where parents dispute the decision of the governing body not to reinstate a permanently excluded pupil, they can ask for this decision to be reviewed by an independent review panel. Where there is an allegation of discrimination (under the equality act 2010) in relation to a fixed-period of permanent exclusion, parents can also make a claim to the First-tier Tribunal (Special Educational Needs and Disability) for disability discrimination, or the County Court for other forms of discrimination.

An independent review panel does not have the power to direct a governing board to reinstate an excluded pupil. However, where a panel decides that a governing board's decision is flawed when considered in the light of the principles applicable on an application for judicial review; it can direct a governing board to reconsider its decision. The panel will then be expected to order that the school must make an additional payment of £4,000 if it does not offer to reinstate the pupil. Whether or not a school recognises a pupil as having SEN, all parents have the right to request the presence of an SEN expert at a review meeting. The SEN expert's role is to advise the review panel, orally or in writing or both, impartially, of the relevance of SEN in the context and circumstances of the review. For example, they may advise whether the school acted reasonably in relation to its legal duties when excluding the pupil.

Excluded pupils should be enabled and encouraged to participate at all stages of the exclusion process, taking into account their age and ability to understand.

See Appendix 2 for further exclusions guidance.

Anti-Bullying

Bullying, especially if left unaddressed, can have a devastating effect on individuals. It can be a barrier to their learning and have serious consequences for their mental health. Bullying which takes place at school does not only affect an individual during childhood but can have a lasting effect on their lives well into adulthood.

By effectively preventing and tackling bullying, we can help to create safe, disciplined environments where pupils are able to learn and fulfil their potential.

We do not tolerate bullying. In every incidence in which bullying is reported the 'Bullying Incident Report Form' will be completed so that trends are identified and that leaders can oversee the effectiveness of our anti bullying policy(Appendix 3).

We minimise incidents of bullying through assemblies, Circle Time and PSHE (Personal, Social and Health Education) lessons where we teach children that everyone is responsible for the well-being of others in the school community. Unkind and thoughtless behaviour is not acceptable.

We accept that bullying can occur anywhere. A bully is a person or group who repeatedly intimidates or hurts another person, either mentally or physically, for their own excitement, status or other gratification. They do not recognise and respect the rights of others.

Bullying relies on silence. Children need to have the confidence to speak up against what hurts them and hurts others. We know that, even as adults, people keep quiet about bullying for fear that they might be the next victim.

Our approach seeks to:

- Protect the victim – their feelings and well-being are paramount.
- To support children who are bullied and make appropriate provision for a child's needs (the nature and level of support will depend on the individual circumstances and the level of need. These can include a quiet word from a teacher that knows the pupil well, asking the pastoral team to provide support, providing formal counselling, engaging with parents, referring to local authority children's services, completing a Common Assessment Framework or referring to Child and Adolescent Mental Health Services (CAMHS)).
- Make bullies aware of the distress their behaviour causes.
- Provide children with opportunities to work together to help stop bullying.

Sometimes the victim needs to:

- Be listened to.
- Have a friend.
- Be accepted for who they are.

Bullies need:

- A chance to review their behaviour and its effect on others.
- A chance to have their views heard.
- Support to change their behaviour.
- To receive disciplinary sanctions so that the consequences of bullying reflect the seriousness of the incident enabling others to see that bullying is unacceptable.
 - We will apply disciplinary measures to pupils who bully in order to show clearly that their behaviour is wrong. Disciplinary measures will be applied fairly, consistently, and reasonably taking account of any special educational needs or disabilities that the pupils may have and taking into account the needs of vulnerable pupils. It is also important to consider the motivations behind bullying behaviour and whether it reveals any concerns for the safety of the perpetrator. Where this is the case the child engaging in bullying may need support themselves.

Underlying our approach is the belief that all our pupils are capable of kind behaviour which can help the victim.

Procedures

- The victim is listened to. Their feelings are noted, ie. the effect of the bullying is especially important.
- We may have a meeting of children involved: the bullies, the onlookers, friends of the victim and, if they are happy to be present, the victim.
- The problem, ie. the victim's distress is explained to the group.

- No-one is blamed; each person is made aware of the part they have played and work together to seek a solution to the problem.
- The group will be asked ways in which they might help.
- The group will be seen again at an agreed time to see how things are going.

If the bullying behaviour is not resolved through this process, the parents of the victim and the bullies will be asked to come to the schools to discuss the problem.

Bullying is an anti-social behaviour. We seek to respond in a way that improves behaviour and safe-guards the rights of all our children to feel safe and secure.

Bullying which occurs outside school premises

In accordance with Sections 90 and 91 of the Education and Inspections Act 2006, a school's disciplinary powers can be used to address pupils' conduct when they are not on school premises and are not under the lawful control or charge of a member of school staff, but only if it would be reasonable for the school to regulate pupils' behaviour in those circumstances. This may include bullying incidents occurring anywhere off the school premises, such as on school or public transport, outside the local shops, or in a town or village centre.

Where bullying outside school is reported to school staff, it should be investigated and as appropriate acted upon. The Executive Head Teacher should also consider whether it is appropriate to notify the police or anti-social behaviour coordinator in their local authority of the action taken against a pupil. If the misbehaviour could be criminal or poses a serious threat to a member of the public, the police should always be informed.

Cyberbullying

Within the schools, all pupil's ICT activities and access to the internet and websites are carefully monitored.

Where there is unwelcome use of computer technology outside the school we will aim to work with parents and pupils to overcome these problems. Some sites, including some social networking sites, have age restrictions to help prevent unwanted contacts.

The Education Act 2011 amended the power in the Education Act 1996 to provide that when an electronic device, such as a mobile phone, has been seized by a member of staff who has been formally authorised by the Executive Head Teacher, that staff member can examine data or files, and delete these, where there is good reason to do so. This power applies to all schools and there is no need to have parental consent to search through a young person's mobile phone.

It is recommended that parents/carers regularly talk with their children about who they are talking to online and about what topics. Keeping the computer in a family area will help.

Our E-safety policy outlines how we strive to keep our children safe and is a useful reference document for parents and carers. This is available on our website alongside other E-safety information.

APPENDIX 1

RACIST INCIDENT REPORT FORM

Incident No:			
Person reporting incident:			
Position		Signed	
Date of incident		Time	
Location			
Details of perpetrator(s)			Admin only
Name	Year group	M/F	Ethnicity code:
Name	Year group	M/F	Ethnicity code:
Name	Year group	M/F	Ethnicity code:
Details of victim(s)			Admin only
Name	Year group	M/F	Ethnicity code
Name	Year group	M/F	Ethnicity code
Name	Year group	M/F	Ethnicity code
Description of incident			
Witnesses (if applicable)			

Action taken	Date and initials
Incident reported to senior teacher	
Incident reported to Executive Head Teacher	
School policy on behaviour explained to perpetrator(s)	
School policy on equality explained to perpetrator(s)	
Graffiti removed/racist material confiscated	
Perpetrator(s) suspended	
Parents/guardians of perpetrator(s) informed	
Meeting held with parents/guardians of perpetrator(s)	
Police informed (give details below)	
Other external agencies involved (specify)	
Other action taken (please write in)	
Support/counselling provided to victim(s)	
Parents/guardians of victim(s) informed	
Meeting held with parents/guardians of victim(s)	
Other action taken (please write in)	
Parents/guardians of victim(s) informed of follow-up action	

Please circle to indicate professional opinion having undertaken an investigation.

Clear Racist Intent	Possible Racist intent	Unlikely Racist Intent
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APPENDIX 2

EXCLUSIONS GUIDANCE

Fixed-term exclusions will only be used when:

- there has been an act of serious violence against children or staff
- children or staff are endangered by inappropriate behaviour
- a child is very disruptive and fails to respond to all attempts to modify the situation
- a child is extremely abusive verbally either to pupils or staff and fails to respond to sanctions

Permanent exclusions will only be used when:

- all other techniques and sanctions (including fixed-term exclusions) have been exhausted and when the involvement of the Behaviour and Pupil Support Services has failed to modify behaviour and another serious incident takes place.
- the child shows no sign of wishing to co-operate or change and behaviour continues to be dangerous, disruptive, racist or abusive.
- A child is persistently racist in words or deeds towards pupils, staff or any other adult in the school and fails to modify this behaviour.

ANY EXCLUSION WILL BE REGARDED AS A LAST RESORT

In addition the school in all circumstances will seek appropriate guidance in line with Department of Education advice. See <https://www.gov.uk/government/publications/school-exclusion>

APPENDIX 3

BULLYING INCIDENT REPORT FORM

(to be completed by class teacher and filed in Pink files. Copy to ELT for filing in Racism/Bullying file)

Date:

Name of victim(s):

Name of perpetrator(s):

Nature of incident (including time and location):

Please circle if any of the below apply as the basis for the incident

Gender

Racism

Ethnicity

Religious

Cultural

Reported by:

Seen by:

Immediate action:

Subsequent action:

This incident is in the judgement of the class teacher and Executive Leadership Team:

Proven bullying:

Possible bullying:

Unlikely to be bullying:

Parental involvement:

Signed _____ (class teacher)

Signed _____ (Member of Executive Leadership Team)

APPENDIX 4

RESTRAINT GUIDANCE

The information below should be read in conjunction with the latest guidance issued by the Department of Education. This can be located on their website www.education.gov.uk/

Powers of members of staff to use force

Reasonable force may be used to prevent a pupil doing, or continuing to:

- Commit any offence.
- Cause personal injury to, or damage to the property of, any person (including the pupil himself/herself).
- Prejudice the maintenance of good order and discipline at the schools or among any pupils receiving education at the schools, whether during a teaching session or otherwise.

This applies both on site and off school premises where the member of staff has lawful control or charge of the pupil. This does not authorise corporal punishment (Section 548, EA 1996).

Policy and procedures

This guidance covers both the use of force to restrain a pupil (for example, to prevent them injuring somebody), and the use of force to compel a pupil to comply with a reasonable instruction (for example, to leave the classroom).

All staff, authorised and unauthorised, must clearly understand their powers and the options open to them. They must know what is acceptable and what is not.

This policy on the use of force covers:

- a) prevention and de-escalation;
- b) who is authorised to use force (see clauses 93(2) and 95 of the Act);
- c) assessment of the need for staff training;
- d) where force can be used (see clause 93(3)(a) and (b) of the Act);
- e) what types of incident might require the use of force;
- f) what constitutes reasonable force;
- g) special considerations for pupils with special educational needs and disabilities;
- h) reporting and recording incidents;
- i) post-incident support;
- j) dealing with complaints.

Prevention and de-escalation

Where the behaviour of a young person appears to be escalating towards a crisis that may require physical intervention it is important that de-escalation strategies are considered. These might include:

- Structuring the environment
Where we choose to speak to the child, whether we sit or stand, can communicate the nature of the discussion, eg. warm and friendly or cold and business like may help the child to modify their own behaviour.
- Planned ignoring
By not giving the attention to minor, harmless attention seeking behaviour; these behaviours are likely to die out. It is equally important to praise appropriate behaviour.
- Prompting
Gentle reminders to a child of what they need to stop doing or to prepare for, can help a child to adjust to a change. This can be verbal or sensory input. Be careful to avoid nagging the child.
- Active listening
Sometimes listening to what the young person has to say, and exploring and acknowledging their feelings through the use of reflective responses can help a young person to feel that someone else acknowledges the reality of their feelings, they are not alone and that someone cares.
- Backing away
This is not the same as backing down; you are not giving in but simply giving the young person time to calm down before you discuss the situation with them. Staying and continuing to challenge someone who is already aroused is likely to exacerbate the situation. Alternatively, allow the young person to back away through offering them a verbal or physical way out.

- **Affection**
If a child's behaviour is motivated by fear, anxiety or uncertainty, a big injection of affection, verbal or physical, can help to head off a crisis. Children do not always appreciate the care that is provided for them on a daily basis and need additional affection to understand that the adults really care for them.
- **Non-verbal interventions**
Nods or looks to signal a change of behaviour is needed. Proximity control is using an adult's physical presence to help the child modify their own behaviour.
- **Redirecting**
Trying to focus the child away from what they are doing now, onto something else as a way of avoiding trouble.

These last two strategies can be used when none of the above are making a difference and the young person is still agitated

- **Directive statement**
A clear instruction to the child to stop a certain behaviour or start something else.
- **Time out**
Requiring children to move away to another or quieter area to calm down.

Who is authorised to use force?

The legislation gives statutory power to use force to any person who, in relation to a pupil, is over 18 and a member of the staff of any school at which education is provided for the pupil. 'Member of staff' in relation to a school means any teacher who works at the school. It also means any other person who, with the authority of the Executive Head Teacher, has lawful control or charge of pupils for whom education is being provided at the schools. The other persons who have lawful control or charge of pupils include:

- any paid member of staff whose job involves supervising pupils. This could cover a wide range of support staff including teaching assistants, learning support assistants, emotional literacy support assistants, learning mentors and lunchtime supervisors; and
- people whom the Executive Head Teacher has temporarily authorised to have control or charge of pupils.

This could include paid members of staff whose job does not normally involve supervising pupils (such as catering or premises-related staff) and unpaid volunteers (such as parents accompanying pupils on school-organised visits).

The Executive Head Teacher should:

- explicitly inform the people concerned of their responsibilities and ensure that they understand what authorisation entails, and
- keep an up-to-date record of these people and ensure that permanently authorised staff (ie. staff whose job involves supervising pupils) know who these people are.

In this guidance the terms 'authorised staff' and 'authorised member of staff' include all staff on the school payroll. Paid staff and volunteers who are not authorised to have control or charge of pupils (either by the nature of their job or temporary authorisation) do not have statutory power to use force. However, section 93 of the Education and Inspections Act 2006 does not remove the common law right of any citizen, in an emergency, to use reasonable force in self-defence, to prevent another person from being injured or his property from being damaged. Any member of staff or volunteer has this right.

Searching pupils

The Violent Crime Reduction Act 2006 authorises the Executive Head Teacher and staff authorised by them to search a pupil for a weapon without the pupil's consent, if they have reasonable suspicion that there is a weapon with the pupil or in his/her possession. Persons authorised by an Executive Head Teacher to search for weapons may use such force as is reasonable in the circumstances for exercising that power.

Where force can be used

Authorised staff may only exercise the statutory power to use force where:

- they and the pupil are on the premises of a school at which education is provided for the pupil. The pupil need not necessarily be a registered pupil at that school. The power also applies to pupils from other schools who are on the premises; or
- they are off school premises but are in lawful control or charge of the pupil (for example on a school visit).

Other than in these circumstances, staff only have common law rights to use force to defend themselves, persons or property. Employers providing work experience placements for school pupils only have common law rights to use force.

What types of incident might require the use of force?

There is no legal definition of when it is reasonable to use force. That will always depend on all the circumstances of the case. Any degree of force is unlawful if the circumstances do not warrant the use of force.

Decisions on whether to use force must depend on judgements about:

- the seriousness of the incident, as judged by the effect of the injury, damage or disorder which is likely to result if force is not used;
- the chances of achieving the desired result by other means; and
- the relative risks associated with physical intervention compared with using other strategies.

Wherever possible, these judgements should take account of the particular characteristics of the pupil, including his or her age and any special educational needs or disability he or she may have. Sometimes an authorised member of staff should not intervene in an incident without help (unless it is an emergency). For example, help is likely to be needed in dealing with an older pupil, a large pupil, more than one pupil or if the authorised member of staff believes he or she may be at risk of injury. In these circumstances he or she should take steps to remove other pupils who might be at risk and summon assistance from other authorised staff.

Section 93 of the Education and Inspections Act 2006 authorises the use of reasonable force to prevent a pupil:

1. Committing a criminal offence, or what would have been a criminal offence if the pupil had been above the age of criminal responsibility (10 years or older)
2. Causing injury or damage to property
3. Prejudicing the maintenance of good order and discipline at the schools

Examples of situations that fall within one of the first two categories are:

- a pupil attacks a member of staff or another pupil;
- pupils are fighting;
- a pupil is committing, or on the verge of committing, deliberate and serious damage to property;
- a pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or objects;
- a pupil is running in a corridor or on a stairway in a way in which he or she might have, or cause, an accident likely to injure him or herself or others; and
- a pupil absconds from a class or tries to leave the schools other than at an authorised time. The judgement on whether to use force in this situation would depend on an assessment of the degree of risk to the pupil if he or she is not kept in the classroom or school (age and understanding would be critical factors).

Examples of situations that fall into the third category are where a pupil:

- refuses to obey an order to leave a classroom;
- is behaving in a way that is seriously disrupting a lesson;
- blocks a door to prevent others from leaving;
- is using a mobile phone to disrupt a lesson (an authorised member of staff could forcibly confiscate the phone by removing it from a hand or desk but could not lawfully search the pupil for the phone); and
- resists attempts to search him or her for a weapon.

In all these cases use of force would only be reasonable (and therefore lawful) if it was clear that the behaviour was sufficiently dangerous or disruptive to warrant physical intervention of the degree applied and could not realistically be dealt with by any other means.

What constitutes reasonable force?

There can be no legal definition of what degree of force is reasonable. That will always depend on the precise circumstances of individual cases, but the degree of force used should always be:

- in proportion to the consequences it is intended to prevent; and
- the minimum needed to achieve the desired result.

The types of force used could include:

- standing between pupils or blocking a pupil's path;
- leading a pupil by the hand or arm;
- shepherding a pupil away by placing a hand in the centre of their back;
- pushing/pulling; and
- in more extreme circumstances, using restrictive holds (which may require specific expertise or training).

Such holds include:

- a staff member holding a pupil's arms at his/her sides;
- two staff members, one either side of a standing pupil, holding his/her crossed arms;
- two staff members holding a pupil's crossed arms in a seated position. (Crossing a pupil's arms can affect breathing. Such holds should only be used for the shortest possible time.)

Where there is a high and immediate risk of death or serious injury, any member of staff would be justified in taking any necessary action (consistent with the principle of using the minimum force required to achieve the desired result). Such situations could include preventing a pupil running off the pavement onto a busy road, or hitting someone with a dangerous object such as a glass bottle or hammer. Except in the most extreme circumstances, staff should always avoid actions that might reasonably be expected to cause injury, for example:

- holding a pupil round the neck, or by the collar, or in any other way that might restrict ability to breathe;
- slapping, punching, kicking or tripping up a pupil;
- twisting or forcing limbs against a joint;
- holding or pulling a pupil by the hair or ear;
- applying pressure to the neck, chest, abdomen or groin areas;
- forcing a pupil onto the floor or holding them face down on the floor; and
- using clothing or belts to restrict movement.

Staff should always avoid touching/restraining a pupil in a way that could be interpreted as sexually inappropriate conduct.

Under no circumstances should force be threatened or used as a punishment.

Special considerations for pupils with special educational needs, disabilities or specific medical conditions

The DfE provides additional guidance on physical intervention with pupils who display extreme behaviour associated with learning disability and/or autistic spectrum disorders and pupils with severe behavioural difficulties. This is relevant to special and mainstream schools with such pupils. It is available at on the DfE website.

Our policy and practice on use of force takes proper account of the particular special educational needs and disabilities of the pupil. Under the Disability Discrimination Act 1995 the responsible body for a school has a duty to take reasonable steps to ensure that disabled pupils are not placed at a substantial disadvantage in comparison with pupils who are not disabled in their access to education and associated services (sometimes referred to as the duty to make reasonable adjustments); this duty should not mean overcompensation. The general principles underlying the schools' policy should apply to all pupils.

When reaching a decision about using force in a particular situation, staff will need to take into account relevant factors related to any special educational needs or disabilities of the particular pupil.

The examples below are of situations in which staff would have to question the use of force and determine its suitability and degree.

- A class group waiting for a lesson is physically rowdy. This makes a pupil with an autistic spectrum disorder very anxious. He does not understand the motives or feelings of others and so he starts to hit out at other pupils.
- A pupil takes medication for Attention Deficit and Hyperactivity Disorder. Late one day the effect of the medication is wearing off. A teacher sees him very agitated and jumping up near a third floor window. The pupil has a history of physical abuse in early childhood and reacts badly to any physical contact.
- A pupil with severe learning disabilities understands only single, concrete instructions. A lunchtime supervisor sees her in the dinner queue lashing out at other children who have been taunting her about her family.

Even for such examples there are no automatic right answers. The judgement on whether to use force and what force to use should always depend on the precise circumstances of each case and, crucially in the case of such pupils, information about the individual concerned.

After an incident it may be sensible to involve parents in agreeing to an individual pastoral support or a behaviour or special educational needs plan that includes strategies to deal with a recurrence of behaviour that could lead to the use of force.

Reporting and recording incidents

We keep systematic records of incidents where staff have used force. This does not mean we keep a written record of trivial incidents involving physical contact between staff and pupils. However, where appropriate, incidents are recorded on our 'Record of the use of Reasonable Force' form (see below). We find the following questions helpful in deciding whether a written record is needed:

- Did the incident cause injury or distress to a pupil or member of staff?
- Even though there was no apparent injury or distress, was the incident sufficiently serious in its own right? Any use of restrictive holds would, for example, fall into this category.
- Can it justify the use of force? This is particularly relevant where the judgement was very finely balanced.
- Does it help to identify and analyse patterns of pupil behaviour?

If the answer to any of these questions is 'yes', then a written record should be made.

Such records should provide evidence of defensible decision making in case there is a subsequent complaint or investigation. A record should cover:

- personal data about the pupil on whom force was used (name, class group etc);
- context data (day, date, time, location);
- staff involved (directly and as witnesses) and other pupils involved;
- nature of the incident;
- events leading to the use of force;
- any de-escalation or other strategies used to minimise need for the use of force;
- reason for using force and description of force used (type, duration);
- subsequent actions, including those related to the welfare of the pupil and staff involved;
- information given to other staff, parents and external agencies.

All injuries should be reported and recorded in accordance with the schools' procedures. The schools should take action to report relevant injuries to staff or pupils to the Health and Safety Executive's Incident Contact Centre: <http://www.hse.gov.uk/riddor/>.

Post-incident support

Serious incidents that require use of force can be upsetting to all concerned and result in injuries to the pupil or staff. After an incident ends, it is important to ensure that staff and pupils are given first-aid treatment for any injuries and emotional support. Immediate action should be taken to access medical help for any injuries that go beyond basic first-aid.

Where force has been used we always contact the parents/carers to discuss the incident.

In the days after an incident we:

- Ensure that the incident has been recorded.
- Decide whether multi-agency partners need to be engaged and, if so, which partners. This could include local authority Children's Services or the Youth Offending Team (if the pupil is already under their supervision or has been identified by the YOT as being at risk of becoming engaged in criminal or anti-social behaviour).
- Hold the pupil to account so that he or she recognises the harm caused or which might have been caused. This may involve the pupil having the chance to redress the relationships with staff and pupils affected by the incident. In some cases, an incident might lead to the decision to exclude a pupil. In these circumstances the Executive Head Teacher must have regard to the DfE guidance on exclusions, which is available on their website.
- Help the pupil develop strategies to avoid such crisis points in future and inform relevant staff about these strategies and their roles.
- Ensure that staff affected by an incident have continuing support for as long as necessary in respect of:
 - ❖ physical consequences;
 - ❖ support to deal with any emotional stress or loss of confidence;
 - ❖ analysis and reflection on the incident.

RECORD OF THE USE OF REASONABLE FORCE

Date of incident:	Time of Incident:
Student Name:	Date of Birth:

<u>Member(s) of staff involved:</u>	<u>Adult witness(es) to incident:</u>
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<u>Student witnesses to incident:</u>

<u>Outline of events leading to incident, including place where incident occurred, description of pupil's behaviour and steps taken to defuse the situation other than physical intervention:</u>

<u>Outline of incident including reason for use of reasonable force, how it was applied and for how long:</u>

<u>Measures taken following the incident eg. respite for pupil(s), support for teacher(s):</u>
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<u>Description of any injury(ies) sustained by anyone, any subsequent treatment and any damage to property:</u>

<u>Date and time parent/carer informed of incident:</u>	<u>By whom informed:</u>
<u>Outline of parent/carer response:</u>	

Signature of staff completing report:	Date:
Signature of Executive Leadership Team:	Date:

<u>Brief description of any subsequent inquiry/complaint or action:</u>

APPENDIX 5

RECORD OF THE DEBRIEFING

Date :	Adults in meeting:	Child / children involved:
Incident:		
Triggers:		
Why did I ask for additional support?		
What would I do differently next time?		
Resolution for reintegration: Any amendment on behaviour plan? Which members of staff need to know?		