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# Behaviour and Discipline Policy 2022 - 2024

Date: September 2022

Due for Review: September 2024

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## Our Vision

We are excited by Jesus' invitation to 'live life in all its fullness' (John 10:10) and wish to create a loving community where, by serving God, excellence is pursued and individual achievement is celebrated, so that all children are inspired and empowered to flourish as successful adults.

**"What the Spirit brings is; Love, Joy, Peace, Patience, Kindness, Goodness, Trustfulness, Gentleness and Self-control." Galatians 5:23**

## Our Values

***Ambition, Compassion, Courage, Honesty, Perseverance, Responsibility, Resilience, Respect and Trust.***

## **INTRODUCTION:**

Our behaviour policy is underpinned by the Christian values and ethos of our school and helps us to create a caring, stimulating and secure environment in which staff and pupils can work and play safely and encourages the involvement of parents/carers in the development of their child.

## **AIMS:**

We aim to enable our pupils to:

- Be healthy
- Stay safe
- Enjoy and achieve in their learning
- Make a positive contribution to our community
- Achieve economic well-being
- Access the full range of learning opportunities in a calm, positive environment
- Achieve through appropriate expectations of work and behaviour with praise, reward and celebration and explicit and consistent consequences
- Behave appropriately in a wide range of social and educational settings
- Value the rights of the individual.

## **PRINCIPLES:**

- To raise pupils' self esteem
- To promote/develop empathy and respect for self and others
- To develop in pupils a sense of self discipline and an acceptance of responsibility for their own actions
- To ensure regular attendance
- To develop an awareness of and adherence to appropriate behaviour
- To encourage pupils to value the school environment and its routines
- To ensure that pupils are confident of their right to be treated fairly
- To empower staff to determine and request appropriate behaviour from everyone
- To acknowledge that the maintaining of good behaviour within the school is a shared responsibility
- To ensure that positive behaviour is always recognised
- To work within a positive, proactive reflective approach to behaviour management
- To ensure the policy is fully understood and is consistently implemented throughout the school
- To ensure effective mechanisms are in place for the monitoring and evaluation of this policy
- To ensure the rights and responsibilities of all members of the school community.

### **SCHOOL ETHOS:**

The school has a Christian ethos in which the above principles are respected. Many of these principles will be addressed daily throughout school life in collective worship and modelling good social behaviour from all adults within the school community.

### **EXPECTATIONS OF THE SCHOOL COMMUNITY:**

**Our Golden rules** (These expectations cover all aspects of school life including lunchtimes):

- ✓ Try Hard
- ✓ Be Nice

#### ***Curriculum:***

We teach pupils the above mentioned principles through modelling and explicitly teaching our school values in our collective worship, themed curriculum weeks and days and our PSHE curriculum, using a wide range of methodologies to address our ethos and expectations directly.

We believe that an appropriately structured curriculum and effective learning strategies and tasks contribute to good behaviour. Thorough planning for the needs of individual pupils, the active involvement of pupils in their own learning and structured feedback all help to avoid the alienation and disaffection, which can sometimes contribute to poor behaviour. It follows that lessons should have clear objectives which are understood by the pupils and differentiated to meet the needs of a range of abilities. Marking and record keeping can be used both as a supportive activity, providing feed-back to the pupils on their progress and achievements and as a signal that the pupil's efforts are valued and progress matters.

Reasonable and proportionate sanctions will be used where a pupil's behaviour falls below the standard that is expected, alongside support to prevent recurring misbehaviour.

The school acknowledges that behaviour can sometimes be the result of educational needs, mental health issues, or other needs or vulnerabilities, and will address these needs via an individualised graduated response.

To help reduce the likelihood of behavioural issues related to social, emotional or mental health (SEMH), the school aims to create a safe and calm environment in which positive mental health and wellbeing are promoted and pupils are taught to be resilient. The school aims to promote resilience as part of a whole-school approach using the following methods:

- **Culture, ethos and environment** – the health and wellbeing of pupils and staff is promoted through the informal curriculum, including leadership practice, policies, values and attitudes, alongside the social and physical environment
- **Teaching** – the curriculum is used to develop pupils' knowledge about health and wellbeing
- **Community engagement** – the school proactively engages with parents, outside agencies and the wider community to promote consistent support for pupils' health and wellbeing

All staff are aware of how potentially traumatic adverse childhood experiences, including abuse and neglect, can impact on a pupil's mental health, behaviour, and education. Where vulnerable pupils or groups are identified, provision will be made to support and promote their positive mental health.

#### **Roles and responsibilities**

The Local Committee has overall responsibility for:

- Ensuring that this policy, as written, does not discriminate on any grounds, including, but not limited to, age, disability, gender reassignment, gender identity, marriage and civil partnership, race, religion or belief, sex and sexual orientation.
- Promoting a whole-school culture where calm, dignity and structure encompass every space and activity.
- Handling complaints regarding this policy, as outlined in the Good Shepherd Trust's Complaints Procedures Policy.
- Ensuring this policy is published on the school website.

The headteacher is responsible for:

- The monitoring and implementation of this policy and of the behaviour procedures at the school. This includes monitoring the policy's effectiveness in addressing any SEMH-related drivers of poor behaviour.
- Establishing high expectations of pupils' conduct and behaviour, and implementing measures to achieve this.
- Determining the school rules and any disciplinary sanctions for breaking the rules.
- The day-to-day implementation of this policy.
- Publicising this policy in writing to staff, parents and pupils at least once a year.
- Reporting to the governing board on the implementation of this policy, including its effectiveness in addressing any SEMH-related issues that could be driving disruptive behaviour.

The senior mental health lead is responsible for:

- Overseeing the whole-school approach to mental health, including how this is reflected in this policy, how staff are supported with managing pupils with SEMH-related behavioural difficulties, and how the school engages pupils and parents with regards to the behaviour of pupils with SEMH difficulties.
- Supporting behaviour management in line with the SEMH Policy.

The SENCO is responsible for:

- Collaborating with the governing board, headteacher and the mental health lead, as part of the SLT, to determine the strategic development of behaviour and SEMH policies and provisions in the school.
- Undertaking day-to-day responsibilities for the successful operation of the behaviour and SEMH policies to support pupils with SEND, in line with the school's Special Educational Needs and Disabilities (SEND) Policy.
- Supporting teachers in the further assessment of a pupil's strengths and areas for improvement and advising on the effective implementation of support.

Teaching staff are responsible for:

- Planning and reviewing support for pupils with behavioural difficulties in collaboration with parents, the SENCO and, where appropriate, the pupils themselves.
- Aiming to teach all pupils the full curriculum, whatever their prior attainment.
- Planning lessons to address potential areas of difficulty to ensure that there are no barriers to every pupil achieving their full potential, and that every pupil with behavioural difficulties will be able to study the full national curriculum.
- Teaching and modelling expected behaviour and positive relationships, demonstrating good habits.
- Being responsible and accountable for the progress and development of the pupils in their class.
- Not tolerating disruption and taking proportionate action to restore acceptable standards of behaviour.

All members of staff, including teaching and support staff, and volunteers are responsible for:

- Adhering to this policy and applying it consistently and fairly.
- Supporting pupils in adhering to this policy.
- Promoting a supportive and high-quality learning environment.
- Modelling high levels of behaviour.
- Being aware of the signs of behavioural difficulties.
- Setting high expectations for every pupil.
- Being aware of the needs, outcomes sought, and support provided to any pupils with specific behavioural needs.
- Keeping the relevant figures of authority up-to-date with any changes in behaviour. The relevant figures of authority include:
  - SENCO.
  - Headteacher.
  - Subject leader.
- As authorised by the headteacher, sanctioning pupils who display poor levels of behaviour.

Pupils are responsible for:

- Their own behaviour both inside school and out in the wider community.

- Reporting any unacceptable behaviour to a member of staff.

Parents are responsible for:

- Supporting their child in adhering to the school rules and reinforcing this at home.
- Informing the school of any changes in circumstances which may affect their child's behaviour.

Staff and Governors	Pupils	Parents
To lead by example	To respect, support and care for each other both in school and the wider community	To be aware of; and support the schools values and expectations
To be fair and consistent in dealing with pupils	To listen to others and respect their opinions	To ensure that pupils come to school regularly, on time with the appropriate equipment
To encourage and support the aims and values of the school and local community among the pupils	To attend school regularly, on time, prepared, ready and equipped to learn and take part in school activities	To keep pupils at home when they are ill and to provide the school with a written explanation of the reasons for any absence
To have consistently high expectations of ALL pupils	To take responsibility for their own actions and behaviour	To take an active and supportive interest in your child's work and progress
To meet the educational, social and behavioural needs of the pupils through an appropriate curriculum and individual support	To follow instructions given by staff (teaching and non-teaching) throughout the school day	To provide the school with an emergency contact number
To encourage regular communication between home and school		
To be tolerant of others, irrespective of race, gender, religion and age		

### **SCHOOL SYSTEMS:**

#### ***Rewards:***

We believe that good behaviour needs to be praised and rewarded in all situations and that by rewarding all positive behaviour we show how much it is valued at our school. We also believe that our over-arching reward systems need to be consistently applied throughout our school so that children see that they are treated fairly and respected. Teachers may include additional reward systems for individuals, groups of children and the whole class should additional positive reinforcement be helpful.

We believe in, and actively promote and reward; good manners, being kind and helpful to others, positive attitudes which show you are "trying your best" in all aspects of school life and significant academic or social achievements which are pertinent to each individual child.

At Ottershaw Schools we reward good behaviour, as we believe that this will develop an ethos of kindness and co-operation. It is important that children are praised and rewarded for their genuine efforts to behave well, so that they feel appreciated for making positive behaviour choices. This way the culture within our organisation remains focused on the fact that our values matter to us all and good behaviour is the normal expectation.

As children progress through our schools, we do expect them to increasingly take responsibility for managing their behaviour and act as positive role models for the other children. As the children are older, we expect them to take even greater responsibility for managing their behaviour appropriately. We use positions of responsibility to reinforce this expectation, with all classes having elected School Councillors. By Year 6 we also elect our Head Boy, Head Girl, Deputy Head Boy, Deputy Head Girl, House Captains and Prefects to take on additional responsibilities.

Our Class Charters are devised each year in consultation with the children. These make the rules agreed by the class members clear.

We reward all children in the following ways:

- Immediate verbal praise
- Bringing to the attention of all present and giving the child a clap or, at the Infant School, allowing the child to place a marble in the class jar and, at Key Stage 2 awarding Team Points.
- Presenting the child with a sticker from the teacher (Class teacher or Teaching Assistant)
- Visiting the Head or Deputy
- Sending a certificate home
- Telling parents about positive behaviour when we hand children over at the end of the day or recording positive behaviour in Reading Diaries or Home/School Communication Books (or, at the Junior School, sending home a Marvellous Me message)
- Giving the child a special responsibility in class for the day
- Awarding the Star of the Week or Values certificate in the weekly Celebration Assembly

Teachers may include additional reward systems for individuals, groups of children and the whole class should additional positive reinforcement be helpful.

### **House Points and Merit Rewards at the Junior School**

House Points are used to reward academic effort and achievement, with a maximum of 5 house points being awarded for a single piece of work. House Points can be awarded for completing homework (1 for spelling, 1 for reading and 1 for maths each week).

In addition, House Points may also be awarded for smaller gestures which are helpful and display good manners and respect (eg tidying up, picking up others' belongings, holding a door open for someone).

Merits are used to reward children who have gone above and beyond to demonstrate the school values. Merits are rewarded at the discretion of the adult but include:

- Representing the school well on a trip, in an assembly or at a team events
- Receiving a certificate in Celebration Assembly (Big Write, Values, Top Table)

### ***Sanctions:***

There is an insistence that all our children behave in an acceptable manner towards staff, each other and visitors to the school. There is also an insistence that standards of behaviour are high throughout the school at all times as we do not want poor behaviour to detract from our core purpose of learning.

The use of sanctions must be consistent and should be characterised by certain features:

- It must be clear why the sanction is being applied.
- It must be made clear what changes in behaviour are required to avoid future sanctions.
- Group sanctions should be avoided as this breeds resentment.
- There should be a clear distinction between minor and major incidents.
- It should be the behaviour rather than the person that is sanctioned.

When imposing a sanction, we treat children in the following ways:

- make clear the sanction is dealing with the behaviour, rather than stigmatising the child;
- avoid early escalation to our most severe sanctions, reserving them for the most serious or persistent misbehaviour;
- avoid whole group sanctions that punish the innocent as well as the guilty;
- when appropriate, use sanctions to put right the harm caused (for example, writing a letter of apology);
- never issue a sanction that is humiliating or degrading;
- use sanctions in a calm and controlled manner;
- attempt to link the concept of sanctions to the concept of choice, so that pupils see the connection between their own behaviour and its impact on themselves and others, and so increasingly take responsibility for their own behaviour.

## **Classroom Sanctions**

We use weather symbols as a visual reminder for children,

At the start of the day, all children's names are on the sunshine.

If a child is not behaving in line with expectations, they will receive a reminder.

If the child continues to fall short of expectations, they will receive a warning and their name will move to the light cloud on the chart.

Should poor behaviour persist, the child's name moves on the behaviour chart to the dark cloud position. At this point, the teacher may also invite the child to reflect on our Zones of Regulation programme to encourage them to self-regulate and make a positive choice for themselves to improve. Depending on the severity of the incident, this may be recorded on CPOMS and communicated with parents/carers. Additionally, the child may be asked to take 'time out' in another classroom or visit Head/Deputy.

Depending on the severity/frequency of incidents with the individual, SLT may also arrange a meeting with parents. For some children, it may also be necessary to include meetings with the Inclusion Manager and seek further support.

In both schools, if classroom behaviour is so poor (or a child has not completed sufficient work for their ability) that the teacher decides the child needs to miss a playtime, then that teacher must supervise the child in their classroom. Children must never be left unsupervised in a classroom.

## **Playground Sanctions (to be used at playtime and lunchtime)**

Children's behaviour is better when they have things to keep them occupied, so we ensure equipment is available for children to use (especially during the longer lunchtime play).

**Both schools offer 'Time In' immediately after lunch. This is a time of reflection and Mindfulness in every classroom, but is also the time for pupils to be able to share a worry or concern. If needed, the time can be used to resolve a lunchtime issue. It is essential that lunchtime staff feedback any incident to class teachers so that any issues can be quickly resolved. Other than minor incidents, other poor behaviour must be recorded on CPOMS.**

**Where there has been a bigger issue, it is important that parents are made aware of what has happened and how it has been dealt with.**

**Equally, if playtime behaviour has been poor, staff on duty need to inform class teachers as the children go back to class as it is essential that worried/concerns are passed on and dealt with quickly.**

Where children have 'fallen' out or a wrongdoing has occurred children need to be involved in a discussion where they can say how they feel and receive an apology. In these instances, or when a child feels bullied, we use a Restorative Approach to help children on both sides understand the impact the wrong doing has had and enable them to agree a way forward to restore their relationship. (See also Appendix 1 Restorative Approaches and Antbullying Policy)

In the rare case of a fight, children involved need to be brought in to be dealt with by Head/Deputy/next senior teacher on duty.

If children fight, they will need to miss the playground for a at least one day (time to be determined by the age of the child, their needs and frequency of poor behaviour).

This is serious behaviour, parents of all concerned need to be informed as soon as possible.

Although persistent or serious misbehaviour must be recorded, every child must feel that every day is a fresh start. Although most incidents will be dealt with by progressing through the stages of the reminders and warnings system, extreme behaviour or serious incidents which cause concern for the safety and welfare of pupils and/or staff will require more than one step in the consequences

## **Support systems for Individual Pupil Need:**

If there is a persistent problem the class teacher and the Inclusion Manager will draw up an Individual Improvement Programme to support the pupil in partnership with parents. All staff working with the pupil will be informed of this, including lunchtime supervisors, to ensure a consistent approach throughout the school day. If the problem continues, we will work with outside agencies to seek solutions

to support the pupil. For pupils who are having these difficulties the school will provide targeted pastoral support or mentoring by adults or peers.

### ***Support Systems for staff:***

Staff having difficulties with an individual, class or group should speak to the Senior Management Team. All new staff will be inducted clearly into the school's behaviour culture to ensure they understand its rules and routines and how best to support all pupils to participate in creating the culture of the school. Staff will be provided with bespoke training, where necessary, on the needs of pupils at the school to enable behaviour to be managed consistently.

The SLT will consider any appropriate training which is required for staff to meet their duties and functions in accordance with this policy, including on understanding matters which may affect a pupil's behaviour, e.g. SEND and mental health needs.

Members of staff who have, or are aspiring to have, responsibilities for leading behaviour or supporting pupil wellbeing will be supported to undertake any relevant training or qualifications.

The SLT and the headteacher will review staff training needs **annually**, and in response to any serious or persistent behaviour issues disrupting the running of the school.

### ***Support Systems for parents/carers:***

The Schools have an open door policy where parents and carers are encouraged to visit to discuss any relevant issues. However, where possible, it would be appreciated if appointments could be made via the office to ensure the availability of a member of staff and to give parents/carers the time needed. Likewise, when school needs to discuss anything with parents/carers, they will be contacted to arrange an appointment.

If a child has been involved in an incident which has been recorded on CPOMS, teachers must inform parents about what happened and how it was dealt with (but only the information pertaining to their own child).

### **Child on Child Abuse**

#### **Please see our Policies on Anti-Bullying and Child Protection**

We recognise that children are capable of abusing other children and their peers and this will be dealt with under our child protection policy and in line with KCSiE (2021) and following recommendations from the [Sexual Violence and Sexual Harassment between Children in Schools and Colleges guidance \(DfE 2021\)](#). [KCSiE states that it is more likely that girls will be victims and boys' perpetrators, but all peer-on-peer abuse is unacceptable and will be taken seriously.](#)

We have a zero-tolerance approach to sexual violence and sexual harassment and do not accept that it is an inevitable part of growing up. It will not be passed off as "banter", "just having a laugh", "part of growing up", or "boys being boys". We will act as though this may be happening at our school/college, even when we receive no reports.

How we will deal with child on child abuse: The adult who sees the incident, or the incident is reported to, must talk to the children and record what happened. This must then be reported to the class teacher and recorded on CPOMS. It is important that this is treated as a serious problem and reported to a DSL as soon as possible. The DSL will contact the parents of both the victim and perpetrator, just as a member of SLT normally would in the case of serious misbehaviour. The DSL will then follow the Child Protection Policy with regards to further action.

### **The Power to Discipline**

The Education and Inspections Act 2006 specifies a power for teachers and certain other school staff to enforce disciplinary penalties.

The penalty could be for failing to follow a school rule, an instruction given by a member of staff of the school, or for any other reason that causes the pupil's behaviour to fall below the standard which could reasonably be expected of him/her.

The Act gives this power to all teachers and other paid members of staff who are in lawful control or charge of pupils. The Act also empowers the head teacher to extend the power as is reasonable to any

other adult who has lawful control or charge of pupils – such as a parent volunteering to supervise a football match or help on a school trip.

To safeguard the interests of pupils against unfair or inappropriate punishments, the Act also provides that the disciplinary penalties in question must be reasonable, not breach any statutory requirement or prohibition (which would include legislation on SEN, disability, race and other equalities and human rights); and take account of the pupil's age, special educational needs, disability, or any religious requirements.

At Ottershaw, we extend the power to discipline (and to reward) to all staff working in our school, both in classrooms and beyond (such as on school trips or sporting competitions and festivals).

We also expect all class teachers and teaching assistants to take particular responsibility for those children who can sometimes exhibit challenging behaviour, or who need additional support with their behaviour, when working off site.

Should any parent or Governor witness either exemplary or poor behaviour we ask that they report this to the teacher in charge in order that the child may be rewarded or disciplined appropriately.

### **Discipline of Pupil Misbehaviour Outside School**

The Education and Inspections Act, 2006 gives schools the power to regulate the behaviour of pupils when off school premises and not supervised by school staff.

It also makes clear that the regulation must be reasonable. Schools should be clear about the factors they take into account in deciding whether a rule or sanction is reasonable.

At Ottershaw we have decided to use this power

- To maintain good behaviour on transport and educational visits
- to ensure behaviour does not threaten the health or safety of pupils, staff or members of the public
- to provide reassurance to members of the public about school care and control over pupils and thus protect the reputation of the school
- to provide protection to individual staff from harmful conduct by pupils of the school when not on the school site.

When using this power, the following are taken in to consideration:

- The severity of the misbehaviour
- The extent to which the reputation of the school has been affected
- Whether the pupil(s) in question were wearing school uniform or were otherwise readily identifiable as members of the school
- The extent to which the behaviour in question would have repercussions for the orderly running of the school and/or might pose a threat to another pupil or member of staff (e.g. bullying another pupil or insulting a member of staff)
- Whether the misbehaviour in question was on the way to or from school, outside the school gates or in otherwise close proximity to the school.

Generally, we expect to use this power when our children are on educational visits, attending after school clubs and working off-site. We would apply our sanctions in the same way as we would in school, and would expect all helping adults to feedback any inappropriate behaviour to class teachers.

For those children who need additional support with their behaviour, we would carry out a risk assessment, based on individual needs, to decide how best they could be supported off-site. Often such children require 1:1 attention at such times when their routine is broken, and in these instances we will insist that a parent or close adult relative accompanies the child, taking full responsibility for their behaviour.

If behaviour is consistently poor during after school clubs, parents would be consulted and school reserves the right to remove a child from a club on a temporary or permanent basis.



We take full responsibility for our children between 8.40am – 3.05pm at the Infant School, 9.00am – 3.00pm in the Nursery and 8.40am – 3.15pm in the Junior School. Outside of these hours we expect parents to be responsible for their children's behaviour. However, if an incident of poor or dangerous behaviour was reported to the school, regarding children in uniform shortly before or after the school day, this would be fully investigated and, if the children have been identified, discussed with parents and an agreement reached as to how the children will be punished (if appropriate), both at home and in school.

### **Detentions outside school sessions**

Occasionally, pupils may be expected to stay in at playtime or lunchtime to complete unfinished work, write a letter of apology or discuss an incident with a member of staff.

### **The Power of Members of Staff to use Force**

The legislation gives statutory power to use force to any person who, in relation to a pupil, is 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 head teacher, has lawful control or charge of pupils for whom education is being provided at the school. The other persons who have lawful control or charge of pupils include:

- any paid member of staff whose job involves supervising pupils.
- people whom the head has temporarily authorised to have control or charge of pupils, including 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).

#### **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.

#### **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.

An authorised member of staff should not intervene in an incident without help if they feel in any way compromised or at risk themselves.

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 (aged 10 or older)
2. Causing injury or damage to property
3. Prejudicing the maintenance of good order and discipline at the school

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 school 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.**

**At Ottershaw we see the use of force as a last resort. We would expect to use our voice to intervene and that this would be powerful enough to halt an incident. For those very few pupils who we feel we may need to restrain or use force on, a full MAPA risk assessment would be carried out, and that child only ever restrained by fully trained staff.**

**We do authorize all staff to use force if they deem it necessary in an emergency (as exemplified above) but also stress the need to assess a situation on its individual merits and, where at all possible, use our voices to remove other children and adults from danger without having to use force at all.**

#### **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;
- 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 the back;
- pushing;
- pulling; and
- in more extreme circumstances, using restrictive holds (which would require specific expertise or training and for which a MAPA "Positive Options" risk assessment would need to be completed).

**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.**

Except in the most extreme circumstances, staff should always avoid actions that might reasonably be expected to cause injury, for example:

- holding a pupil around 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 or 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.
  
- **Reporting and recording incidents**
- We keep systematic records of incidents where staff have used force. Incidents are recorded in a bound book with page numbers, and is kept in the school office.
- Such records should provide evidence of defensible decision making in case there is a subsequent complaint or investigation. Each record should cover:
  - personal data about pupil on whom force was used (name, class group etc);
  - context data (day, date, time, location);
  - staff involved (directly and as witnesses);
  - 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 use of force;
  - reason for using force;
  - description of force used (type, duration);
  - subsequent actions, including those related to the welfare of the pupil and staff involved; and
  - information given to other staff, parents and external agencies.
- All injuries should be reported and recorded in accordance with school procedures. The school 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.
- The Headteacher or Deputy should contact the parents of the pupil to engage them in discussing the incident as soon as is practicable.
- In the days after an incident schools should: 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; 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 head teachers must have regard to the DfE guidance on exclusions); 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:
  - i. physical consequences
  - ii. support to deal with any emotional stress or loss of confidence

- iii. analysis and reflection on the incident.

## **CONFISCATION, INCLUDING THE RETENTION AND DISPOSAL OF INAPPROPRIATE ITEMS**

### **KEY POINTS as covered by Statute**

- Schools can include confiscation of pupils' property as a disciplinary sanction in their behaviour policy.
- To be lawful, confiscation must be a reasonable sanction in the circumstances of the particular case.
- Decisions about retention and disposal of confiscated property must also be reasonable in the circumstances of the particular case.
- The Education and Inspections Act 2006 includes a specific statutory defence for school staff who have reasonably confiscated pupils' property.

Generally the aim pursued in confiscating property is maintaining an environment conducive to learning, one which safeguards the rights of other pupils to be educated.

A separate legal provision in the Violent Crime Reduction Act 2006, inserted in the Education Act 1996, makes it lawful for certain school staff to search suspected pupils for knives or other weapons without consent. It also deals with the seizure of items found during the course of a search.

At Ottershaw, unless the situation was deemed to be an emergency, we will not undertake a weapon search, but would contact parents to attend as an emergency and ask for their support. Should it become clear that staff do need to carry out a search, then this would be done by 2 senior teachers, out of public view. In general, if we felt a pupil posed a threat and was refusing to move, we would move other children and staff away from the area to a point of safety and monitor the movements of the offending child from a distance.

Should this ever happen, we will focus on the wellbeing of the pupil during and after any search and ensure a trusted adult is available for support.

At Ottershaw we understand that a pupil may reasonably be asked to turn out his/her pockets or to hand over an item, such as a mobile phone, that is causing disruption, and the school might use its legal power to discipline if the pupil unreasonably refuses to cooperate. Legal guidance tells us that if it is felt necessary for a pupil to be searched for (say) illegal drugs or stolen property, that should be done by the Police rather than school staff using the appropriate powers available to them. However, before doing this, we would need to have exhausted all other appropriate and less invasive approaches and have done everything reasonably possible to have contacted parents and ask them to attend. In all instances where we feel the Police would be better placed to carry out a search than ourselves, 2 members of staff known to the pupil would be also present.

In accordance with guidance we also note that, while confiscation of a mobile phone is legitimate, searching through a phone or accessing text messages without the pupil's permission is not. In some circumstances it may be reasonable for a member of staff to ask a pupil to reveal a message for the purpose of establishing whether, for instance, cyberbullying has occurred; but if the pupil refuses then the member of staff should not enforce the instruction. The staff member can, however, legitimately issue a disciplinary penalty for failure to follow a reasonable instruction, and in such a serious instance, parents would be contacted and the phone handed to them for dealing with.

In most cases, confiscation is a sufficient sanction, and return of the item at the end of the school day deemed appropriate.

### **Use of Exclusion**

**The school will only suspend or exclude a pupil where it is absolutely necessary, and where all other possible disciplinary sanctions, as detailed in the school's Behaviour Policy, have failed to be successful.** Please see our separate Suspension and Exclusion Policy.

## **Monitoring, Data collection and behaviour evaluation**

The SLT will regularly monitor behaviour across both schools by conducting learning walks, observing behaviour at playtimes and lunchtimes and by talking to different groups of pupils about behaviour in school.

The school will collect data from the following sources:

- Behaviour incident data on CPOMS, including on removal from the classroom
- Attendance, permanent exclusion and suspension data
- Use of pupil support units, off-site directions and managed moves
- Incidents of searching, screening and confiscation
- Anonymous surveys for staff, pupils, governors, and other stakeholders on their perceptions and experiences of the school behaviour culture

The data will be monitored and objectively analysed termly by the headteacher and the SLT. Attempts will be made to identify possible factors contributing to the behaviour, any system problems or inadequacies with existing support. The data will also be analysed considering the protected characteristics under the Equality Act 2010 to inform school policies and practice.

## **Taking account of Individual Pupil Needs**

### **RACE, RELIGION AND CULTURE**

#### **KEY POINTS as covered by Statute**

- Schools must avoid discriminating against particular racial groups in the application of their behaviour policies.
- Schools must monitor and assess the impact of their behaviour policy on pupils, staff and parents/carers of different racial groups.
- Schools should ensure staff members are well informed about cultural differences in behaviour and their implications.
- Schools should support newly-arrived pupils in understanding and following the behaviour policy.
- Schools should take appropriate account of cultural and/or religious needs when developing or reviewing rules related to school uniform and appearance.

#### • **SEN, DISABILITY AND VULNERABLE PUPILS**

##### • **KEY POINTS as covered by Statute**

- Schools must make reasonable adjustments in the application of their behaviour policy to disabled pupils.
- Schools must make special educational provision for pupils whose behaviour related learning difficulties call for it to be made.
- Schools should be alert to the potentially disproportionate impact of the school's disciplinary framework on vulnerable pupils.
- Schools should identify at-risk pupils in advance.
- Schools should plan proactively how the school's disciplinary framework should be applied for each of these pupils.
- Schools should ensure that all those in contact with the pupil know what has been agreed.
- Schools should make sure that every vulnerable pupil has a key person in school who knows them well, has good links with the home, and can act as a reference point for staff when they are unsure about how to apply the disciplinary framework.
- Schools should ensure that all staff are aware of appropriate referral procedures.

## **CONCLUSION:**

Behaviour management is subject to constant review throughout the school on a class and individual basis. This policy document was produced in consultation with the entire school community, including pupils and will be reviewed annually.

This policy should be read in conjunction with the following policy documents:

Curriculum, Learning and Teaching Policy

Marking and Assessment Policy

SEN Policy

RSE Policy

Equality Policy

Disability Equality Duty

Child protection and Safeguarding Policy

Anti-Bullying Policy

Suspension and Exclusion Policy

## **Appendix 1: Using Restorative Approaches**

### **How children can sort out their own difficulties**

Children should be encouraged to take responsibility for sorting out their own conflicts. This means that adults must take responsibility for teaching them and modelling strategies for doing this, and for seeing that children carry them out and reach a successful conclusion. Children should be encouraged to be assertive, to express their feelings and to resolve conflict without resorting to violence, swearing or abuse. Children learn about such strategies and how to relate to each other as part of our RSE/PSHE curriculum.

### **Suggested Strategy for resolving conflict**

Children are encouraged to tell others if their behaviour is upsetting them. Children should seek the support of an adult if their own efforts to solve a problem have not worked.

When a more formal conversation between children is required, the following structured conversation might be used:

Each child is allowed his/her say, while the others listen with no interruptions. Each child has a turn to say:

- 1) what the other(s) has/have done to upset them
- 2) how they feel about it
- 3) how they would like them to behave in future

Nobody is allowed to interrupt or argue. They continue taking turns until everyone has finished. The adult is there to act as facilitator, not as part of the discussion. She/he makes sure that:

- the turns are taken,
- children adhere to the three steps
- they listen to each other and maintain eye contact.

If the children cannot resolve the conflict after a reasonable time, then the adult can decide to make a judgement and take appropriate action.

### **Restorative Discussions.**

#### **Following any kind of disagreement or breach of school rules all parties take part in a restorative discussion.**

- Everyone must be given enough time to calm down before the restorative discussion takes place.
- Pupils can conduct the restorative discussions themselves depending on their age, and the severity of the disagreement. Otherwise it must be an adult that was involved in the incident who supports with the discussion.
- All members of staff and children know that issues will be dealt with fairly with a 'no blame' approach, and the language used in discussions is fair, consistent and respectful.
- Discussions are held in a calm, quiet, private place.

Both the victim (if there is one) and perpetrator attend the restorative discussion and the following questions are asked:

1. What happened?
2. Drawing out each person's story one at a time, starting with the person who has caused the harm. The aim is not to come to a definitive conclusion on what has happened, but for each person to have their point of view listened to.
3. Who did this affect? Staff, pupils and others. Include others who witnessed the incident.
4. How did it make you feel? How did it make them feel? How has the victim been affected by what you did?
5. What each person was thinking and feeling at the time, before and since.
6. What needs to happen now to fix it? What are the consequences? What do you think needs to happen to make things right/to repair the relationship? How do those people agree and negotiate meeting the needs identified above and what support might they need to do this? With support the pupils form their own agreement. When possible, and as appropriate to their age and stage of development the children identify appropriate consequences.
7. How can we stop this happening again in the future? How can we work together to prevent this happening again? What could the pupil do differently next time? At what point in the sequence is different action needed? Does the child need a reminder eg social story, visual/written plan of action etc?