



# Behaviour Best Practice Guidance

Date	August 2017
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Review Date	September 2018



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*“Emotionally mature adults are flexible enough to change, to be present in the toughest moments and to judge slowly.*

*They are patient, encouraging and kind. Through the fog of anger they keep everyone safe. In the calm light of day they build rapport and emotional currency.*

*Their expectations are always high and they will never drop their own standards because of the poor behaviour of a learner.*

*The adults who work with the most difficult behaviours are always in control of themselves before they attempt to take control of others.”*

Paul Dix (2017)

## 1. Introduction and Legal Framework

- 1.1. The Astrea best practice guidance is underpinned by the 54 Articles of the [United Nations Convention on the Rights of the Child](#), which came into UK law in 1992, and in particular, Article 28 which states that “discipline in schools must respect children’s dignity and their rights”, and which covers all aspects of a child’s life, explaining “how adults and governments must work together to make sure all children can enjoy their rights.”<sup>1</sup>
- 1.2. The [Teachers’ Standards \(2012\)](#) makes clear the expectation for all *teachers* to “manage behaviour effectively to ensure a good and safe learning environment.” Teachers must “have clear rules and routines for behaviour in classrooms, and take responsibility for promoting good and courteous behaviour both in classrooms and around the school, in accordance with the school’s behaviour policy.” They must “manage classes effectively, using approaches which are appropriate to pupils’ needs in order to involve and motivate them.” (Standard 7)
- 1.3. The guidance provides a Trust view to behaviour and is intended to provide information to Astrea academies, which will assist in the development and/or refinement of an academy level policy, designed to promote the five pupil dispositions of **contribution, happiness, empathy, aspiration** and **resilience**.

## 2. Ethos and Culture

*The aim is “to create safe and inspiring places to learn, where children are respected, their talents are nurtured and they are able to thrive.”*

UNICEF (2015)

- 2.1. “As social disadvantage and the number of stressful life events accumulate for children or young people, more factors that are protective are needed to act as a counterbalance.” (DfE, 2016)
- 2.2. Therefore, a successful behaviour policy will be underpinned by the positive ethos promoted in the academy culture; a culture which demands high expectations of staff and pupils and which also demonstrates respect, tolerance and understanding of difference, in the drive towards equity of opportunity and high aspirations for all.

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<sup>1</sup> [www.unicef.org.uk](http://www.unicef.org.uk); What is a rights respecting school [online]



### 3. Leadership of Behaviour

*“The school leader must embody ambition, aspiration and high expectations for every member of the community. They must demonstrate through their actions and words the belief that progress is not only possible but expected. These aspirations must be embodied and expressed by staff.”*

Tom Bennet (2017)

- 3.1. There can be little dispute that positive behaviour for learning enhances pupil progress, however ‘behaviour management’ continues to be one of the greatest causes of stress for teachers and is a topic of frequent request in training courses and INSET.
- 3.2. It is therefore important that the behaviour policy of an academy is clear, understood and consistently applied by all (staff and pupils alike), if it is to achieve successful outcomes. The policy created should be simple and succinct, whilst adhering to statutory guidelines and expectations for best practice. Guidance on developing a successful Behaviour policy is provided in appendix 5.
- 3.3. Positive behaviour needs to be modelled by all adults and repeatedly reiterated to all pupils so that they can be reassured by the consistency of routine for “the route to exceptional behaviour...lies in the behaviour of every adult and their ability to create a culture of certainty.” (Dix, 2017)
- 3.4. “School leadership (therefore) has the responsibility for creating circumstances where...good behaviour (is) encouraged and supported.” (Bennett, 2017)
- 3.5. The Trust values the individuality of its schools and therefore understands that the behaviour policy of each respective academy will detail its approach to rewards and sanctions, which are appropriate for the pupils and context; this may be nursery, primary, secondary, all-through or special.
- 3.6. It is an expectation that the behaviour policy of each academy makes clear the variety of rewards available and the range of strategies that are utilised when dealing with behaviours that challenge.
- 3.7. In developing successful approaches to managing behaviour, senior leaders should ensure that the sanctions utilised are appropriate and proportionate for the negative act displayed; it should never be the case that a sanction is magnified simply due to the repeated nature of the offence.
- 3.8. Academies should also be aware of the range of research available with regards to positive approaches to behaviour management, including that of restorative practices for “what works is the immediacy of the response, not the weight of the sanction”; recent research identifies that “punishment doesn’t teach better behaviour, restorative conversations do.” (Dix, 2017)



## 4. The Role of the Teacher

*“Classroom control...is based upon an understanding by the teacher of his or her own behaviour, and upon a realisation that many of the problems of control that arise in the classroom are the direct consequence of the way the teacher acts (or reacts) towards the children concerned.”*

David Fontana (1994)

- 4.1. The role of the teacher is instrumental to the success of the pupil and the way in which teachers respond to negative behaviour is key.
- 4.2. Negative displays of behaviour are often a sign of an unmet need or as a result of an unsettling trigger; whether we agree with the trigger or not, it is real for the child and represents the child's truth, therefore our response as adults needs to be calm and controlled at all times.
- 4.3. It is therefore helpful for a behaviour policy to make clear the strategies available to teachers who have a responsibility, as per the Teachers' Standards (2012), to address behaviour in the classroom, for “every time you let someone else pick up your tab, you are undermining your relationship and your authority with the children.” (Dix, 2017)
- 4.4. What is important for teachers to keep in the forefront of their minds, is that even in states of heightened arousal and crisis, which present as negative behaviour, they (the teacher) remain in a position of trust and authority and should therefore act in a fair and humane way, keeping their own emotions under control; “the best teachers deal with the ups and downs of poor behaviour but never take their hand away.” (Dix, 2017)

*“My classroom, my responsibility, my consistency.”*

Paul Dix (2017)

## 5. Becoming Active Learners and Citizens

*“The role that schools play in promoting the resilience of their pupils is important.”*

DFE (2016)

- 5.1. Our aim is to develop the children in our care into successful, rounded citizens of the future.
- 5.2. We need citizens who have high aspirations for their own success, but are resilient to the difficulties they may face along the way, citizens who are empathetic and make a positive contribution to society – for this will surely lead to happiness and contentment in their own lives.
- 5.3. Central to this belief therefore, is the need to develop a behaviour policy which promotes education and lifelong learning as a valuable commodity; where ‘school’ is seen to open the door of opportunity and not the door of punishment, leading to failure.
- 5.4. To become positive members of future society, pupils need to be active learners now; a successful behaviour policy will therefore provide an offer of consistency and calm and thus provide a space for pupils to make their own sense of the world and understand their place in it, leading to a sense of awe and wonderment at the possibilities available to them, but which are presented to them within the boundaries of safety, certainty and routine that the school environment can provide.
- 5.5. “Visible consistency with visible kindness allows exceptional behaviour to flourish.” (Dix, 2017)



## Appendix 1 – Features of a Successful School

- Consistency between all staff and pupils about cultural and academic expectations
- Well-advertised, repeatedly demonstrated routines
- Commitment to staff development with the concomitant expectation that staff reciprocate by contributing their best efforts
- Highly visible leadership seen as a normal part of the public life of the school
- A continual focus on behaviour and behaviour policies as part of whole-school strategy and planning
- A commitment to every pupils' wellbeing and success, despite the challenges they may present
- A focus by senior staff on supporting the most challenging pupils appropriately; pupils with the greatest behavioural needs, deserve to be proactively supported, rather than waiting for difficulties to manifest themselves.

Adapted from Bennet (2017)



## Appendix 2 – Summary of The Convention on the Rights of the Child

# A SUMMARY OF THE UN CONVENTION ON THE RIGHTS OF THE CHILD



### ARTICLE 1 (definition of the child)

Everyone under the age of 18 has all the rights in the Convention.

### ARTICLE 2 (non-discrimination)

The Convention applies to every child without discrimination, whatever their ethnicity, gender, religion, language, abilities or any other status, whatever they think or say, whatever their family background.

### ARTICLE 3 (best interests of the child)

The best interests of the child must be a top priority in all decisions and actions that affect children.

### ARTICLE 4 (implementation of the Convention)

Governments must do all they can to make sure every child can enjoy their rights by creating systems and passing laws that promote and protect children's rights.

### ARTICLE 5 (parental guidance and a child's evolving capacities)

Governments must respect the rights and responsibilities of parents and carers to provide guidance and direction to their child as they grow up, so that they fully enjoy their rights. This must be done in a way that recognises the child's increasing capacity to make their own choices.

### ARTICLE 6 (life, survival and development)

Every child has the right to life. Governments must do all they can to ensure that children survive and develop to their full potential.

### ARTICLE 7 (birth registration, name, nationality, care)

Every child has the right to be registered at birth, to have a name and nationality, and, as far as possible, to know and be cared for by their parents.

### ARTICLE 8 (protection and preservation of identity)

Every child has the right to an identity. Governments must respect and protect that right, and prevent the child's name, nationality or family relationships from being changed unlawfully.

### ARTICLE 9 (separation from parents)

Children must not be separated from their parents against their will unless it is in their best interests (for example, if a parent is hurting or neglecting a child). Children whose parents have separated have the right to stay in contact with both parents, unless this could cause them harm.

### ARTICLE 10 (family reunification)

Governments must respond quickly and sympathetically if a child or their parents apply to live together in the same country. If a child's parents live apart in different countries, the child has the right to visit and keep in contact with both of them.

### ARTICLE 11 (abduction and non-return of children)

Governments must do everything they can to stop children being taken out of their own country illegally by their parents or other relatives, or being prevented from returning home.

### ARTICLE 12 (respect for the views of the child)

Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously. This right applies at all times, for example during immigration proceedings, housing decisions or the child's day-to-day home life.

### ARTICLE 13 (freedom of expression)

Every child must be free to express their thoughts and opinions and to access all kinds of information, as long as it is within the law.

### ARTICLE 14 (freedom of thought, belief and religion)

Every child has the right to think and believe what they choose and also to practise their religion, as long as they are not stopping other people from enjoying their rights. Governments must respect the rights and responsibilities of parents to guide their child as they grow up.

### ARTICLE 15 (freedom of association)

Every child has the right to meet with other children and to join groups and organisations, as long as this does not stop other people from enjoying their rights.

### ARTICLE 16 (right to privacy)

Every child has the right to privacy. The law should protect the child's private, family and home life, including protecting children from unlawful attacks that harm their reputation.

### ARTICLE 17 (access to information from the media)

Every child has the right to reliable information from a variety of sources, and governments should encourage the media to provide information that children can understand. Governments must help protect children from materials that could harm them.

### ARTICLE 18 (parental responsibilities and state assistance)

Both parents share responsibility for bringing up their child and should always consider what is best for the child. Governments must support parents by creating support services for children and giving parents the help they need to raise their children.

### ARTICLE 19 (protection from violence, abuse and neglect)

Governments must do all they can to ensure that children are protected from all forms of violence, abuse, neglect and bad treatment by their parents or anyone else who looks after them.

### ARTICLE 20 (children unable to live with their family)

If a child cannot be looked after by their immediate family, the government must give them special protection and assistance. This includes making sure the child is provided with alternative care that is continuous and respects the child's culture, language and religion.

### ARTICLE 21 (adoption)

Governments must oversee the process of adoption to make sure it is safe, lawful and that it prioritises children's best interests. Children should only be adopted outside of their country if they cannot be placed with a family in their own country.

### ARTICLE 22 (refugee children)

If a child is seeking refuge or has refugee status, governments must provide them with appropriate protection and assistance to help them enjoy all the rights in the Convention. Governments must help refugee children who are separated from their parents to be reunited with them.

### ARTICLE 23 (children with a disability)

A child with a disability has the right to live a full and decent life with dignity and, as far as possible, independence and to play an active part in the community. Governments must do all they can to support disabled children and their families.

### ARTICLE 24 (health and health services)

Every child has the right to the best possible health. Governments must provide good quality health care, clean water, nutritious food, and a clean environment and education on health and well-being so that children can stay healthy. Richer countries must help poorer countries achieve this.

### ARTICLE 25 (review of treatment in care)

If a child has been placed away from home for the purpose of care or protection (for example, with a foster family or in hospital), they have the right to a regular review of their treatment, the way they are cared for and their wider circumstances.

### ARTICLE 26 (social security)

Every child has the right to benefit from social security. Governments must provide social security, including financial support and other benefits, to families in need of assistance.

### ARTICLE 27 (adequate standard of living)

Every child has the right to a standard of living that is good enough to meet their physical and social needs and support their development. Governments must help families who cannot afford to provide this.

### ARTICLE 28 (right to education)

Every child has the right to an education. Primary education must be free and different forms of secondary education must be available to every child. Discipline in schools must respect children's dignity and their rights. Richer countries must help poorer countries achieve this.

### ARTICLE 29 (goals of education)

Education must develop every child's personality, talents and abilities to the full. It must encourage the child's respect for human rights, as well as respect for their parents, their own and other cultures, and the environment.

### ARTICLE 30 (children from minority or indigenous groups)

Every child has the right to learn and use the language, customs and religion of their family, whether or not these are shared by the majority of the people in the country where they live.

### ARTICLE 31 (leisure, play and culture)

Every child has the right to relax, play and take part in a wide range of cultural and artistic activities.

### ARTICLE 32 (child labour)

Governments must protect children from economic exploitation and work that is dangerous or might harm their health, development or education. Governments must set a minimum age for children to work and ensure that work conditions are safe and appropriate.

### ARTICLE 33 (drug abuse)

Governments must protect children from the illegal use of drugs and from being involved in the production or distribution of drugs.

### ARTICLE 34 (sexual exploitation)

Governments must protect children from all forms of sexual abuse and exploitation.

### ARTICLE 35 (abduction, sale and trafficking)

Governments must protect children from being abducted, sold or moved illegally to a different place in or outside their country for the purpose of exploitation.

### ARTICLE 36 (other forms of exploitation)

Governments must protect children from all other forms of exploitation, for example the exploitation of children for political activities, by the media or for medical research.

### ARTICLE 37 (inhumane treatment and detention)

Children must not be tortured, sentenced to the death penalty or suffer other cruel or degrading treatment or punishment. Children should be arrested, detained or imprisoned only as a last resort and for the shortest time possible. They must be treated with respect and care, and be able to keep in contact with their family. Children must not be put in prison with adults.

### ARTICLE 38 (war and armed conflicts)

Governments must not allow children under the age of 15 to take part in war or join the armed forces. Governments must do everything they can to protect and care for children affected by war and armed conflicts.

### ARTICLE 39 (recovery from trauma and reintegration)

Children who have experienced neglect, abuse, exploitation, torture or who are victims of war must receive special support to help them recover their health, dignity, self-respect and social life.

### ARTICLE 40 (juvenile justice)

A child accused or guilty of breaking the law must be treated with dignity and respect. They have the right to legal assistance and a fair trial that takes account of their age. Governments must set a minimum age for children to be tried in a criminal court and manage a justice system that enables children who have been in conflict with the law to reintegrate into society.

### ARTICLE 41 (respect for higher national standards)

If a country has laws and standards that go further than the present Convention, then the country must keep these laws.

### ARTICLE 42 (knowledge of rights)

Governments must actively work to make sure children and adults know about the Convention.

The Convention has 54 articles in total. Articles 43–54 are about how adults and governments must work together to make sure all children can enjoy all their rights, including:

### ARTICLE 45

Unicef can provide expert advice and assistance on children's rights.

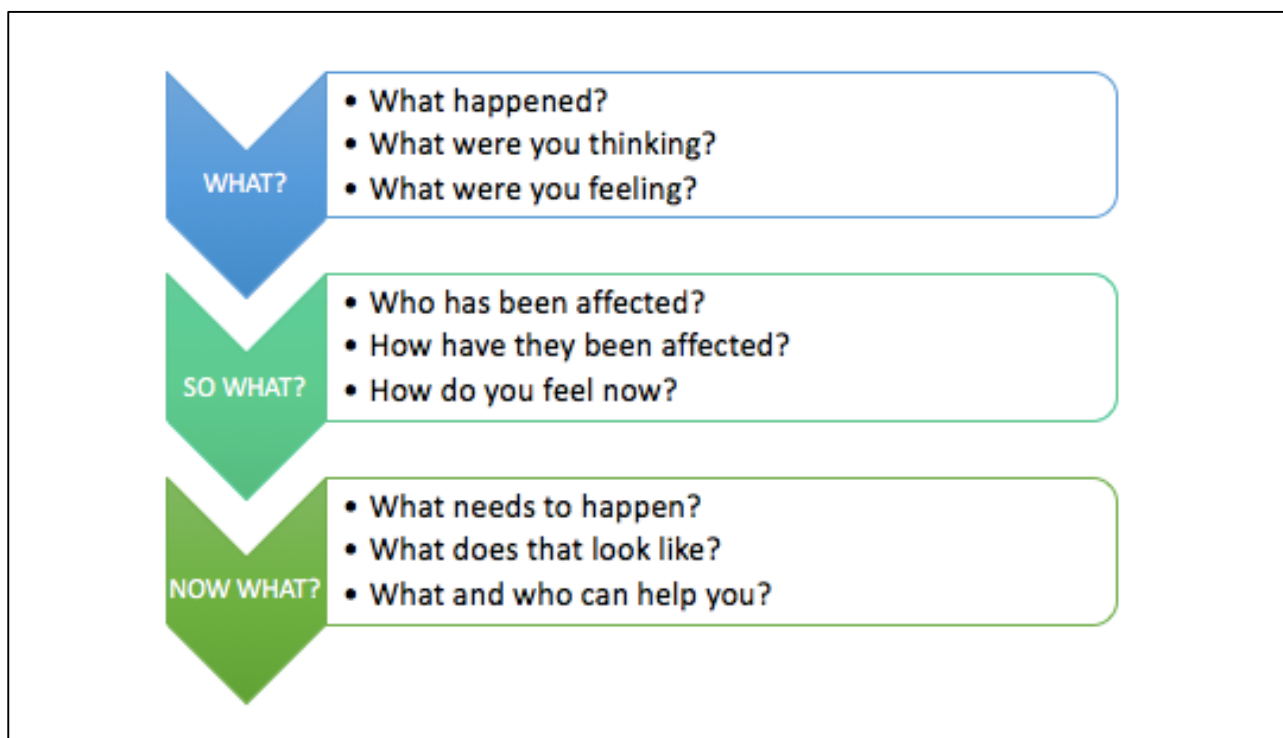
### OPTIONAL PROTOCOLS

There are three agreements, called Optional Protocols, that strengthen the Convention and add further unique rights for children. They are optional because governments that ratify the Convention can decide whether or not to sign up to these Optional Protocols. They are: the Optional Protocol on the sale of children, child prostitution and child pornography, the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on a complaints mechanism for children (called Communications Procedure).

For more information go to [unicef.org.uk/crc/op](http://unicef.org.uk/crc/op)



## Appendix 3 – Example Restorative Questions







## Appendix 4 – Example Strategies to use when dealing with Behaviours that Challenge

- We treat children with respect even when they are exhibiting behaviours that challenge
- We ignore inappropriate behaviour when noticing it would cause more disruption or as part of a planned approach, however this is **always** followed up at a more appropriate time
- We avoid talking above background noise
- We focus on those who are behaving and working well and praise and encourage them
- We use eye contact, facial gesture and/or signals to express approval and disapproval initially
- We have a 'quiet word' with the child who is exhibiting behaviours that challenge, telling them that the behaviour is not acceptable and should stop – this is done outside of earshot of their peers
- We describe the effects of the behaviour not the behaviour itself (“When you are making a noise or messing about, the others can’t hear or learn”)
- If necessary, we send for help in good time, before behaviours have escalated to a crisis point
- We are prepared to find the best adult and best conditions to resolve the issue, and prepared to change adults where necessary in order to support both the child and the adult
- We allow children time to make amends or take time to follow up an instruction
- We follow up inappropriate behaviour with a child on their own where possible
- We discuss problems and difficulties privately, as far as possible
- We follow the guidelines if restrictive intervention is needed, and only after the use of de-escalation techniques
- We accept that sometimes it is appropriate to show controlled anger. We can thus model appropriate anger to the children. We do so in a controlled way and avoid blaming. We give an “I” message e.g. “I feel very angry / upset that you have spoken so unkindly to Scott”
- We only raise our voices in **exceptional** circumstances and always in a controlled manner
- We give opportunities for reparation and restitution when all those involved are ready and without increasing delays
- We model reconciliation and support these processes, as appropriate.



## Appendix 5 – Guidance in Developing a Behaviour Policy

### Behaviour and Discipline Policy

**Every school must have a behaviour and discipline policy which must be published on the school web-site. The policy must be published in writing, to staff, parents/carers and pupils at least once a year.**

Having consulted widely with the whole school community, the Trust outlines the overarching values to which every school subscribes; these are made clear within the core value partners and the pupil dispositions. The Trust draws up a statement of general principles on behaviour and discipline, as referenced within the Behaviour Best Practice Guidance.

Having taken account of the Trust's statement of behaviour principles, the Principal will develop a whole school behaviour and discipline policy.

**The behaviour policy must include measures to prevent all forms of bullying among pupils or make reference to the school's anti-bullying policy.**

#### Developing the behaviour policy

School behaviour policies should aim to establish a positive school ethos and promote effective learning by establishing:

- A consistent approach to behaviour management;
- Strong school leadership;
- Effective Classroom management;
- Rules, rewards and repercussions;
- Behaviour strategies and the teaching of good behaviour through explicit expectations;
- Staff development and support;
- Pupil support systems;
- Liaison with parents and other agencies;
- Managing pupil transition
- Organisation and facilities.

The school's behaviour policy should set out the disciplinary action that will be taken against pupils who are found to have made malicious accusations against school staff.

The behaviour policy should acknowledge the school's legal duties under the Equality Act 2010, in respect of safeguarding and in respect of pupils with special educational needs (SEN).



## **A whole school behaviour and discipline policy should include the following:**

### **Rationale / Purpose of the Policy ...**

#### **What the law says:**

The Principal must set out measures in the behaviour policy which aim to:

- Promote good behaviour, self-discipline and respect
- Prevent bullying
- Ensure pupils complete assigned work
- Regulate the conduct of pupils

### **Ethos of the school**

A mission statement - a general statement outlining for example, the philosophy, values, principles of the school.

### **Principles underlying the behaviour policy**

Examples of how these principles relate to the overall aims of your school:

- That every member of the school community feels valued and respected
- To promote an environment where everyone feels happy, safe and secure
- That every member of the school community will be treated fairly and in a consistent way

**The principles are not primarily concerned with rule enforcement but rather a means of promoting good relationships, so that people can work together with the common purpose of helping everyone to achieve.**

**The policy is designed to promote good behaviour whilst developing an ethos of kindness and co-operation, rather than merely deterring anti-social behaviour.**

Include the incentives and rewards that you use; the ways in which you acknowledge good behaviour and publicise it across the school; how pupils know what is meant by good behaviour; how it is modelled amongst staff.

Reference any behaviour charter you have drawn up, how you have decided upon it and how it is shared amongst the school community.

### **The rights and responsibilities of all members of the school community**

- School staff
- Pupils
- Parents/carers

*See appendix 1*



**Explanation of how positive behaviour is taught, practised and modelled through the curriculum** e.g. PSHE & C, RE, SEAL, R-Time, Circle Time, Nurture Group, School Council, Playtime Pals and Behaviour Champions etc.

### **Rules, Rewards and Repercussions**

- Clarify your school's systems with roles and responsibilities
- Differentiate according to age and context
- Keep it simple
- 3-5 clear, observable rules about behaviour should be agreed, known and used at all times
- Rewards should out-number consequences
- Establish a clear hierarchy for graduated sanctions which appropriately reflects the behaviour observed.
- Decide how they are publicised throughout the school community

### **Outline support available through your graduated approach to SEND for pupils whose social, emotional and mental health needs present a barrier to achievement**

- Quality First Teaching
- Small Group Support
- 1:1 interventions
- Support from outside agencies e.g. CAMHS, EPS, Restorative Justice, Start Well
- All support should be recorded in a plan e.g. an Individual Education Plan (IEP), Pastoral Support Programme (PSP) and/or an Early Help Form (EHF)
- Following support, it may be necessary to consider other approaches e.g. an Education, Health and Care Plan (EHCP), attendance at a short stay placement away from the main school site

### **Managing Pupil Transition**

- Moving year groups at the end of year
- Y6 - 7 transition
- Y5 visit to prospective Secondary Schools
- Vulnerable pupils (class to class, supply teacher etc).

### **Outline outside agency support available for parents/carers in developing their child's social, emotional and behavioural skills:**

Examples:

- CAMHS
- Restorative Solutions
- FIP
- Specialist Support Services provided through the LA



## **Equal opportunities**

Include here how you monitor and analyse records to identify trends and the over-representation of groups in statistics, why this might be and what is being done about it. Include how pupils with particular special needs, such as ADHD or autism, are included and their needs met.

## **Staff Training**

Include the training you have had and any specific plans that are in place, e.g. for positive handling techniques, supporting pupils with ADHD, classroom management.

## **School's power to discipline beyond the school gate**

School's expectations for positive behaviour off school site including use of media. The school's behaviour policy should set out what the school will do in response to all non-criminal bad behaviour and bullying which occurs anywhere off the school premises and which is witnessed by a staff member or reported to the school, including the punishments that will be imposed on pupils.

Possible objectives might include:

- To maintain good order on transport, educational visits, work experience
- To secure behaviour which does not threaten the health and safety of pupils, staff, the general public
- To provide reassurance to the public about school's care and control over pupils and thus protect the reputation of the school

Subject to the school's behaviour policy, the teacher may discipline a pupil for:

Any misbehaviour when the child is:

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

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

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

Refer to DfE guidelines or quote directly from them.



## **Detention**

State your procedure regarding detention including withdrawal of playtime and lunchtime privileges.

Any pupil under 18 can be put in detention – assuming this is part of your school’s behaviour policy and relevant parties have had sight of it

Schools are able to decide what notice to give and how to inform parents / carers.

Home can inform you if the detention will cause the family a particular problem but cannot over-rule your decision.

Refer to DfE guidelines or quote directly from them.

## **Confiscation of inappropriate items**

Refer to DfE guidelines for this section and follow their detailed advice. It is important to clearly set out what you may do and what must be done in your behaviour policy.

*Drug and alcohol abuse example:*

*It is the policy of this school that no child should bring any drug to school without permission. If a child will need medication during the school day the parent or guardian should notify the school and ask permission for the medication to be brought. This should be taken directly to the school office for safekeeping. Any medication needed by a child whilst in school must be taken under the supervision of a teacher or other adult worker.*

*The school will take very seriously misuse of any substances such as glue, other solvents or alcohol. The parents or guardians of any child involved will always be notified. Any child who deliberately brings substances into school for the purpose of misuse will / may be punished by a fixed-term exclusion. If the offence is repeated, the child will / may be permanently excluded, and the police and social services informed.*

*If any child is found to be suffering from the effects of alcohol or other substances, arrangements will be made for that child to be taken home. It is forbidden for anyone, adult or child, to bring onto the school premises any illegal drugs. Any child who is found to have brought to school any type of illegal substance will / may be punished by a temporary exclusion. The child will be re-admitted to the school following the fixed term. A parent or guardian of the child will also need to visit the school and discuss the seriousness of the incident with a senior member of staff.*

*If the offence is repeated the child will / may be permanently excluded.*

*If a child is found to have deliberately brought illegal substances into school, and is found to be distributing these to other pupils for money, the child will / may be permanently excluded from the school. The relevant CYPS, the police and social services will also be informed.*



## **Power to use reasonable force - Positive Handling, Physical Intervention**

### Example

- All members of staff are regularly updated with regard to government guidance regarding the use of Positive Handling, Physical Intervention and Duty of Care.
- Members of staff have the power to use reasonable force to prevent pupils committing an offence, injuring themselves or others, or damaging property, and to maintain good order and discipline in the classroom.
- The actions of staff will always be in the best interest of the child and are in line with government guidelines on the Use of Reasonable Force. Under no circumstances will physical force or restraint be used as a form of punishment.

Refer to DfE guidelines or quote directly from them.

## **Exclusion**

All exclusions are recorded, reported and monitored within the Trust, as per the *Exclusion Best Practice Guidance*.

You may wish to include in more detail your school's procedure for exclusion; alternatively, you may wish to refer to the guidelines. There are two examples follow:

### *Example 1*

*We do not wish to exclude any child from school but sometimes this may be necessary. Our school adopts Government Guidance for the list of reasons for exclusion. We refer to this guidance in any decision to exclude a child from school.*

### *Example 2*

*Only the head teacher (or the acting head teacher) has the power to exclude a child from school. The head teacher may exclude a child for one or more fixed periods, for up to 45 days in any one school year. In extreme and exceptional circumstances, the head teacher may exclude a child permanently.*

If the Principal excludes a child, s/he informs the parents immediately, giving reasons for the exclusion. At the same time, the head teacher makes it clear to the parents that they can, if they wish, make representation regarding the exclusion to the governing body. The school informs the parents how to make any such request.

The Principal informs the LA and the governing body about any permanent exclusion, about any fixed-term exclusions beyond five days (10 lunchtimes) in any one term and should the exclusion mean the pupil will miss a public examination.

The governing body has a discipline committee which is made up of between three and five members. This committee considers any representation made by the parent/guardian on behalf of the governors.

When an independent review panel meets to consider an exclusion, they consider the circumstances in which the child was excluded and any representation by parents and the LA.



## Seclusion/Isolation Rooms

What is the difference between a seclusion room and an isolation room?

Isolation suggests someone is in an area away from other people and is on their own, seclusion would mean they are isolated and also confined to that area.

Any child, adult or young person who is placed in seclusion or isolation should be under constant observation by an appropriately qualified person and there should be a clearly defined system in place to summon assistance informed by an up to date risk assessment.

Outside of an emergency situation where staff need to exercise duty of care to prevent harm, seclusion is not acceptable and is likely to be a breach of Human Rights and criminal law, i.e. false imprisonment

- Any emergency use of seclusion should trigger a review
- Any Deprivation of Liberty needs legal authorisation (outside of legal detainment)
- Seclusion is not therapeutic and is likely to cause psychological harm
- Schools should issue clear guidance to staff on the use of isolation and punitive responses to children with special needs and review blanket policies.
- Time out is a psychological intervention. Staff should be clear about the difference between time out and the use of time away as a proactive strategy

*(The use of seclusion, isolation and time out; Centre for the Advancement of Positive Behaviour Support (CAPBS))*

If as a school you use such isolation rooms as a disciplinary penalty it must be made clear in your behaviour policy. See DfE guidance “Behaviour and Discipline in Schools” (January 2016)

## Dealing with allegations of abuse against teachers and other staff

Key points

- Whilst all allegations of abuse **must** be taken seriously, the quick resolution of that allegation should be /will be a clear priority to the benefit of all concerned
- In response to an allegation, staff suspension should not /will not be the default option. An individual should /will only be suspended if there is no reasonable alternative
- Allegations that are found to have been malicious should /will be removed from personnel records and any that are not substantiated, are unfounded or malicious should /will not be referred to in employer references
- Pupils that are found to have made malicious allegations are likely to have breached the school Behaviour policy. The school should /will therefore consider whether to apply an appropriate sanction, which could include temporary or permanent exclusion (as well as referral to the police if there are grounds for believing a criminal offence may have been committed)





The school's behaviour policy should make clear the procedures in place for dealing with malicious allegations against teachers and staff. The procedures should make it clear that all allegations should be reported straight away, normally to the head teacher.

The procedures should also identify the person, often the chair of governors, to whom reports should be made in the absence of the head teacher, or in cases where the head teacher is the subject of the allegation or concern.

Procedures should also include contact details for the local authority designated officer (LADO) responsible for providing advice and monitoring cases.

The behaviour policy should also set out the disciplinary action that will be taken against pupils who are found to have made malicious accusations against school staff.

### **Home / School**

Include at what point parents are involved; what their role is expected to be; who meets with them; how they are informed of their roles and responsibilities through the home/school agreement/newsletters etc.

Head teachers may ask parents to sign a Home School Agreement when their child joins the school. By signing the Home School Agreement parents will be indicating their agreement with the school Behaviour Policy.

### **State how the school community is involved in developing and reviewing the policy**

The governing body is legally required to consult staff, parents and pupils on the school Behaviour policy. This should be done every time the policy is updated.

A brief explanation will suffice. Consider including pupils own work and direct quotes from parents/carers as evidence.

**Reference all other relevant school policies including:** Anti-bullying, PREVENT, Child Protection, Attendance, Mental Health and Behaviour, Safeguarding, SEND, Inclusion, Access Arrangements, Parental Involvement, Equality and Teaching and Learning.

### **Secondary only**

- A clear paragraph on respite placements and,
- Supported transfers as a supportive discipline measure



## Monitoring and Review

Example:

The Principal monitors the effectiveness of this policy on a regular basis. S/he also reports to the governing body on the effectiveness of the policy and, if necessary, makes recommendations for further improvements. Include here how the policy will be monitored to ensure that it is effective, e.g. through using assessment tools, exclusion and attendance data, data that are kept about the use of 'time-out' facilities, other records that are kept of serious incidents or detentions. It might also include consultation within the school and local community about perceptions of behaviour

The governing body reviews this policy every year. The governors may, however, review the policy earlier than this if the government introduces new regulations, or if the governing body receives recommendations on how the policy might be improved.

**Signed:** \_\_\_\_\_ Principal Date: \_\_\_\_\_

**Signed:** \_\_\_\_\_ Chair of Governors Date: \_\_\_\_\_



## **Appendix 1**

### **Rights and responsibilities of schools, pupils and parents in ensuring an orderly climate for learning**

*For ease of reference, the set of expectations is set down below in the form of a summary chart with the “rights” and “responsibilities” of schools, pupils and parents in two columns. It should be emphasised that these are moral, rather than legal, rights and responsibilities (though a number of them link to particular aspects of the law) and also that they are only intended as illustrative examples and not as a prescriptive list. Schools will determine their own values and expectations of behaviour in the light of their individual characteristics, community and any local school partnership arrangements.*



*“Rights” and “responsibilities” are often two sides of the same coin. For example, while a school has the right to enforce its own behaviour policy, this could also be regarded as a responsibility. The chart below is thus only an approximate mapping.*

<b>SCHOOLS</b>	
<b>Rights</b>	<b>Responsibilities</b>
<ul style="list-style-type: none"> <li>• To make clear the school’s statutory power to discipline pupils and that pupils and parents will need to respect this.</li> <li>• To enforce their school behaviour policy – including rules and disciplinary measures.</li> <li>• To expect pupils and parents’ cooperation in maintaining an orderly climate for learning.</li> <li>• To expect pupils to respect the rights of other pupils and adults in the school.</li> <li>• Not to tolerate violence, threatening behaviour or abuse by pupils or parents. If a parent does not conduct himself/herself properly, a school may ban them from the school premises and, if the parent continues to cause nuisance or disturbance, they may be liable to prosecution.</li> <li>• To take firm action against pupils who harass or denigrate teachers or other school staff, on or off premises – engaging external support services, including the police, as appropriate.</li> <li>• To ask parents to sign a Home School Agreement when their child joins the school</li> </ul>	<ul style="list-style-type: none"> <li>• To ensure the whole school community is consulted about the principles of the school behaviour policy.</li> <li>• To establish and communicate clearly measures to ensure good order, respect and discipline.</li> <li>• To cooperate and agree appropriate protocols with other schools in the local school partnership for behaviour and persistent absence.</li> <li>• To ensure the school behaviour policy does not discriminate against any pupil on e.g. grounds of race, gender, disability or sexual orientation and that it promotes good relations between different communities.</li> <li>• To ensure teachers’ roles in school discipline matters are consistent with the National Agreement Raising Standards and Tackling Workload and workforce remodelling agenda, so that there is due recognition of the enhanced roles of support staff and not all responsibilities are focused on teachers.</li> <li>• To ensure staff are clear about the extent of their disciplinary authority and receive necessary professional development on behaviour strategies.</li> <li>• To support, praise and as appropriate reward pupils’ good behaviour.</li> <li>• To apply sanctions fairly, consistently, proportionately and reasonably – taking account of SEN, disability and the needs of vulnerable children and offering support as appropriate.</li> <li>• To make alternative provision from day 6 for fixed period excluded pupils, and where appropriate to arrange reintegration interviews for parents at the end of a fixed period exclusion.</li> <li>• To take all reasonable measures to protect the safety and well-being of staff and pupils, including preventing all forms of bullying and dealing effectively with reports and complaints about bullying.</li> <li>• To ensure staff model good behaviour and never denigrate pupils or colleagues.</li> <li>• To promote positive behaviour through active development of pupils’ social, emotional and behavioural skills.</li> <li>• To keep parents informed of their child’s behaviour – good as well as bad, use appropriate methods of engaging them and, where necessary, support them in meeting their parental responsibilities.</li> <li>• To work with other agencies to promote community cohesion and safety.</li> </ul>



<b>PUPILS</b>	
<b>Rights</b>	<b>Responsibilities</b>
<ul style="list-style-type: none"> <li>• To contribute to the development of the school behaviour policy, with every pupil involved in the consultation process.</li> <li>• To be taught in environments that are safe, conducive to learning and free from disruption.</li> <li>• To expect appropriate action from the school to tackle any incidents of violence, threatening behaviour, abuse, discrimination or harassment.</li> <li>• To appeal to the head teacher / governors, and beyond that to the Secretary of State, if they believe the school has exercised its disciplinary authority unreasonably.</li> </ul>	<ul style="list-style-type: none"> <li>• To follow reasonable instructions by school staff, obey school rules and accept sanctions in an appropriate way.</li> <li>• To act as positive ambassadors for the school when off school premises.</li> <li>• Not to bring inappropriate or unlawful items to school.</li> <li>• To show respect to school staff, fellow pupils, school property and the school environment.</li> <li>• Never to denigrate, harm or bully other pupils or staff.</li> <li>• To cooperate with and abide by any arrangements put in place to support their behaviour such as Pastoral Support Programmes or Parenting Contracts.</li> </ul>

<b>PARENTS</b>	
<b>Rights</b>	<b>Responsibilities</b>
<ul style="list-style-type: none"> <li>• To contribute to the development of the school behaviour policy.</li> <li>• To be kept informed about their child's progress, including issues relating to their behaviour.</li> <li>• To expect their children to be safe, secure and respected in school.</li> <li>• To have any complaint they make about their child being bullied taken seriously by the school and investigated / resolved as necessary.</li> <li>• To appeal to the head teacher / governors, and beyond that to the Secretary of State, if they believe the school has exercised its disciplinary authority unreasonably.</li> <li>• To appeal against a decision to exclude their child, first to the governing body of the school and then – in cases of permanent exclusion – to an independent appeal panel.</li> </ul>	<ul style="list-style-type: none"> <li>• To respect the school's behaviour policy and the disciplinary authority of school staff.</li> <li>• To help ensure that their child follows reasonable instructions by school staff and adheres to school rules.</li> <li>• To send their child to school each day punctually, suitably clothed, fed, rested, and equipped and ready to learn.</li> <li>• To ensure school staff are aware of any SEN-related or other personal factors which may result in their child displaying behaviours outside the norm.</li> <li>• To be prepared to work with the school to support their child's positive behaviour.</li> <li>• To attend meetings with the head teacher or other school staff, if requested, to discuss their child's behaviour.</li> <li>• To adhere to the terms of any Parenting Contract or Order relating to their child's behaviour.</li> <li>• If their child is excluded from the school, to ensure the child is not found in a public place during school hours in the first five days of exclusion and, if invited, to attend a reintegration interview with the school at the end of a fixed period exclusion.</li> <li>• To sign and adhere to the terms set out in the Home School Agreement</li> </ul>



## Appendix 2

### **Taking account of race, religion and culture**

#### **Key Points**

- 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 of different racial groups.
- Schools should ensure staff 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.

### **Taking account of SEN, disability and the circumstances of other vulnerable pupils**

#### **Key Points**

- 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.

### **What the law says**

3.9.12 Disabled pupils are those who have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

This broad definition encompasses an estimated 7% of the child population and includes hidden disabilities such as dyslexia, autism and speech and language impairments; sensory and physical impairments; and medical conditions such as diabetes, epilepsy or disfigurement.

Some pupils with more complex behavioural, emotional or social difficulties (BESD) may also fall



under the definition of disabled. The definition of disability includes conduct disorders such as oppositional defiance disorder (ODD); hyperkinetic disorders such as attention deficit disorder or attention deficit hyperactivity disorder (ADD/ADHD); and syndromes such as Tourette's and other mental health disorders. [Such disorders do not have to have been officially diagnosed in order for a pupil to be classified as disabled: the impairment simply needs to exist.](#)



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