



Bewley Primary School

Behaviour Policy

September 2023

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Bewley Primary School

Behaviour Policy

This document is statement of the aims, principles and strategies for managing behaviour at Bewley Primary School. A copy of this policy is available for all parents on request and is available on the school website. It will be reviewed annually and amended if necessary.

Rationale

Bewley Primary School's aim is to create a happy and friendly atmosphere where children can develop their full potential. Each child in our school is valued and encouraged to develop spiritually, morally, emotionally and academically in a happy, safe and secure environment.

We recognise that good behaviour is taught, and this Behaviour Policy outlines the expectations of our school. Children will learn to recognise, respect and value each other and they have a right to feel safe and secure in and around the school.

As a Unicef Rights Respecting School, we recognise the importance of valuing each person in our learning community as an individual.

This policy is underpinned by our continued commitment to UNICEF and the UN Convention of Rights of the Child. It links directly to the following articles of the UN Convention of Rights of the child.

Children's rights and responsibilities:

Article 14 – Children have the right to think and believe what they want, and to practise their religion, as long as they are not stopping other people from enjoying their rights.

Article 28 – All children and young people have a right to primary education, which should be free. Discipline in schools should respect children's human dignity. Young people should be encouraged to reach the highest level of education they are capable of.

Article 29 – Education should develop each child's personality to the full. It should encourage children to respect their parents, and their own and other cultures.

Article 30 - Children have a right to learn and use the language and customs of their families, whether these are shared by the majority of people in the country or not.

Aims and objectives

At Bewley, we aim to:

- Have clear behaviour expectations of pupils everyday which are:

**Being Ready, Being Respectful, and Being Safe so that they can be
Bright, Proud and Successful**

- Help children to grow in a safe and secure environment, and to become positive, responsible and increasingly independent members of Bewley Primary School community.
- Promote and encourage self-esteem, self-discipline and respect.
- Celebrate and reward children who behave well.
- Treat all children fairly and apply this Behaviour Policy in a consistent way.
- Encourage the involvement of parents in supporting the implementation of this policy.
- Define acceptable standards of behaviour.
- Provide guidance and support for staff when dealing with inappropriate behaviour.

Good Behaviour

At Bewley Primary School we promote agreed Good Behaviour codes of conduct, these will be given out at appropriate times during the school year to remind pupils of expectations, rewards systems and sanctions. Class teachers and the senior leadership team within whole class assemblies and during class circle times reinforce these. Specifically, the use of our PHSE curriculum enables teachers to further dedicate time to teaching and helping children to understand behaviour expectations.

Each class has a Rights Respecting School Class Charter, which defines acceptable behaviour in each class and around school.

An overview of some of our school behaviour codes are:

We speak politely and kindly to everyone -Respectful

We are always honest - Respectful

We listen carefully to others-Ready

We work hard and do our best at all times- Ready

We respect our school environment-Respectful

We move around the school safely, inside and outside-Safe

We behave well whilst out of school ensuring we set a superb example as a valued member of Bewley Primary School community. –Bright, Proud and Successful

The school acknowledges that behaviour can sometimes be the result of educational needs, social and emotional 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

Where vulnerable pupils or groups are identified, provision will be made to support and promote their positive mental health. The school's Social, Emotional and Mental Health (SEMH) Policy outlines the specific procedures that will be used to assess these pupils for any SEMH-related difficulties that could affect their behaviour.

At Bewley Primary school, we place great emphasis on an effective reward system which recognises and encourages good behaviour. This is demonstrated through:

- Verbal praise
- Visit to another teacher or senior leadership team to share good news
- Award stickers and certificates
- Lunchtime supervisor stickers
- Pupil of the Week certificate presented at celebration assembly weekly
- Increased responsibility, privileges (Year 6 leaders and team captain roles)
- Year 6 working as playground friends in KS1.
- Dojos given to individual children
- Headteacher's Award (sticker and / or certificate)
- Work showcased on Twitter
- Celebration Messages shared with parents/carers on Marvellous Me (Reception, KS1 and KS2)
- Tapestry (EYFS)
- RRS Ozzy Owl post cards posted home to children

Positive teacher-pupil relationships

Positive teacher-pupil relationships are key to promoting acceptable behaviour. At Bewley, we aim to provide a relationally rich environment between staff and pupils, where children

feel safe and ready to learn. The school focusses heavily on forming these relationships to allow teachers to understand their pupils and create a strong foundation from which behavioural change can take place. As an attachment aware school we also provide relational support by providing the child with personalised interventions, access to a key adult and Team Pupil. Children would also have access to differentiated resources such as sensory breaks, calm boxes, a safe place to withdraw to at times of being overwhelmed and access to theraplay.

De-escalation strategies

Where negative behaviour is present, staff members will implement de-escalation strategies to diffuse the situation. This includes:

Using The 3 R approach of Regulate

REGULATE: help the child to regulate & calm their flight/fight/freeze responses.

How? Appear calm and use a calm, low tone of voice.

Use Soothing but limited language, a safe space to go, stepping back and allowing them time to process. Avoid being defensive, e.g. if comments or insults are directed at the staff member.

RELATE: we need to connect with and relate to the child, by developing a calm, sensitive dialogue, acknowledging how they feel and how that is hard for them. "You must have felt really angry then. That must have been hard for you..."

REASON: we can support the child reflect, learn, remember, articulate and self-regulate their emotions.

How? Teach them the language of emotions, strategies for regulating them, use story to explore emotions and remind them of their safe places and safe people.

Adapting and using resources such as The Five Point Scale, along with staff being curious about what the intention is behind the behaviour of the child.

Using strategies such as "wondering aloud" when interacting with the child, and the use of drawing and talking, to understand what is happening inside the child and also a PACE approach to learning. (**P**layfulness, **A**cceptance, **C**uriosity and **E**mpathy)

Roles and responsibilities:

The Headteacher

The headteacher is responsible for:

- The monitoring and implementation of this policy and of the behaviour procedures at the school. This includes the policy's effectiveness in addressing any SEMH-related drivers of poor behaviour.
- Establishing the standard of behaviour expected by pupils at the school.
- Determining the school behaviour expectations and any disciplinary sanctions for breaking them.
- The day-to-day implementation of this policy.
- Publishing this policy and making it available 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 Local Governing Body

Under Section 88(1) of the Education and Inspections Act 2006 (EIA), Governing Bodies must ensure that policies designed to promote good behaviour and discipline on the part of its pupils are pursued at the school.

Section 88(2) of the EIA requires the governing body to:

- Make, and from time to time review, a written statement of general principles to guide the headteacher in determining measures to promote good behaviour and discipline amongst pupils; and
- Notify the headteacher and give him or her related guidance if the Governing Body wants the school's behaviour policy to include particular measures or address particular issues.

Before making their statement of principles, The Local Governing Body must consult (in whatever manner they think appropriate) the headteacher, school staff, parents and pupils.

The governing body must provide clear advice and guidance to the headteacher on which he/she can base the school behaviour policy.

The Governing Body will notify the headteacher that the following should be covered in the school behaviour policy if needed:

- Screening and searching pupils (including identifying in the school rules items which are banned and which may be searched for);
- The power to use reasonable force or make other physical contact;
- The power to discipline beyond the school gate;
- Pastoral care for school staff accused of misconduct;
- When a multi-agency assessment should be considered for pupils who display continuous disruptive behaviour.
- In providing guidance to the headteacher, the governing body must not seek to hinder teachers' powers by including 'no searching' or 'no contact' policies, nor to restrict their power to discipline pupils for misbehaviour outside of school.
- Governing bodies will also wish to consider their duty under The Education Act 2011 requiring them to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children and their general duty to eliminate discrimination under section 149 of the Equality Act 2010.

The Governing Body will in consultation with the headteacher consider what the school's response will be to:

- any bad behaviour 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.
- To support the school in its efforts to address issues related to behaviour management.

The mental health team are 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 about the behaviour of pupils with SEMH difficulties.
- Supporting behaviour management in line with our Social, Emotional and Mental Health offer.

The SEND Leads are responsible for:

- Collaborating with The Local Governing Body, headteacher, PHSE lead and the mental health team, to determine the strategic development of behavioural and SEMH provisions in the school.
- Undertaking day-to-day responsibilities for the successful operation of the behavioural and SEMH strategies 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.
- Being responsible and accountable for the progress and development of the pupils in their class.

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

- Adhering to this policy.
- Supporting pupils in adhering to this policy.
- Promoting a supportive and high-quality learning environment.
- Modelling high levels of behaviour.
- Consistently rewarding good behaviour through verbal praise, stickers, Dojos and Marvellous Me messages to parents/carers.

- To discuss with children, the importance of making good choices regarding their behaviour and to ensure children understand the consequences of their actions.
- 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 SEND Team, SLT and headteacher informed of any changes in behaviour.

Parents

Staff welcome early contact if parents have a concern about their child's behaviour or fear that others are upsetting them. If parents and school work together, we believe that the discipline and behaviour of pupils will be maintained and respected by all.

Home to school contact

We establish good relationships with parents to ensure they understand the school's expectations. When starting at Bewley, parents/carers receive a Welcome Pack, which explains our behaviour expectations in school. We aim to make parents aware of any issues as they arise. If an issue is regarded as being more serious than the class teacher or member of the senior leadership team can deal with they will contact individual parents.

If a parent does not collect their child at the end of the school day, the parent/carer will be contacted via telephone.

Parents can help in the following ways:

- By ensuring that pupils arrive punctually for the start of the school day.
- By ensuring that pupils have appropriate dress for school and PE to take a full part in all school activities.
- By supporting the school in our policy, that all pupils are expected to behave in a responsible manner, towards both themselves and others, showing consideration, courtesy and respect for other people at all times.
- By ensuring that pupils show a proper regard for other people's property, buildings and the environment.
- By ensuring regular attendance at school and avoiding unnecessary pupil absence.
- By adhering to the Home-School Agreement, which details the agreed responsibilities of parents, pupils and teachers.
- Informing the school of any changes in circumstances, which may affect their child's behaviour.
- Supporting their child in adhering to the school rules.
- We value our partnership with parents/carers and encourage involvement in all aspects of school life including discipline and behaviour.

We also have specific rules, which are based around Health & Safety guidelines.

They are as follows: -

Food and drink

Children may bring in fruit or raw vegetables to eat at playtime. No nuts or nut based products are allowed on the school premises due to the adverse effect on children who have allergies. Children are encouraged to drink water throughout the day. Water bottles in classrooms are to contain water only. EYFS and KS1 can obtain fruit through the National Fruit Scheme. Other than packed lunches, no food of any kind should be brought into school (unless on medical grounds) including cereal bars, sweets, biscuits, birthday cakes and drinks. These choices are to promote healthy eating and wellbeing.

Personal property

The school cannot accept responsibility for the loss or damage to clothing or personal property. Toys, stationery items, games and sports equipment must not be brought to school (except on special occasions when the teacher gives permission). Any money brought into school should be handed in as soon as possible and never left in trays, bags or coats.

Mobile Phones

Mobile phones should only be brought to school in exceptional circumstances and only with the prior permission of the headteacher. Parents who insist that children require a mobile phone during school hours, i.e. for the journey to and from school, must express these reasons in their request to the headteacher in writing. Such requests will be considered on an individual basis. If permission is granted, mobile phones must be handed in to the class teacher or teaching assistant upon arrival, taken to the school office and remain switched off. Phones will be collected at the end of the school day. They should never be left in trays or coats or used during school hours.

Dress Code

Children

We have a school uniform and the children are encouraged to wear it:

- Grey or black skirt/trousers
- Red jumper/sweatshirt/cardigan
- White polo shirt or plain white shirt.
- Black shoes or trainers.

Dress for P.E.

On the day that your child has PE, we ask that they come into school wearing their PE kit. This consists of plimsolls, black jogging bottoms or red shorts and a white T- shirt.

Jewellery

For health and safety reasons children are not allowed to wear any form of jewellery to school. Also the wearing of makeup, including nail varnish, is not permitted.

Extreme Hairstyles

The school does not permit children to have extreme haircuts that could serve as a distraction to other children and are not in keeping with the ethos of the school. This includes patterns shaved into the hair, excessive use of hair products and false hair. The definition of an extreme hairstyle is at the discretion of the headteacher. Any hair long enough to be tied back should be.

Managing behaviour

Instances of unacceptable behaviour are taken seriously and dealt with immediately.

Definitions of behaviour

For the purposes of this policy, the school defines “**serious unacceptable behaviour**” as any behaviour, which may cause harm to oneself, or others, damage the reputation of the school within the wider community, and/or any illegal behaviour. This includes, but is not limited to, the following:

- **Discrimination** – not giving equal respect to an individual on the basis of age, disability, gender identity, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation
- **Harassment** – behaviour towards others which is unwanted, offensive and affects the dignity of the individual or group of individuals

- **Vexatious behaviour** – deliberately acting in a manner so as to cause annoyance or irritation
- **Bullying** – a type of harassment which involves personal abuse or persistent actions which humiliate, intimidate, frighten or demean the individual being bullied
- **Cyberbullying** – the use of electronic communication to bully a person, typically by sending messages of an intimidating or threatening nature
- Possession of legal or illegal drugs, alcohol or tobacco
- Possession of banned items
- Truancy and running away from school
- Refusing to comply with disciplinary sanctions
- Theft
- Verbal abuse, including swearing, racist remarks and threatening language
- Fighting and aggression
- Persistent disobedience or destructive behaviour
- Extreme behaviour, such as violence and serious vandalism
- Any behaviour that threatens safety or presents a serious danger
- Any behaviour that seriously inhibits the learning of pupils
- Any behaviour that requires the immediate attention of a staff member

For the purposes of this policy, the school defines “**low-level unacceptable behaviour**” as any behaviour which may disrupt the education of the perpetrator and/or other pupils, including, but not limited to, the following:

- Lateness
- Low-level disruption and talking in class
- Failure to complete classwork
- Rudeness
- Refusing to complete homework,
- Graffiti
- Not adhering to the school/classroom rules
- Verbal disruption
- Non-verbal disruption
- Distracting others

“Low-level unacceptable behaviour” may be escalated to “serious unacceptable behaviour”, depending on the severity of the behaviour.

Actions

1. Non-verbal / verbal reminder
2. Warning 1 (reminder of rules and expectations)
3. Warning 2 (reminder of rules and expectations)
4. 5 minute ‘Time out’ (inside classroom or within sight of the teacher.) Once warning /time out has been given, strategies to help with behaviour are discussed with the child and they start afresh for the next session
5. If disruption continues, the child will be sent to work in a partner class for a period of time, (decided on by the class teacher.) Teacher records Time Out as low level behaviour on CPOMS & informs parents/carers.
6. If disruption further continues, child to be spoken to SLT /headteacher. Parents informed of incident. Teacher records Time Out as “Behaviour” on CPOMS
7. Inform parents about the possible use of behaviour / target chart reviewed periodically with parents. (See appendix A)

At all times, any incidents should be monitored and parents should be informed either via informal discussion/phone call (where appropriate).

High-level disruption

- Racist, homophobic or transphobic comments
- Aggressive, violent behaviour
- Purposeful, directed inappropriate language / gestures
- Wilful damage to school and personal property
- Acts of bullying (see Bullying Policy for further guidance)

Actions

1. All racist, homophobic, comments are to be fully investigated by the appropriate teacher (HT/DHT) and must be recorded in full in the Racist Incident Log (held by headteacher)
2. When dealing with aggressive or violent behaviour, (physical, verbal or destructive) the child will be immediately removed from the situation and sent to a member of the S.L.T / headteacher who will deal with the incident.
3. In all of the above cases, parents will be informed of their child's inappropriate behaviour by letter or phone call. A meeting will take place to discuss the incident and if needed, support will be provided to enable the child to improve their behaviour. This support will include an in school behaviour plan which will be reviewed with the child 2x per week and with parents monthly.
4. Following any of the above incidents, loss of privileges including attendance at residential visits or sporting events will be considered.
5. Very occasionally, it may be necessary to hold children to stop them from hurting themselves or others. In cases when a restraining action has been used by a member of staff, the incident will be fully recorded in the Serious Incident Log.

For discipline to be lawful, the school will ensure that:

- The decision to discipline a pupil is made by a paid member of school staff, or a member of staff authorised to do so by the headteacher.
- The decision to discipline a pupil is made on the school premises or whilst the pupil is under the charge of a member of staff, such as during an educational trip or visit.
- The decision to discipline a pupil is reasonable and will not discriminate on any grounds, as per the Equality Act 2010.

Bullying

See separate Anti -bullying Policy

Monitoring & recording inappropriate behaviour

- Serious Incident Log-CPOMS
- Racist Incident Log-CPOMS

Outside Agencies

When a child's repeated inappropriate behaviour is becoming a major cause for concern, advice and support will be sought from outside agencies including The Trail Blazer (Mental Health Team), Educational Psychologist or CAMHS.

A meeting will be arranged to discuss the needs of the child and set targets to work towards improving behaviour.

A behaviour plan will be written and the child may receive support during school time from the PSA, TA interventions such as Drawing and Talking or support from The Trailblazer, Mental Health Team.

Exclusions

On most occasions, we deal with major behaviour issues internally and do not use exclusion as a deterrent. However, in individual / exceptional circumstances it may become necessary to exclude a child for:

- Violence or threatening behaviour towards staff or pupils
- Intentional use of weapons or drugs on the school premises
- Persistent, unacceptable behaviour at lunchtime may result in the child being excluded from lunchtimes.

The headteacher will consider whether the pupil should be excluded for a fixed term, and will determine the length of the exclusion.

The school will ensure that all discipline is reasonable in all circumstances, and will consider the pupil's age, religious requirements, SEMH needs, any SEND, and any other relevant information.

Relationship to other policies

This policy should be read in conjunction with the following policies

- Anti-Bullying Policy
- Equal Opportunities Policy
- Mental Health Policy
- PHSE policy

Physical intervention

Control and Restraint

Bewley Primary School acknowledges that there may be times when it might become necessary to physically restrain a child in the interests of the pupil's safety – or that of other pupils. The school recognises the importance of placing its policy on physical restraint within the context of the whole school approach to discipline. This Behaviour Policy sets out the steps taken within school to positively promote and encourage good behaviour among pupils. It is specific about expected standards of behaviour and what is unacceptable. It sets out a range of progressive sanctions and steps that staff may apply when needed.

Bewley Primary School is aware of the difficulties that staff can sometimes be faced with in their everyday dealings with pupils on matters of behaviour and discipline. The school's approach to physical restraint is based on the beliefs that:

- Pupils are entitled to a safe and secure environment in which a high value is placed upon learning how to behave toward others

- Staff are also entitled to a safe and secure environment at work and should be offered personal support and guidance about what is expected of them in difficult situations.

The school has a duty of care to all its pupils. As such staff are required to act in a way that safeguards and promotes the welfare of the pupils and to do everything they possibly can to protect a child from harm, from harming others or causing serious damage to property. In exceptional circumstances, this duty of care may involve the use of reasonable force.

What is reasonable force?

- (I) the term 'reasonable force' covers the broad range of actions that may be used by Teachers which involve a degree of physical contact with pupils.
- (II) Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.
- (III) 'Reasonable in the circumstances' means using no more force than is needed.
- (IV) Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.
- (V) Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.
- (VI) Staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.

Who can use reasonable force?

- (I) All members of school staff who are certified with the appropriate level of training have a legal power to use reasonable force or to prevent harm.
- (II) This power applies to any member of staff at the school. Whilst the head teacher can apply the power temporarily to unpaid volunteers and parents who accompany pupils on organised visits we do not sanction this at Bewley.

When can reasonable force be used?

In a school, reasonable force is used for two main purposes – to control pupils or to restrain them.

Such reasonable force can be used to:

- Prevent pupils from hurting themselves or others, from damaging property, or from causing disorder

- Remove disruptive children from the classroom where they have refused to follow an instruction to do so
- Prevent a pupil behaving in a way that disrupts a school event or a school trip or visit
- Prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others, or to
- Prevent a pupil from harming a member of staff or another pupil

The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances

School has a legal duty to make reasonable adjustments for disabled pupils and pupils with special educational needs (SEN). School does not require parental consent to use force on a student. School does not have a 'no contact' policy. There is a real risk that such a policy might place a member of staff in breach of their duty of care towards a pupil, or prevent them taking action needed to prevent a pupil causing harm.

Physical restraint will, at no time, be used as a threat, punishment or means of forcing compliance when there is no risk to people or property. Whenever possible, staff should have used a range of behaviour management strategies to diffuse the situation before restraint becomes necessary – e.g. discussion, diversion, persuasion, time out. Knowledge of the child and previous behaviour is important and should be taken into consideration, including any information regarding Special Educational Needs and Disabilities. Restraint should only be used as a last resort, or when staff believe that immediate action is required.

Key teachers have had 'De-Escalation training'. Should a challenging pupil join our school who has specific needs or a plan for regular positive handling appropriate additional training will be accessed via the Local Authority. Using force once the decision to intervene physically has been made, the member of staff should:

- give clear instructions explaining to the pupil that unless he / she conforms, then physical restraint will be used
- calmly explain to the pupil that staff are unable to let him/her hurt others and that once they have calmed down the restraint will cease
- summon another member of staff, if possible to act as a witness and ensure the safety of both parties. If no other member of staff is available then restraint should only be attempted when staff feel sure of success
- use only the minimum amount of force necessary for the minimum amount of time
- gradually relax the restraint as soon as it is judged safe to do so, allowing the child to regain self-control

- reassure the pupil that no harm will follow.

Both the pupil and member of staff should be given time to recover, if possible. It is important to acknowledge that emotional upset may take longer to get over than the physical symptoms. Incidents should be reported to the Head teacher as soon as possible, then recorded, using the Record of Restraint Incident Form and saved onto CPOMS. Copies of this form can be found in the school office and should be returned to the Head teacher as soon as possible and certainly before the member of staff leaves school for the day. Following any incident opportunities will be made for the staff to discuss and reflect upon what has happened and why, leading to ideas and strategies for future management of this pupil and his/her behaviour.

Telling parents when force has been used on their child

We will always speak to parents about serious incidents involving the use of force and will record such serious incidents. In deciding what a serious incident is, teachers should use their professional judgement and also consider the following:

- The pupil's behaviour and level of risk presented at the time of the incident
- The degree of force used
- The effect on the pupil or member of staff
- The child's age

The Head teacher will also monitor the use of restraint, including consideration of

- The appropriateness of the intervention
- Attempts at diffusing the situation
- That correct post restraint procedures have been carried out
- The need for individual behaviour management plans
- The need for inset/training for staff

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

- (i) All complaints about the use of force will be thoroughly, speedily and appropriately investigated.
- (ii) Where a member of staff has acted within the law – that is, they have used reasonable force in order to prevent injury, damage to property or disorder – this will provide a defence to any criminal prosecution or other civil or public law action.

(iii) When a complaint is made the onus is on the person making the complaint to prove that his/her allegations are true – it is not for the member of staff to show that he/she has acted reasonably. However, there needs to be an appropriate ‘balance of power’ when dealing with complaints and allegations. The school’s Complaints Policy should always be a point of reference.

(iv) Suspension must not be an automatic response when a member of staff has been accused of using excessive force. Schools should refer to the “Dealing with Allegations of Abuse against Teachers and Other Staff” guidance where an allegation of using excessive force is made against a teacher. This guidance makes clear that a person must not be suspended automatically, or without careful thought.

(iv) School must consider carefully whether the circumstances of the case warrants a person being suspended until the allegation is resolved or whether alternative arrangements are more appropriate.

(v) If a decision is taken to suspend a teacher, the school should ensure that the teacher has access to a named contact who can provide support.

(vi) The Governing Body should always consider whether a teacher has acted within the law when reaching a decision on whether or not to take disciplinary action against the teacher.

Physical Contact with Pupils

It is not illegal to touch a pupil. There are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary.

Examples of where touching a pupil might be proper or necessary:

- a. Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school;
- b. When comforting a distressed pupil;
- c. When a pupil is being congratulated or praised;
- d. To demonstrate how to use a musical instrument;
- e. To demonstrate exercises or techniques during PE lessons or sports coaching;
- f. To give first aid.

At Bewley Primary we will also take account of advice received from the Local Authority Safeguarding Board. SECTION 13 Screening, Searching and Confiscation This section is based on non-statutory advice from the Department for Education. It is intended to explain schools’ powers of screening and searching pupils so that school staff have the confidence to use them.

What legislation does this advice relate to?

Education and Inspections Act 2006 Health and Safety at Work Act etc. 1974 Key Points

- School staff can search a pupil for any item banned under the school rules, if the pupil agrees (The ability to give consent may be influenced by the child's age or other factors). If the child does not consent, or is unable to give consent by reason of their age or a disability, the search cannot take place unless:

1. It is suspected that they are carrying a 'prohibited' item or
2. A parent/carer with parental responsibility for the child consents to the search

Head teachers and staff authorised by them have a statutory power to search pupils or their possessions, without consent, where they suspect the pupil has certain prohibited items. The items that can be searched for under this power are knives or weapons, alcohol, illegal drugs and stolen items.

School staff can seize any banned or prohibited item found as a result of a search or which they consider harmful or detrimental to school discipline.

Screening

At present we do not have screening technology at Bewley Primary School.

Searching with consent Schools' common law powers to search:

School staff can search pupils with their consent for any item which is banned by the school rules.

1. School is not required to have formal written consent from the pupil for this sort of search – it is enough for the teacher to ask the pupil to turn out his or her pockets or if the teacher can look in the pupil's bag or tray and for the pupil to agree.
2. Staff, pupils and children are banned from bringing the following items to school: knives or weapons, alcohol, illegal drugs and stolen items.
3. If a member of staff suspects a pupil has a banned item in his/her possession, they can instruct the pupil to turn out his or her pockets or bag and if the pupil refuses, the teacher can apply an appropriate punishment as set out in the school's behaviour policy.
4. Should a pupil refuse to co-operate with such a search the school will contact parents to discuss the issue.

Searching without consent. What the law says: What can be searched for?

Knives or weapons, alcohol, illegal drugs and stolen items (referred to in the legislation as 'prohibited items').

Can I search?

Yes, if you are a member of school staff and authorised by the Head Teacher. But:

- a. You must be the same sex as the pupil being searched; and b. there must be a witness (also a staff member) and, if at all possible, they should be the same gender as the pupil being searched. For example, it is possible for a female teacher to witness a search of a male pupil where there is only one male member of staff in a school or taking part in a school trip.

When can I search?

If you have reasonable grounds for suspecting that a pupil is in possession of a prohibited item. The law also says what must be done with prohibited items which are seized following a search. Authorising members of staff At Bewley Primary School all members of staff have authorisation to search pupils: if there is an occasion when there are no male members of staff available: the Head Teacher should then be consulted about whether a search goes ahead.

Establishing grounds for a search

1. Teaching staff can only undertake a search without consent if they have reasonable grounds for suspecting that a pupil may have in his or her possession a 'prohibited item'. The teacher must decide in each particular case what constitutes reasonable grounds for suspicion. For example, they may have heard other pupils talking about the item or they might notice a pupil behaving in a way that causes them to be suspicious.

2. The powers allow school staff to search regardless of whether the pupil is found after the search to have that item. This includes circumstances where staff suspect a pupil of having items such as illegal drugs or stolen property which are later found not to be illegal or stolen.

Location of a search Searches without consent can only be carried out on the school premises or, if elsewhere, where the member of staff has lawful control or charge of the pupil, for example on school trips in England or in training settings.

During the search Extent of the search – clothes, possessions, desks and trays

What the law says: The person conducting the search may not require the pupil to remove any clothing other than outer clothing. 'Outer clothing' means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear but 'outer clothing' includes hats; shoes; boots; gloves and scarves. 'Possessions' means any goods over which the pupil has or appears to have control – this includes desks, lockers and bags. A pupil's possessions can only be searched in the presence of the pupil and another member of staff. The power to search without consent enables a personal search, involving removal of outer clothing and searching of pockets; but not an intimate search going further than that, which only a person with more extensive powers (e.g. a police officer) can do. Trays and desks Under common law powers, school is able to search lockers and desks for any item provided the pupil agrees.

If a pupil does not consent to a search then it is possible to conduct a search without consent but only for the “prohibited items” listed above.

Use of force Reasonable force may be used by the person conducting the search as defined in this policy.

After the search The power to seize and confiscate items –What the law allows:

Schools’ general power to discipline, as set out in Section 91 of the Education and Inspections Act 2006, enables a member of staff to confiscate, retain or dispose of a pupil’s property as a disciplinary penalty, where reasonable to do so.

1. The member of staff can use their discretion to confiscate, retain and/or destroy any item found as a result of a ‘with consent’ search so long as it is reasonable in the circumstances. Where any article is thought to be a weapon it must be passed to the police.

The law protects members of staff from liability in any proceedings brought against them for any loss of, or damage to, any item they have confiscated, provided they acted lawfully.

Items found as a result of a ‘without consent’ search what the law says:

A person carrying out a search can seize anything they have reasonable grounds for suspecting is a prohibited item (that is a weapon/knife; alcohol; illegal drugs or stolen items) or is evidence in relation to an offence.

- Where a person conducting a search finds alcohol, they may retain or dispose of it
- Where they find controlled drugs, these must be delivered to the police as soon as possible unless there is a good reason not to do so –in which case the drugs must be disposed of.
- Where they find other substances which are not believed to be controlled drugs these can be confiscated where a teacher believes them to be harmful or detrimental to good order and discipline. This would include, for example, so called ‘legal highs’. Where staff suspect a substance may be controlled they should treat them as controlled drugs as outlined above.
- Where they find stolen items, these must be delivered to the police unless there is a good reason not to do so – in which case the stolen item should be returned to the owner. These stolen items may be retained or disposed of if returning them to their owner is not practicable.
- In determining what is a “good reason” for not delivering controlled drugs or stolen items to the police the member of staff must have regard to guidance issued by the Secretary of State, Section 550ZC (6) Education Act 1996 (see paragraphs 1 to 4 below).
- Any weapons or items which are evidence of an offence must be passed to the police as soon as possible.

- It is up to teachers to decide whether there is a good reason not to deliver stolen items or controlled drugs to the police.

1. In determining what a 'good reason' is, the member of staff should take into account all relevant circumstances and use their professional judgement to determine whether they can safely dispose of a seized article.

2. Where staff are unsure as to the legal status of a substance and have reason to believe it may be a controlled drug they should treat it as such.

3. With regard to stolen items, it would not be reasonable or desirable to involve the police in dealing with low value items such as pencil cases. However, school staff may judge it appropriate to contact the police if the items are valuable (iPods/laptops) or illegal (alcohol/fireworks).

4. School can dispose of alcohol as they think appropriate but this does not include returning it to the pupil.

Telling parents and dealing with complaints

Schools are not required to inform parents before a search takes place or to seek their consent to search their child.

1. There is no legal requirement to make or keep a record of a search although it is prudent to do so.

2. School will inform the individual pupil's parents or guardians where alcohol, illegal drugs or potentially harmful substances are found, though there is no legal requirement

Implementation and monitoring

We try to develop a positive attitude to discipline using the strategies mentioned in this policy. The effectiveness of our policy will be monitored regularly, we will analyse the following

- The amount of reported incidents of inappropriate behaviour.
- Review of serious incidents
- Pupil questionnaires are dealt with by the School Council and in class.
- Parent questionnaires are evaluated and parents are informed of appropriate action taken.
- Feedback from members of the School Council.

To be reviewed September 24