



## **Stoke by Nayland C of E Primary School** **Policy for Behaviour and Discipline**

This Policy should be read in conjunction with policies for Child Protection & Safeguarding, Anti-bullying, Online Safety and Acceptable Use of ICT.

### **Rationale**

Stoke by Nayland C of E Primary School is a caring, Church of England school, whose values are built firmly on a Christian foundation. We have an expectation that children and adults will behave with mutual respect and kindness and engender a trust that will lead to positive relationships. This Policy therefore aims to promote a clear and supportive environment where everyone feels happy, safe and secure. Whenever possible we take positive action in behaviour management; highlighting and rewarding good behaviour, rather than merely deterring anti-social behaviour, but each case needs to be dealt with according to its context. We have School rules and a School Code that are discussed with the children from time to time as part of PSHE lessons or in the general development of Social, Moral Spiritual and Cultural education. The Code is on display in each classroom.

### **1. Aims and Expectations**

- 1.1 Promotion, among pupils of self-discipline and proper regard for authority.
- 1.2 Encouraging good behaviour, respect and consideration for all others and preventing all forms of bullying among pupils.
- 1.3 Ensuring that the standard of behaviour of pupils is acceptable.
- 1.4 Ensuring that pupils complete any tasks reasonably assigned to them.
- 1.5 Generally regulating the conduct of pupils.
- 1.6 We treat all children equally and apply this Policy fairly, but sensitively.
- 1.7 Children will learn about right and wrong actions from an early age.
- 1.8 Children will learn that actions have consequences.
- 1.9 Children will learn that they have a choice as to how they behave and begin to take responsibility for their actions from an early age.
- 1.10 By engaging in discussion we aim to promote an understanding of acceptable behaviour that children can use in new circumstances.

### **2. Rewards and Sanctions.**

- 2.1 We praise and reward children for good behaviour in a variety of ways:
  - Teachers congratulate children and positively reinforce examples of good behaviour.
  - Teachers give stickers or stars for good work and/or good behaviour.
  - Each teacher has a class system of rewards which may include 'golden time', table points, 'weekly wonder' certificates.

- A 'well done' assembly is held each half term where all achievements can be celebrated, including improvements in behaviour and acts of friendship or kindness.
  - Headteacher stickers and certificates are also awarded.
- 2.2 The School acknowledges achievements and good behaviour outside of school e.g. representing the School well on a trip or as part of a sports team.
- 2.3 When necessary the School employs a number of clear sanctions to enforce the School rules and to ensure a safe and positive learning environment. We employ sanctions that are reasonable in the circumstances, for example the age of the child, any special educational needs, and disability or any religious requirements affecting the child, in particular any legal duties under the Equality Act 2010.

Teachers, Teaching Assistants and other paid staff with responsibility for pupils can impose any reasonable disciplinary penalty in response to unacceptable behaviour, the breaking of School rules or failure to follow a reasonable instruction. Such penalties include; confiscation, retention or disposal of a pupil's property and detention.

- We expect children to listen carefully to instructions in lessons and when appropriate, to each other. If they do not do so, the teacher may make eye contact or they may be told verbally to behave, and then may be moved nearer to the teacher or positioned on their own.
- We expect children to try their best in all activities. If they do not, they may be asked to redo a piece of work until it meets the required standard. This may take up part of their playtime. Other than this, detention outside school hours is not used as a punishment, though is permitted by law.
- If a child is disruptive in class, the teacher will reprimand them. If the behaviour continues they may be sat nearer the teacher or on their own away from other pupils to do their work with a staff member present, until they calm down and are prepared to behave well. They may be required to do additional work, such as write lines or an essay or help with clearing-up.
- The safety of the children is paramount in all situations. If a child's behaviour endangers the safety of others, the class teacher will stop the activity and prevent the child from taking part in the rest of that session.
- If a child threatens, hurts or bullies another pupil in the class or the teacher, the teacher will remove the child from the situation and they may lose playtimes. If a child repeatedly acts in a way that disrupts or upsets others, a record of such incidents may be kept and parents will be contacted to seek a meeting to discuss the situation. At an appropriate time the child will also be required to make an apology.

- The School will consider whether the behaviour under review gives cause to suspect that a child is suffering, or is likely to suffer, significant harm. Where this may be the case, School staff should follow the School's Safeguarding Policy. Schools have a legal duty under the Equality Act 2010 with regard to Safeguarding for SEN pupils. The School will consider whether continuing disruptive behaviour might be the result of unmet educational or other needs. At this point, the school will consider whether to work with agencies to assess the needs of pupils that are continually disruptive.
- 2.4 The School does not tolerate bullying of any kind. If we discover that an act of bullying or intimidation has taken place, we will act immediately and decisively to stop further occurrences of such behaviour. This includes off-site bullying incidents witnessed by staff members or reported to the School.
- 2.5 Sanctions can be applied on School premises or outside school if the pupil is under the lawful control / charge of a staff member, e.g. a school organised or school-related activity. Pupils may be disciplined for bad behaviour on their journey to / from school, whilst wearing school uniform or in some other way identifiable as a pupil of the School. Bad behaviour at any time may be addressed if it could have repercussions for the ordinary 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.
- 2.6 Sanctions may be imposed by any paid staff member, unless the Headteacher says otherwise, or other staff member if authorised by the Headteacher and it is reasonable for them to do so.
- 2.7 Any allegations of abuse against members of School staff will be taken seriously and dealt with quickly and in a fair and consistent way that provides effective protection for the child and supports the person who is the subject of the allegation. Malicious accusations made by a pupil against School staff will result in a severe penalty and, depending on the circumstances may result in the pupil's fixed term or permanent exclusion.
- 2.8 All staff members are aware of the regulations regarding the use of reasonable force by teachers. Teachers in our school only intervene physically to restrain children to prevent injury to a child or teacher, or if a child is in danger of hurting himself/herself. The actions that we take are in line with government guidelines on the restraint of children. Periodically, staff members receive training in these matters.

### **3. Reasonable Force.**

- 3.1 All school staff members are permitted to use reasonable force to prevent a pupil committing an offence or causing injury to themselves or to others, or damaging property and to maintain good order and discipline in the classroom.

- 3.2 The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.
- 3.3 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.
- 3.4 The use of force should be 'reasonable in the circumstances', which means using no more force than is needed in the situation. It must be proportionate to the consequences it is intended to prevent and the force used no more than is needed to achieve the desired result.
- 3.5 In a situation involving a disabled pupil or a pupil with SEN, the use of force not only depends on the circumstances of the case but also on the information and understanding of the needs of the pupil concerned.
- 3.6 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.
- 3.7 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.
- 3.8 School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.
- 3.9 Under S.93, Education and Inspections Act 2006 all members of school staff have a legal power to use reasonable force. The Headteacher may extend this power to people they have put in charge of pupils temporarily, such as unpaid volunteers or parents accompanying an organised school visit.
- 3.10 Examples, but not an exhaustive list of situations where reasonable force may be used include:
- To remove disruptive children from the classroom where they have refused to follow an instruction to do so.
  - To prevent a pupil behaving in a way that disrupts a school event or a school trip or visit.
  - To 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.
  - To prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground.
  - To restrain a pupil at risk of harming themselves through physical outbursts.
- 3.11 It is unlawful for force to be used as a punishment. Corporal punishment is also illegal.
- 3.12 The Headteacher and authorised staff can use reasonable force to conduct a search for items prohibited under section 550ZB(5) of the Education Act 1996. Such items include; knives and weapons, stolen

items and any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

- 3.13 Force cannot be used to search for items banned under the school rules.
- 3.14 A member of the Senior Leadership Team will inform parents about serious incidents involving the use of force and record such incidents. The staff member will take into account; the pupil's behaviour and level of risk presented at the time of the incident; degree of force used; effect on the pupil or member of staff; and the child's age to determine what is a 'serious incident'.
- 3.15 What happens if a pupil complains about force being used on them?
- All complaints will be thoroughly, speedily and appropriately investigated.
  - Staff members have a defence where they have acted within the law.
  - The onus is on the complainant to prove that their allegations are true.
  - Where a staff member is accused of using excessive force the School will refer to "Dealing with Allegations of Abuse against Teachers and Other Staff" guidance. Suspension will not be an automatic response without careful thought.
  - 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.
  - Pastoral care will be provided to any member of staff who is the subject of a formal allegation following a use of force incident.

#### **4. Searching**

- 4.1 School staff can search a pupil for any item if the pupil agrees. The teacher may ask the pupil to empty their pockets and show them the contents of their bag.
- 4.2 The Headteacher and staff authorised by them have a statutory power to search pupils or their possessions, without consent, where they have reasonable grounds for suspecting that the pupil may have a prohibited item, which includes knives or weapons, stolen items, any article staff reasonably suspect has been, or could be used to commit an offence or cause personal harm or damage to property.
- 4.3 School staff can seize any prohibited item found or any item they consider harmful or detrimental to school discipline.
- 4.4 Section 94 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.

#### **5. The Role of the Class Teacher.**

- 5.1 It is the responsibility of the class teacher to ensure that the School Code is enforced and their class behaves in a responsible manner during lessons. As far as possible, the class teacher manages behaviour through positive reinforcement. This may take, for example, the form of a behaviour book, where a child may earn e.g. smiley faces. Management of this process is tailored to the age and maturity of the child.
- 5.2 Class teachers have high expectations of behaviour and strive to make sure children work to the best of their ability.

- 5.3 If a child misbehaves, the class teacher will usually deal with this as outlined in 2.3 above. However, if the behaviour continues or is particularly serious, the class teacher will refer the child to the Headteacher or, in their absence, the Senior Teacher. If necessary, behaviour will be discussed with the parents to try and find an agreed way forward, which will be in the best interests of the child.
- 5.4 If necessary, help from outside agencies may be sought.

## **6. The Role of the Headteacher**

- 6.1 It is the responsibility of the Headteacher to implement the Behaviour and Discipline Policy and have regard to any particular measures the Local Governing Body considers should be determined by the Headteacher or follow any advice given, in accordance with The Education and Inspections Act 2006, Chapter 40, s.89. The Headteacher will implement the Policy consistently throughout the school, and will report to the Local Governing Body, as necessary or when requested, on the effectiveness of the Policy. The Policy will be reviewed annually and made available to parents, pupils and all staff members and volunteers on the School's website. It is also the responsibility of the Headteacher to ensure the health, safety and welfare of all children in the school.
- 6.2 The Headteacher supports the staff by implementing the Policy, by setting the standards of expected behaviour, and by supporting staff in their implementation of the Policy.
- 6.3 The Headteacher keeps records of all reported serious incidents of misbehaviour.
- 6.4 The Headteacher has the responsibility for giving fixed-term exclusions to a pupil for serious acts of misbehaviour. For repeated or very serious acts of anti-social behaviour, the Headteacher may permanently exclude a pupil. These actions are taken only after the School's Local Governing Body has been consulted.

## **7. The Role of Parents**

- 7.1 The school endeavours to collaborate actively with parents, so that children receive clear and consistent messages about how to behave at home and at school.
- 7.2 Parents are expected to read and support the School Rules.
- 7.3 We expect parents to support their child's learning, and to cooperate with the School, as set out in the home-school agreement. We try to build a supportive dialogue between the home and the School, and we inform parents immediately if we have concerns about their child's welfare or behaviour.

- 7.4 If the School has to use reasonable sanctions to punish a child, we expect parents to support the actions of the School. If parents have any concerns about the way their child has been treated, they should initially contact the class teacher. If the concern remains, they should contact the Headteacher and, if necessary, the Chair of Governors. If these discussions cannot resolve the problem, a formal grievance or appeal process can be implemented.

## **8. The Role of Governors**

- 8.1 Under section 88(i) of the Education and Inspections Act 2006, the Local Governing Body must ensure that policies designed to promote good behaviour and discipline on the part of its pupils are pursued in school. The Local Governing Body has the responsibility for setting general principles that inform the Behaviour and Discipline Policy. The Local Governing Body supports the Headteacher in adhering to the Policy.
- 8.2 The Local Governing Body delegates to the Headteacher the day-to-day authority to implement the School's policy on Behaviour and Discipline, and Governors may give advice to the Headteacher about particular disciplinary issues. The Headteacher must take this into account when making decisions about matters of behaviour and discipline.
- 8.3 The Local Governing Body, or a designated sub-committee of it, has a legal duty to consider parents' representations about a pupil's exclusion.

## **9. Fixed-Term and Permanent Exclusions**

- 9.1 We do not wish to exclude any child from school, but sometimes this may be necessary. The School will refer to Guidance on Exclusion from School and Pupil Referral Units (DfES, January 2003), the government paper Exclusion from Maintained Schools, Academies and PRU in England (updated 10/2/2015) and Suffolk Exclusions Guidance (updated 2012).
- 9.2 Only the Headteacher (or Senior Teacher in the Headteacher's absence) has the power to exclude a child from school. The Headteacher 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 Headteacher may exclude a child permanently. It is also possible for the Headteacher to convert a fixed-term exclusion into a permanent exclusion, if the circumstances warrant this. In line with our Policy, the circumstances, evidence and the need to balance the interests of the pupil and those of the whole school community will be taken into account.
- 9.3 If the Headteacher excludes a child, they must in accordance with s.104 of the Education and Inspections Act 2006, without delay, issue a notice informing the parents of the period of the fixed period exclusion or, if permanent, that it is permanent and the reasons for it. At the same time, the Headteacher makes it clear to the parents that they can make representations about the exclusion to the Local Governing Body. The School will inform the parents how to make any such representations.

Where there is a legal requirement for the Local Governing Body to consider the exclusion, the parents have a right to attend a meeting, be represented at this meeting and to bring a friend.

- 9.4 The Headteacher will include in the notice that for the first five school days of an exclusion (or until the start date of any alternative provision, if earlier, parents are legally required to ensure that their child is not present in a public place during school hours without reasonable justification, and may receive a fixed penalty notice or be prosecuted if they fail to do so.
- 9.5 The Headteacher will include in the notice the arrangements made to enable the child to continue their education prior to the start of any alternative provision or their return to the School. They will also draw attention to relevant sources of free and impartial information, such as; statutory guidance on exclusions ([www.gov.uk/topic/schools-colleges-childrens-services/school-behaviour-attendance](http://www.gov.uk/topic/schools-colleges-childrens-services/school-behaviour-attendance)); Coram Children's Legal Centre ([www.childrenslegalcentre.com](http://www.childrenslegalcentre.com))
- 9.6 The Headteacher will inform Suffolk County Council (SCC) and the Local Governing Body of any permanent exclusion, and of any fixed-term exclusions beyond five school days in any one term or any exclusion that would result in the pupil missing a public examination or national curriculum test. For all other exclusions the Headteacher must notify SCC and the Local Governing Body once a term. The notification will include the duration and reasons for the exclusion.
- 9.7 The Local Governing Body itself cannot either exclude a child or extend the exclusion period made by the Headteacher.
- 9.8 The Local Governing Body has a designated sub-committee, the Pupil Discipline Committee, which is made up of between three and five members. This Committee will consider any exclusion appeals on behalf of the Local Governing Body.
- 9.9 When an appeals panel meets to consider a pupil exclusion, they consider the circumstances under which the child was excluded, consider any representation by parents and by SCC, and consider whether the child should be reinstated.
- 9.10 If the Governors' appeals panel decides that a child should be reinstated, the Headteacher must comply with this ruling. Where the Local Governing Body upholds a permanent exclusion, the parents have a right of appeal to an independent appeal panel.

## **10. Monitoring, evaluation and review**

- 10.1 The Headteacher monitors the effectiveness of this Policy on a regular basis, at least annually and reports to the Local Governing Body on the effectiveness of the Policy and, if necessary, makes recommendations for further improvements. The Policy is available on the School's website and should be viewed by parents, pupils and all employees, paid or unpaid, at least once a year. Parents' and pupils' input to the document is welcomed.

- 10.2 The School keeps a variety of records concerning incidents of misbehaviour. The class teacher may record minor classroom incidents. The Headteacher records those incidents in which a child is sent to them on account of significant bad behaviour or when a pattern appears to be developing. We also keep a record of any incidents that occur at break or lunchtimes: lunchtime supervisors give written details of any incident in the playtime incidents book.
- 10.3 The Headteacher will keep a record of any child who is suspended for a fixed-term, or who is permanently excluded.
- 10.4 It is the responsibility of the Local Governing Body to monitor the rate of suspensions and exclusions, and to ensure that the School's Policy is administered fairly and consistently. The Local Governing Body will pay particular attention to matters of bullying, racial equality and of any other group that falls within our Anti-Discrimination Policy. It will seek to ensure that the school abides by the guidance The Duty to Promote Race Equality: A Guide For Schools, and that no child is treated unfairly because of race, ethnic background or disability.
- 10.5 The Local Governing Body reviews this Policy every two years. The governors may, however, review the policy earlier than this if the government introduces new regulations, or if the Local Governing Body receives recommendations on how the Policy should or might be improved.
- 10.6 The Policy review will take account of feedback from pupils, staff, parents and visitors to the School.

*Signed:.....(Headteacher)*

*Signed:.....(Chair of Governors)*

*Date: 6<sup>th</sup> December 2017    Review Date: December 2019*