



Behaviour & Exclusions Policy

for

Canon Popham

Church of England (VA) Primary & Nursery School

**Working Together
We Learn and Grow**

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Vision Statement

Our vision is to work together as a Christian community to nurture our children within a happy, stimulating and caring school.

A place where:

- *Christian values are at our heart: endurance, compassion, thankfulness, forgiveness, justice and hope*
- *Everyone is unique and welcome*
- *We respect and care for everyone and everything around us*
- *High standards are expected and achievements celebrated so that everyone is able to reach their full potential*
- *Self-esteem and confidence are nurtured on a journey of self-discovery*

Everyone Matters!

Rationale

Our Anti-Bullying Policy is underpinned by the Christian Values of:

- Love
- Hope
- Justice
- Compassion
- Forgiveness

Introduction

Good relationships in school are fundamental to school effectiveness. Pupils do better, enjoy learning more, are more motivated and have better attendance if they feel their teachers understand them and are friendly and helpful.

Surveys of what matters to pupils almost invariably show that they perceive the quality of the relationships they experience at school with 'other people' as one of the most significant sources of both their happiness and unhappiness.

Research has shown that children need to feel attached to a school and to the staff in it if they are to behave well in school and learn effectively. Each person needs to feel the school is there for them, to feel known, valued, respected and nurtured as an individual, to have a sense of belonging, and to experience recognition and success.

Effective approaches to behaviour ensure that concerns with warmth, communication and involvement take place within a context of clear goals, rules and boundaries. Everybody in school needs to be clear about their role and what is expected of them and others. Children who are particularly troublesome need the security of very predictable routines, clear boundaries, clear feedback and skills programmes to improve behaviour.

Aims and Expectations

It is the primary aim of our school that every member of the school community feels respected and valued and that each person is treated fairly and well. We are a caring community whose values are built on mutual trust and respect for all, regardless of age, gender, race, sexual orientation or disability. The behaviour policy is therefore designed to support the way in which all members of the school can live and work together in a supportive way. It aims to support an environment where everyone feels safe, happy and secure and engenders a feeling of self-worth and achievement.

The primary aim of our behaviour policy is not a system to enforce rules. Positive, constructive behaviour is encouraged by clearly defined rules but also a relevant curriculum matched to the ability of each child. It is also a means of promoting good relationships, so that people can work together with the common purpose of helping everyone to learn. The policy supports the school community in aiming to allow everyone to work together in an effective and considerate way. We understand that the essence of childhood has changed and that emotional support is as important as academic support.

We believe that

- relationships should be placed at the heart of the school organisation,
- children should feel comfortable with the expression of emotion but understand that certain outlets are not appropriate,
- there should be an emphasis on active communication, especially good listening,
- there should be an effort to foster empathy, respect, tolerance, authenticity and trust,
- children should feel valued as individuals and have a sense of belonging,
- there should be planned opportunities for pupils to reflect on and discuss their feelings and personal experiences as part of the curriculum,
- there should be pupil consultation and they should take responsibility in school,
- teaching children about caring for each other and working together should be explicit,
- pupils should be taught the skills of coping with pressures and problems,
- pupils should be involved in setting targets for themselves.

This policy aims to help all children to grow in a safe and secure environment and to become positive, responsible and increasingly independent members of the school community.

The school expects every member of the school community to behave in a considerate way towards others regardless of age, gender, race, sexual orientation or disability.

We treat all children fairly and all staff apply this behaviour policy in a consistent way.

The school rewards good behaviour as it believes that this will develop an ethos of kindness and co-operation. This policy is designed to promote good behaviour, rather than merely deter anti-social behaviour.

Self-esteem is vital but has to be realistic and children have to experience boundaries and be given the chance to assess themselves.

We encourage active communication – both staff and pupils can benefit from learning and practising the skills of actively paying attention to each other. We are also aware that

responding appropriately is also a skill – the other person needs to feel understood and helped to solve their own problems as far as possible.

The key is to focus on the other person and find out what they are trying to tell us, rather than on our needs or our assessment of what they are saying. Good listening needs to permeate the whole school consciousness and the whole school day. Children need to be listened to as individuals in the immediate encounters of the classroom, playground and corridor and to have opportunities for private talk.

Children also need listening to collectively, and to believe that staff are paying attention.

We also encourage children to be autonomous, to think for themselves, to make their own decisions, to be self-directed and responsible for their own behaviour. Autonomy is about taking control and having personal responsibility. We start the building of autonomy from a very early age and gradually build to far greater levels of independence.

Our School Rules

- Always walk sensibly and speak with a quiet voice in school.
- Always do as an adult asks straight away
- Always keep hands, feet and other objects to yourself
- Always be kind
- Always do your very best

Rewards and Punishments

As a school we have a clear and strongly enforced code of polite and respectful behaviour, which includes staff to pupils. We praise and reward children for good behaviour and focus on what they can do rather than what they can't. Praise is specific and balanced and happens in a variety of ways:

- teachers congratulate children;
- teachers give children house points to acknowledge outstanding effort or acts of kindness in school;
- we give house points to children either for consistent good effort or good work;
- each class has a house point system, where accumulated points are added to the school's house points. Each child is allocated a house: St Andrew, St George, St Patrick or St David.
- at one assembly every week children are allowed to bring proof of out of school achievements, such as certificates or trophies, to share with the rest of the children;
- In the Friday Achievement assembly, teachers or children from each class nominates 2 pupils for the Achievement Book, where their good work, behaviour or effort is recognised. These are shared with the whole school and rewards are given in the form of stickers. The books are then placed in the main entrance for all visitors and other pupils to read.
- Where children are demonstrating outstanding work, effort, behaviour, kindness, support etc. they can be placed on 'gold' to demonstrate their golden behaviour within the class traffic light system. Three times on gold achieves a golden ticket to be posted in the golden box. A prize draw of a golden ticket for FS/KS1 and one for KS2 for a reward is then held at the final assembly of each half term.

Where challenge or consequences for poor behaviour are necessary these are done in a range of ways- please see the section below.

Managing Behaviour in the Classroom and Around School

The classes all have a consistent behaviour management policy which is followed throughout school. This is the 'traffic light system.

All children start the day on 'green'.

For unacceptable or disruptive behaviour they are given a verbal warning.

Should the behaviour continue they are moved to 'amber' and placed in a different area of the classroom to work.

Should the behaviour continue after this point then the child is moved to 'red' and sent to complete their work within another classroom. When a child has been on 'red' during the day their parents are informed by the class teacher.

Children are able to move back up the traffic light system towards green again through changing their behaviour.

Should a pupil have been on 'red' twice in a half term then they are sent to a member of the Leadership team for discussion about their behaviour.

If three 'red' incidents occur then this is taken to the Headteacher, and their parents are called in to school to discuss behaviour and draw up a behaviour contract.

(Please see the Parents guide to behaviour management)

Playground rules are linked to sanctions for poor behaviour when on the play area and again increase gradually in severity for repeated or persistent poor behaviour. Break time sanctions will be linked to losing percentages of, or all, break times.

Behaviour at Lunchtime

There is a lunchtime traffic light behaviour system in place in the hall. Dinner staff are able to place children on 'amber' if they are continuing to behave in an unacceptable way when asked by staff. If a child is put on 'amber' this results in them eating their lunch with another class of children and not their own year group.

If continued poor behaviour results in a child being put on 'red', they will stand at the wall (KS1 children on KS2 playground and vice versa). KS1 children have to stand for 5 minutes and KS2 children have to stand for 10 minutes.

Whole classes will not be punished for the poor behaviour of individuals or groups.

If there are incidents of anti-social behaviour, the class teacher discusses these with the whole class during 'circle time' and they will also be discussed during assemblies and PSHCE lessons.

The school does not tolerate bullying of any kind including bullying of a homophobic or transphobic nature. The clear message is that our school is inclusive and welcomes all children and families regardless of age, race, gender disability or sexual orientation. If we discover that an act of bullying or intimidation has taken place, we act immediately to stop any further occurrences of such behaviour. While it is very difficult to eradicate bullying, we do everything in our power to ensure that all children attend school free from fear. Please also see our Anti-Bullying Policy.

All members of staff are aware of the regulations regarding the use of force by teachers, as set out in DfEE Circular IO/98, relating to section 550A of the Education Act 1996: The Use of Force to Control or Restrain Pupils. Teachers in our school do not hit, push or slap children.

Staff only intervene physically to restrain children or to prevent injury to a child, or if a child is in danger of hurting him/herself. The actions that we take are in line with government guidelines on the restraint of children (see Appendix A).

Beyond Agreed Sanctions

The Headteacher immediately becomes directly involved for all acts of threatening behaviour, bullying, violence, aggression, vandalism or theft. The sanction is at the discretion of the Headteacher based on circumstances and past history of the child's behaviour.

Where homophobic or transphobic bullying or racial bullying is identified, this results in automatic contact with the parents of the perpetrators as well as the parents of the child who has been the target of the bullying.

Use of racial or homophobic/transphobic language is always challenged by staff and it is explained that these terms are hurtful and offensive, and, in age appropriate ways, it is explained what the words mean.

Behaviour Books

Behaviour books may be used as an alternative to support good communication and act as a partnership with parents to alleviate and eventually eradicate persistent bad behaviour. They are initiated at the discretion of the Headteacher and must be agreed and supported by parents.

Where children have specific difficulties with behaviour and need additional or different methods of support such as pupils with ADHD, ASD, social/emotional issues, then a Pastoral Support Plan (PSP) is drawn up in consultation with parents and followed by all members of staff who come in to contact with that child. Copies of the PSPs for individuals are located in the staff room for all staff to access.

External Intervention

In some instances children may need more specialist support and intervention and at such times other agencies become involved in order to complete assessments and offer advice to school or support to the individual pupils and/ or their families. The school, parents and external agency workers will work together to seek solutions and try to reintegrate the child back into a normal school routine.

However, repeated incidents of persistent disruptive, violent, threatening or aggressive behaviour may result in a temporary exclusion. Parental support will always be sought in this situation. Please see SEN policy for pupils who require a behaviour IEP or PSP.

Planning for Incidents

If we as a school are aware that a pupil is likely to behave in a way that may require physical control or restraint, there will be a plan attached to that child's IEP/PSP which will give guidance on how we will respond if a situation arises. This planning will address

- managing the pupil (reactive strategies, holds to be used etc.),
- involving the parents/carers to be sure they are clear about specific action the school might need to take,
- briefing staff so that they know exactly what action they should be taking,
- ensuring that additional support can be summoned if appropriate,
- taking into account any health needs that may be affected by physical control.

The Role of the Class Teacher

It is the responsibility of the class teacher to ensure that the school rules are enforced consistently in their class and that their class behaves in a responsible manner, not only in their classroom but around school as well. It is the collective responsibility of all staff to reinforce and ensure good behaviour is recognised and expected at all times, for all children, regardless of whose class they are in. In addition it is also the collective responsibility of all staff to challenge unacceptable behaviour, inappropriate use of language etc. - such as racist, homophobic or transphobic language.

The class teachers in our school have high expectations of all the children in terms of behaviour, and they strive to ensure that all children work to the best of their ability.

The class teacher treats each child fairly and enforces the school rules and behaviour management system consistently. The teacher treats all children in their class with respect and understanding.

If a child misbehaves repeatedly in class, the class teacher keeps a record of all such incidents. In the first instance, the class teacher deals with incidents him/herself in the normal manner. However, if misbehaviour continues, the class teacher seeks help and advice from the Inclusion Team, Leadership Team and/or Headteacher.

The class teacher liaises with external agencies, as necessary, to support and guide the progress of each child. The class teacher may, for example, discuss the needs of a child with the education social worker or LEA behaviour support service.

The class teacher reports to parents about the progress of each child in their class, in line with the whole-school policy. The class teacher may also contact a parent if there are concerns about the behaviour or welfare of a child.

The Role of the Headteacher

It is the responsibility of the Headteacher, under the School Standards and Framework Act 1998, to implement the school behaviour policy consistently throughout the school, and to report to Governors, when requested, on the effectiveness of the policy. It is also the responsibility of the Headteacher to ensure the inclusion, health, safety and welfare of all children in the school.

The Headteacher supports the staff by implementing the policy, by setting the standards of behaviour, and by supporting staff in the implementation of the policy.

The Headteacher keeps records of all reported serious incidents of misbehaviour.

The Headteacher has the responsibility for giving fixed-term exclusions to individual children for serious acts of misbehaviour. For repeated or very serious acts of anti-social behaviour, the Headteacher may permanently exclude a child. Both these actions are only taken after the school Governors have been notified.

The Role of Parents

The school works collaboratively with parents, so children receive consistent messages about how to behave at home and at school. A home school agreement is in place regarding this.

We explain the school rules in the school prospectus, and we expect parents to read these and support them.

We expect parents to support their child's learning, and to co-operate with the school. 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.

If the school has to use reasonable sanctions to punish a child, parents should support the actions of the school. If parents have any concern about the way that their child has been treated, they should initially contact the class teacher. If the concern remains, they should contact the Headteacher. If these discussions cannot resolve the problem, a formal grievance or appeal process can be implemented through the Governing Body.

The Role of Governors

The Governing Body has the responsibility of setting down these general guidelines on standards of discipline and behaviour, and of reviewing their effectiveness. The Governors support the Headteacher in carrying out these guidelines.

The Headteacher has the day-to-day authority to implement the school behaviour and discipline policy, but 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.

Fixed-term and Permanent Exclusions

Our policy for exclusion relates to the following legislation, and is linked to the DfE statutory guidance on exclusion September 2012:

- The Education Act 2002, as amended by the Education Act 2011;
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012;
- The Education and Inspections Act 2006; and
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007.

Only the Headteacher (or the acting Headteacher) has the power to exclude a pupil from school. The Headteacher may exclude a pupil for one or more fixed periods, for up to 45 days in any one school year. The Headteacher may also exclude a pupil permanently.

It is also possible for the Headteacher to convert a fixed-term exclusion into a permanent exclusion, if the circumstances warrant this.

If the Headteacher excludes a pupil, s/he informs the parents immediately, giving reasons for the exclusion. At the same time, the Headteacher makes it clear to the parents that they can, if they wish, appeal against the decision to the Governing Body. The school informs the parents how to make any such appeal.

The Headteacher informs the LEA and the Governing Body about any permanent exclusion, and about any fixed-term exclusions beyond five days in any one term.

The Governing Body itself cannot either exclude a pupil or extend the exclusion period made by the Headteacher. The Governing Body has a discipline committee which is made up of between three and five members. This committee considers any exclusion appeals on behalf of the Governors.

When an appeals panel meets to consider an exclusion, they consider the circumstances in which the pupil was excluded, consider any representation by parents and the LEA, and consider whether the pupil should be reinstated. If the Governors' appeals panel decides that a pupil should be reinstated, the Headteacher must comply with this ruling (see Appendix B).

Where parents/carers disagree with the decision of the Disciplinary Committee, should there have been a permanent exclusion, they can make representation to an independent appeals panel and have the right to have an SEN expert present, regardless if the pupil is designated to have Special Educational Needs or not.

The Equality Act 2010 states that schools must not discriminate against, harass or victimise pupils because of their: sex; race; disability; religion or belief; sexual orientation; because of a pregnancy / maternity; or because of a gender reassignment. For disabled children, this includes a duty to make reasonable adjustments to policies and practices.

In carrying out their functions under the Equality Act, the public sector equality duty means schools must also have due regard to the need to:

- eliminate discrimination and other conduct that is prohibited by the Equality Act;
- advance equality of opportunity between people who share a protected characteristic and people who do not share it;
- foster good relations across all characteristics – between people who share a protected characteristic and those who do not share it.

Before considering exclusion (except in the case of first time offenders or 'one-offs') the Headteacher will have pursued the following actions;

- with the parents, have a clear action plan to support the pupil;
- follow the school discipline sanctions fairly and consistently;
- use mentoring from older pupils, teaching and non-teaching staff and volunteers;
- consider dis-application of the National Curriculum in circumstances where a pupil may benefit from a more diverse curriculum;
- establish a Pastoral Support Programme.

The 'Route' to Exclusion

Unless there is an immediate threat to the safety of others in the school, or the pupil concerned, exclusion will not be imposed in the heat of the moment. The Headteacher will always follow the following procedures before excluding for a fixed term or permanently.

- An appropriate investigation will be carried out considering all available evidence to support allegations, including that of the offending pupil.
- A decision will be taken about whether or not, on the balance of probabilities, the pupil did what s/he is alleged to have done.
- Clear identification will be made with the pupil about the offending behaviour.

- Clear, appropriate sanctions short of exclusion will be established to discourage recurrence of such behaviour.
- Pastoral support will be identified and provided.
- Notification will be given to parents of concerns and sanctions taken.
- Upon re-offence, discussion with the pupil regarding possible ultimate sanctions if behaviour does not improve.
- Further notification to parents and parent interview.
- Upon further re-offence, implementation of the exclusion process.
- Pastoral Support Programmes will be implemented when a child is at risk of exclusion.

It will ultimately be for the Headteacher to decide how these issues will be pursued in practice. The Headteacher is, however, quite clear that she has a duty to ensure the good order and discipline among pupils and to safeguard their health, safety and welfare when they are authorised to be on the school premises and when they are engaged in authorised activities elsewhere.

What Other Strategies Could Be Implemented

We will, in all appropriate circumstances, consider alternatives to exclusion.

- Using a restorative justice process which enables an offender to redress the harm that has been done and enables all the parties who have a stake in the outcome to be involved. For this process to be successful, all parties will be fully committed.
- Internal Exclusion can be used to diffuse situations that occur in school that require a pupil to be removed from class but may not require full exclusion from the premises. The exclusion will be a designated place within school with appropriate support, or another class on a temporary basis, and may continue during break periods. This is a viable alternative only if the school's resources at that time can support its implementation.
- Managed Move. If we feel that, as a school, we can no longer manage the behaviour of a pupil we may ask another school to take over his/her education. This will only be done with the full acknowledgement and support of all the parties involved. Parents will never be pressed into removing their child under threat of a permanent exclusion.

The Headteacher will be very careful not to act without the support of the parents, Governors and LEA.

A Pastoral Support Programme (PSP)

The PSP should be agreed with parents and be developed to help individual pupils and staff manage their behaviour better. The PSP will have the following common elements;

- be school based
- have identified precise and realistic behavioural outcomes
- clearly identify the strategies to be used in order to help the pupil to cope with difficult situations which may result in unacceptable behaviour
- have a nominated member of staff as an overseer/supporter
- be followed by all staff
- be automatic for pupils with fixed term exclusions
- be automatic for pupils at risk of failure or disaffection
- will not be used to replace the SEN assessment process
- will have involved other agencies where appropriate
- will be time limited and identify short term target

APPENDIX A – THE RESTRAINT OF CHILDREN

Introduction

The Education Act 1997 (Section 4) clarified the position about the use of physical force by teachers and others authorised by the Headteacher to control or restrain pupils.

Section 550A

Section 550A does not in any way authorise the use of corporal punishment with pupils. The law forbids a teacher to use any degree of physical contact which is deliberately intended to punish a pupil, or which is primarily intended to cause pain, injury or humiliation.

This section allows teachers and other persons who are authorised by the Headteacher to have control or charge of pupils to use such force as is reasonable in all circumstances to prevent a pupil from doing, or continuing to do, any of the following:

- committing a criminal offence (including behaving in a way that would be an offence if the pupil were not under age of criminal responsibility);
- injuring themselves or others;
- causing damage to property;
- engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether that behaviour occurs in the class room during a teaching session or elsewhere.

The provision applies when a teacher, or other authorised person, is on the school premises and when he or she has lawful control or charge of the pupil concerned elsewhere, such as on a school trip or visit.

Authorised Persons

The Act allows all teachers at a school to use reasonable force to control or restrain pupils. It also allows other people to do so, in the same way as teachers, provided they have been authorised by the Headteacher to have control or charge of pupils. Those might include class room assistants, care workers, midday supervisors, specialist support assistants, education welfare officers, escorts, caretakers or voluntary helpers including people accompanying pupils on visits.

Headteachers should identify people, other than teachers, whom they wish to authorise to have control or charge of pupils and therefore to be able to use force if necessary. Authorisation may be on a permanent or long term basis because of the nature of the person's job, or short term for a specific event such as a school trip. The Head should explicitly inform the people concerned and ensure that they are aware of, and properly understand, what the authorisation entails. A list should be kept of all authorised people and ensure all staff know who they are.

Action in Self-Defence or in Emergency

Section 550A does not cover all the situations in which it might be reasonable for someone to use a degree of force. For example, everyone has the right to defend themselves against attack provided they do not use a disproportionate degree of force to do so. Similarly, in an emergency, for example if a pupil was at immediate risk of injury or on the point of inflicting injury on someone else, any member of staff would be entitled to intervene. The purpose of Section 550A is to make it clear that teachers and other authorised staff are also entitled to intervene in other, less extreme situations.

Types of Incidents

There are a wide variety of situations in which reasonable force might be appropriate or necessary to control or restrain pupils. They will fall into three broad categories;

- where action is necessary in self-defence or because there is imminent risk of injury;
- where there is a developing risk of injury, or significant damage to property;
- where a pupil is behaving in a way that is compromising good order and discipline.

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

- a pupil attacks a member of staff or another pupil;
- pupils are fighting;
- a pupil is engaged in, or is on the verge of committing, deliberate vandalism or damage to property;
- a pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or objects;
- a pupil is running in a corridor or on a stairway in a way in which he or she might have or cause an accident likely to injure himself or others;
- a pupil absconds from a class or tries to leave school (this will only apply if a pupil could be at risk if not kept in the class room or at school).

Examples of situations that fall into the third category

- a pupil persistently refuses an order to leave the class room
- a pupil is behaving in a way that is seriously disrupting a lesson

Reasonable Force

There is no legal definition of 'reasonable force' so it is not possible to set out comprehensively when it is reasonable to use force or the degree of force that may reasonably be used. It will always depend upon the circumstances in each case.

There are two relevant considerations;

1. The use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it. The use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force. Therefore physical force could not be justified to prevent a pupil from committing a trivial misdemeanour, or in a situation that could clearly be resolved without force.
2. The degree of force employed must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent. Any force used should always be the minimum needed to achieve the required result.

Whether it is reasonable to use force, and the degree of force that could reasonably be employed, might also depend on the age, understanding and sex of the pupil.

Practical Considerations

Before intervening physically a teacher should, wherever possible, tell the pupil who is misbehaving to stop, and what will happen if he or she does not stop. The teacher should continue attempting to communicate with the pupil throughout the incident and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary. A calm and measured approach to a situation is needed and teachers should never give the impression that they have lost their temper or are acting out of anger and frustration, or to punish a pupil.

Sometimes a teacher should not intervene in an incident without help (unless it is an emergency). For example, when dealing with an older pupil, or a physically large pupil, or more than one pupil, or if the teacher believes he or she may be at risk of injury. In those

circumstances, the teacher should remove other pupils who might be at risk and summon assistance from colleagues, or, where necessary, call the police. The teacher should inform the pupil/s that help has been summoned. Until assistance arrives the teacher should continue to attempt to diffuse the situation orally, and try to prevent the incident from escalating.

Application of Force

Physical intervention can take several forms;

- physically interposing between two pupils
- blocking a pupil's path
- holding
- pushing
- pulling
- leading a pupil by the hand or arm
- shepherding a pupil away by placing a hand in the centre of the back
- (in extreme circumstances) more restrictive holds

In exceptional circumstances, where there is an immediate risk of injury, a member of staff may need to take any necessary action that is consistent with the concept of 'reasonable force', for example, to prevent a young pupil from running off a pavement onto a busy road, or to prevent a pupil hitting someone, or throwing something.

In other circumstances staff should not act in a way that might reasonably be expected to cause injury, for example by;

- holding a pupil around the neck, or by the collar, or in any other way that might restrict the ability to breathe
- slapping, punching or kicking a pupil
- twisting or forcing limbs against a joint
- tripping up a pupil
- holding or pulling a pupil by the hair or ear
- holding a pupil face down on the ground

Staff should always avoid touching or holding a pupil in a way that might be considered indecent.

Where the risk is not so urgent the teacher should consider carefully whether, and if so when, physical intervention is right. Teachers should always try to deal with a situation through other strategies before using force. All teachers need developed strategies and techniques for dealing with difficult pupils and situations which they should use to diffuse and calm a situation. In a non-urgent situation force should only be used when all other methods have failed.

That consideration is particularly appropriate in situations where the aim is to maintain good order and discipline and there is no direct risk to people and property.

As the key issue is establishing good order any action which could exacerbate the situation needs to be avoided. The possible consequences of intervening physically, including the risk of increasing the disruption or actually provoking an attack, need to be carefully evaluated.

The age and understanding of the pupil is also very relevant in those circumstances. Physical intervention to enforce compliance with staff instructions is likely to be increasingly inappropriate with older pupils. It should never be used as a substitute for good behaviour management.

Recording Incidents

It is important that there is a detailed, contemporaneous written report of any incident (except minor or trivial incidents) where force is used. It may help to prevent any misunderstanding or misrepresentation of the incident and it will be helpful should there be a complaint.

There should be an up to date record of all such incidents. Immediately following any incident the member of staff concerned should tell the Head or a senior member of staff and provide a written report as soon as possible after.

It should include;

- the name/s of the pupil/s involved and where the incident took place,
- the names of any witnesses to the incidents,
- the reason the force was necessary,
- how the incident began and progressed, including details of the pupil's behaviour, what was said by each of the parties, the steps taken to calm or diffuse the situation, the degree of force used, how that was applied and for how long,
- the pupil's response and the outcome of the incident,
- details of any injury suffered by the pupil, another pupil, or a member of staff and of any damage to property.

Staff may find it helpful to seek advice from a senior colleague or a representative of their professional association when compiling a report. They should also keep a copy of the report.

Incidents involving the use of force can cause the parents of the pupil involved great concern. It is always advisable to inform parents of an incident involving their child and give them the opportunity to discuss it.

Complaints

The possibility that a complaint might result in a disciplinary hearing or a criminal prosecution, or a civil action, cannot be ruled out. In those circumstances it would be for the disciplinary panel or court to decide whether the use and degree of force was reasonable in the circumstances. In that event the court or panel would have recourse to the provisions of 550A. It would also be likely to take account of the school's policy on restraint, whether that had been followed, and the need to prevent injury, damage or disruption in considering all the circumstances of the case.

Physical Contact with Pupils in Other Circumstances

There are occasions when physical contact with a pupil may be proper or necessary other than those covered in 550A. Some physical contact may be necessary to demonstrate exercises or techniques during PE lessons, or if First Aid has to be administered. Young children and children with SEN may need staff to provide physical prompts or help. Touching may also be appropriate where a pupil is in distress and needs comforting. Teachers will use their own professional judgment when they feel a pupil needs this kind of help and support.

There may be some children for whom touching is particularly unwelcome. Some pupils may be sensitive to physical contact because of cultural background or because they have been abused. It is important that all staff receive information about these children. There should be a common approach where staff and pupils are of different sexes. Physical contact with pupils becomes increasingly open to question as pupils reach and go through

adolescence and staff should also bear in mind that even innocent and well intentioned physical contact can sometimes be misconstrued.

APPENDIX B – EXCLUSIONS

Offences that could result in an Exclusion

- Serious breaches of the school's behaviour policy,
- If allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in school,
- An accusation of a serious criminal offence outside school.
- Permanent Exclusion for a first or one off offence
- Serious actual or threatened violence against another pupil or member of staff,
- Sexual abuse or assault,
- Supplying an illegal drug,
- Carrying an offensive weapon.
- Such similar incidents (when in the Headteacher's judgment there are 'exceptional circumstances') therefore warrant permanent exclusion for a first offence.

There is no legal obligation on a school to report a criminal offence to the police. However, failure to do so could be deemed as unprofessional conduct and therefore the decision to inform police should be made in conjunction with the Governors.

The Headteacher will also consider the appropriate circumstances for informing other agencies, especially where other agencies are already involved with the child or their family, or where the child or their family would benefit from the support of another agency.

When an exclusion is not appropriate

- failure to do homework or bring dinner/trip money,
- poor academic performance,
- lateness or truancy,
- breaches of school uniform rules, or rules on appearance (except where these are persistent or defiant in relation to the school rules when a fixed term exclusion can then be applied),
- punishing pupils for the behaviour of their parents.

Unofficial Exclusions

If the Headteacher is satisfied that, on the balance of probabilities, a pupil has committed a disciplinary offence and the pupil is being removed from the site for that reason, formal exclusion is the only legal method of removal. Informal or unofficial exclusions are illegal regardless of whether they are done with the consent of the parent/carer and must not happen.

Lunchtime Support from Parents

Pupils whose behaviour at lunch times is disruptive may go home if parents wish this to happen for the duration of the lunchtime period. Pupils then return to school for the start of the afternoon session. This can sometimes be very helpful in splitting the day up for children and providing a calmer atmosphere at home. Should parents wish this to happen for a child who is on free school meals, then the child still needs to be provided with their meal.

Parental Co-operation with Exclusions

If a parent does not comply with an exclusion, the school must have due regard for their safety in deciding what action to take. An exclusion should not be enforced if in so doing

the safety of the pupil is at risk. Education Welfare officers and the LEA should be contacted and the appropriate legal action taken.

APPENDIX C – DISCIPLINARY PROCEDURE

Listed are the actions to be taken in the event of disruptive or poor behaviour. These are hierarchical unless a pupil displays verbal or physical abuse towards any member of the school. In this case, the pupil is referred instantly to the Headteacher or in their absence the Deputy Headteacher.

1. Verbal warning
2. Child moves to 'amber', re-seated in class
3. Child moves to 'red', removal to another class
 - taken escorted by LSA to another class with their work
 - teacher to inform parent
4. Discussion with child and member of Senior Leadership Team takes place if the child has been on 'red' twice in a half term
5. Headteacher and parents become involved for a third instance of a child being on 'red' in a half term. A behaviour contract is drawn up in negotiation with the child, parent and Headteacher and signed by all parties.
6. Continued disruptive behaviour will result in the Headteacher following the exclusion pathway.