

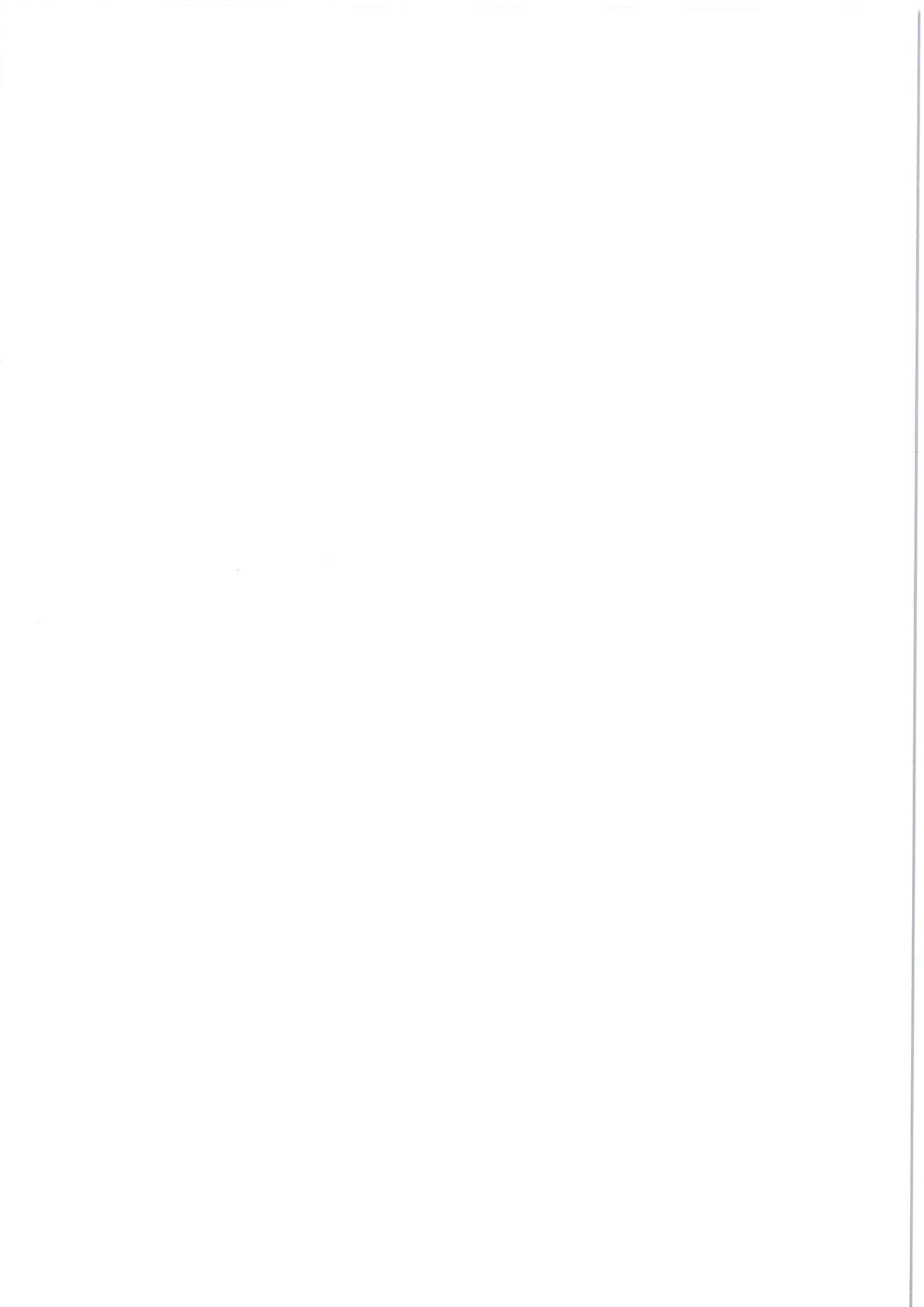
# Wrekin View Primary School and Nursery



## Behaviour Policy September 2018/19

Learning Together to Achieve Forever





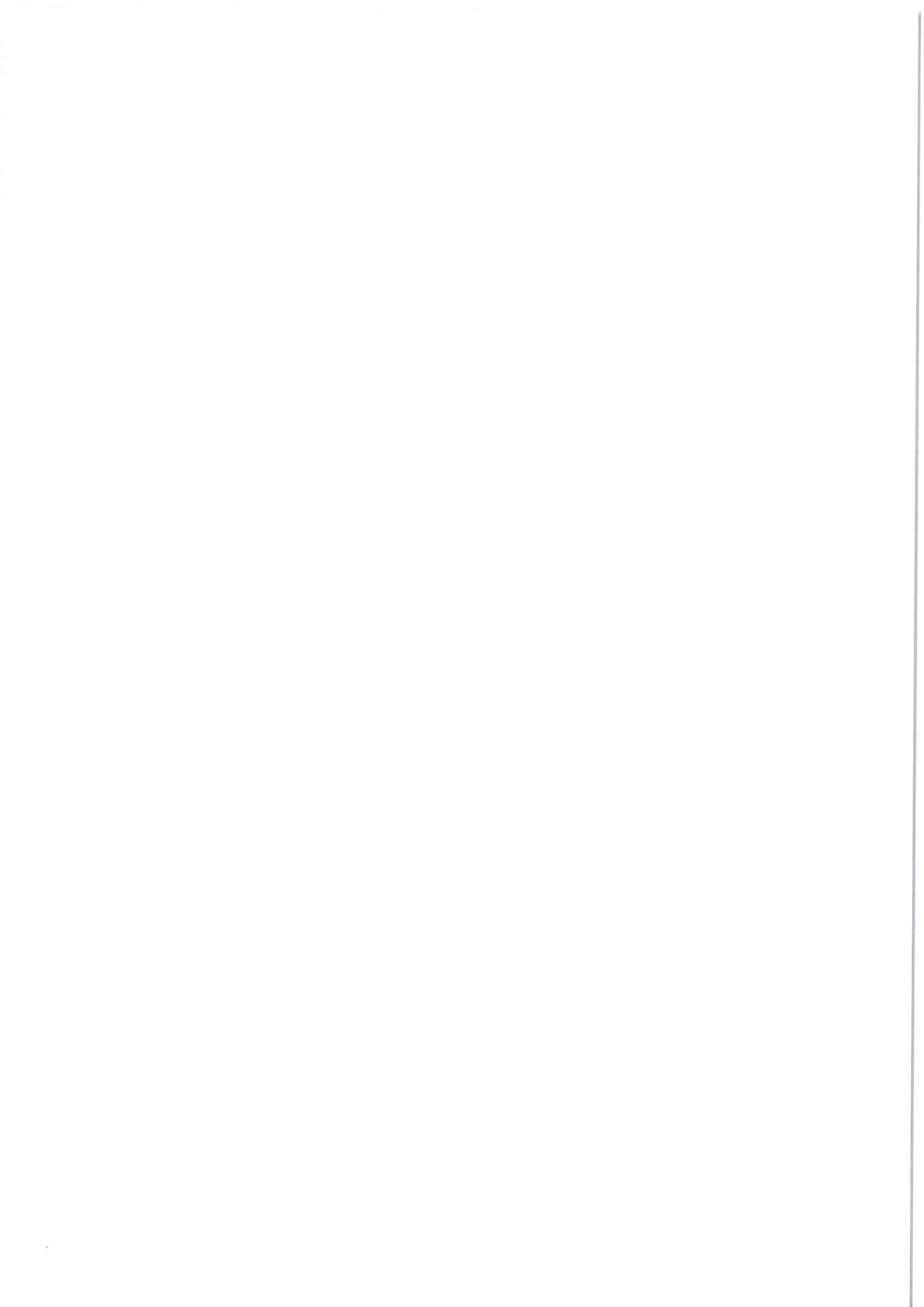
## Introduction - This policy includes the following:

- Day to day expectations of behaviour
- Rewards and Sanctions
- support for Pupils including multi agency
- Behaviour beyond the school gates and school day
- Searching and Confiscation
- The use of reasonable force
- Pastoral Care for School Staff
- Nurture ethos and principles

## School Aims & Values

- Everyone has a right to feel safe at school. We aim to create a welcoming and safe learning environment in which everyone can be successful.
- Everyone is of equal value and will be valued as such regardless of whether or not they have a disability, whatever their ethnicity, culture, religious affiliation, national origin or national status, their gender and gender identity and sexual identity.
- It is everyone’s responsibility to help make our school a happy place where everyone can be successful.
- We expect that the behaviour of children will allow teachers to teach, and each other to learn.
- Everyone is responsible for his/her own behaviour.
- Our expectations are for children to make the right choices and these will be celebrated and rewarded.
- Parents will be contacted at an appropriate time to be included and to support the expectations of the school if their child is deemed to need additional support to make the right choices.
- We have rules in our school because they provide a code about working and being together.
- As a Nurturing and inclusive school we follow the 6 principles of Nurture.
- The Five Pillars of Pivotal Practice underpin everything we do: and the currently has 2 Level 1 Trained Pivotal Instructors.
- This Policy should be read in conjunction with other pertinent school Policies.

<b>The Five Pillars of Pivotal Practice</b>	<b>The 6 principles of Nurture.</b>
<ol style="list-style-type: none"> <li>1. Consistent, calm adult behaviour</li> <li>2. First attention for best conduct</li> <li>3. Relentless routines</li> <li>4. Scripting difficult interventions</li> <li>5. Restorative follow up</li> </ol>	<ol style="list-style-type: none"> <li>1. Children's learning is understood developmentally</li> <li>2. The classroom offers a safe base</li> <li>3. The importance of nurture for the development of wellbeing</li> <li>4. Language is a vital means of communication</li> <li>5. All behaviour is communication</li> <li>6. The importance of transition in children's lives</li> </ol>





## Rules & Expectations -:

Children & Staff in school follow the BLAST behaviour code which is displayed in each classroom (*attached in Appendices*)

**B**e ready and prepared for Learning

**L**isten carefully and follow instructions

**A**lways try our best

**S**how kindness and others

**T**hink before we act.

This will help to create an atmosphere where social, moral, spiritual and cultural values are learnt and developed.

## Rewards

We believe that good behaviour should be consistently rewarded:

- **Teachers will reward positive behaviour with Dojo's.**
- **Teacher will contact parents with messages and phone calls home to recognise their effort, attitude and aptitude.**
- **One child from every classroom, every week will be chosen as 'the star of the week'.**
- **At the end of half term, pupils in each class with the most dojo points will meet the Head Teacher to be recognised as Dojo VIP.**
- **Children who demonstrate consistently good behaviour will be rewarded with Dojo badges each half term, (White, Orange, Blue, Red and Brown) with exemplary behaviour ultimately rewarded with Black Belt Dojo Badge.**

## Making the Right Choices

We hope our strategies for promoting good behaviour will be successful for all children. Children will always be given a chance to consider, reflect upon and develop a strategy for considering the right choices to be made. They will be encouraged and helped to make apologies to other children or staff they may have as part of restorative follow up work. However, there may be some children whose behaviour causes particular concern, or a child's behaviour may fall into a particular category. In these instances, they will normally be managed by a sanction.

**These can be divided into two categories;**

### Persistent low level disruption

This can be any behaviour which slows, prevents or disrupts the learning for themselves or others. Staff will use the Behaviour Ladder (*attached in Appendices*) to manage expectations, allow all children to learn and give opportunities for children to think about their behaviour, correct their behaviour and make the right choices.

## Extreme/high level disruption.

These are known as red and purple behaviour in line with the behaviour ladder.

We consider the following to be examples of (although this not a definitive list)

Children who lose a Dojo will be required to complete a think sheet.

<b><u>Red (Immediate loss of Dojo in the first instance, think sheet)</u></b>	<b><u>Purple (SLT informed: Period of Isolation in the first instance)</u></b>
<ul style="list-style-type: none"><li>• Offensive, insulting or abusive language (When there is not an action plan in place)</li><li>• Fighting</li><li>• intentional damage to school property</li><li>• openly defiant behaviour towards school rules and adults within school (When there is not an action plan in place)</li><li>• Violence without intent to harm (lashing out)</li><li>• Stealing item for purpose of causing issue or distress (e.g. not a pencil or blue tac)</li></ul>	<ul style="list-style-type: none"><li>• Significant damage to school property.</li><li>• Violence resulting in injury to peer/staff</li><li>• violent incident with an object/weapon</li><li>• Violence with intent to harm</li><li>• drug related behaviour</li><li>• carrying a weapon</li><li>• deliberate offensive language (including racial, transgender and homophobic)</li><li>• blatant disregard for school rules and procedure</li><li>• bullying (including racism, transgender, and homophobic)</li></ul>

Parents are informed when children are involved in instances of red and purple behaviour in line with the behaviour ladder.

## Restorative Work

Children who lose a dojo during a week will take part in a restorative assembly on a Friday. They will complete a piece of work with a pivotal instructor and a class teacher on the impact of their choices.

Children who repeatedly lose red dojos within a relatively short period of time will be supported with some the following ways.

1. Meeting with child and parent
2. Referral to Pastoral Care Team
3. 4-week target record to tackle the one most significant behaviour. (*Attached in Appendices*)
4. Individual Behaviour Plan
5. Behaviour contract
6. Referral to outside agencies
7. Modified timetable

## Internal Support

This forms the basis of the school's Pastoral Care Team (PCT) who meet regularly to discuss individual pupils, their needs and ways of support. The PCT is made up of

- Learning Mentor
- Mental Health & Wellbeing Lead
- SEN/Inclusion Manager



- SLT/MLT
- Behaviour Co-ordinator
- Nurture Group Provision

## Outside Agency Support

- CAMHS
- Behaviour Support Advisory Team (BSAT)
- Support from LA (FAP Primary Fair Access Panel)
- Children and Family Locality Services
- The Linden Centre (Pupil Referral Unit)

## Modified Timetables

Modified Timetables may on occasion be used by the school. They will be applied in line with Telford & Wrekin Protocols and the attendance support team informed.

## Lunchtimes

The Lunchtime Ladder Flowchart (*attached in Appendices*) imposes sanctions of increasing length allows pupils the opportunity to reflect on their behaviour and make the right choices the next time. These incidents are recorded and followed in line with the flow chart. (*Attached in Appendices*)

## Exclusion Protocol

Any behaviour which warrants exclusion will be considered on an individual basis. The Headteacher, will take the decision whether to exclude or not. Severe behaviour, violence towards children, staff or parents and significant damage to individual or school property could result in exclusion.

Telford & Wrekin guidelines will be followed and work sent home for the child to complete. Before the child comes back to school a reintegration meeting will take place.

## Assessment and Reporting

Following any serious incident, it should be reported to a senior member of staff, and for the following a written record is needed. (*attached in Appendices*)

- Bullying
- Racist/transgender/homophobic/extremist attitudes
- Physical intervention by an adult.
- Assault/Injury to a child or member of staff
- Serious incidents of behaviour
- Exclusions

The HT will report to the Governing Body these incidents and the school will monitor and track to look for patterns and trends.

Teachers will report on children's behaviour to parents at regular points during the year

## **Governors**

We have a Safeguarding Link Governor. All governors have exclusions and modified timetable information reported to them termly through the Headteacher Report.

## **Leaving the Classroom or School Grounds Without Permission**

The law and legal framework concerning missing or runaway children states;

*“Anyone who has care of a child without parental responsibility may do what is reasonable in all circumstances to safeguard and promote the child’s welfare (Children Act 1989 s3 (5)). It is likely to be “reasonable” to inform police, or children’s services departments, and if appropriate, their parents, of the child/young person’s safety and whereabouts.”*

If a pupil runs out of a class we will establish where he or she has gone. Staff will not run after them but will send a message to the office for adult support. A watchful eye will be kept on any child who has taken him or herself out of the school building and possibly out of school grounds, unless this provokes the child to run further. If a child is no longer on school premises, parents will be contacted. If they are not at home the police will be informed that a pupil has left school and is at risk.

## **The Power to Discipline Beyond the School Gate**

Disciplining beyond the school gate covers the school’s response to all non-criminal bad behaviour and bullying which occurs anywhere off the school premises and which is witnessed by a member of staff or reported to the school. The governing body must be satisfied that the measures proposed by the head teacher are lawful. *(attached in Appendices)*

## **Searching and Confiscation**

The Headteacher and Deputy Headteacher 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, mobile phones, illegal drugs and stolen items. School staff can seize any banned or prohibited item found as a result of a search or is considered to be harmful or detrimental to school discipline *(attached in Appendices)*

## **Physical Intervention**

The use of physical intervention is very rare and is, wherever possible avoided. There may be occasions where the use of physical restraint is appropriate; for example if a child is hurting his/her self and/or others or making a threat to injure using a weapon. Any intervention used will always be minimal and in proportion to the circumstances of the incident. All physical intervention will be recorded *(attached in Appendices.)* Specific Staff are trained in Physical restraint, (MAPA physical intervention training from a professional body.)



## Extended Services (Breakfast and After School Clubs)

Expectations for behaviour whilst undertaking Extended Services Provision are the same as during the normal school day. If this expectation is not met for any reason, children will be given sufficient warnings and if their behaviours are not modified then the School Leadership Team will be informed immediately.

## Pastoral Care for School Staff

If an employee is accused of misconduct and pending an investigation, the governing body will instruct the Headteacher to draw on the advice in the 'Dealing with Allegations of Abuse against Teachers and Other Staff' guidance when setting out the pastoral support school staff can expect to receive if they are accused of misusing their powers.

## Further Reading and Guidance

<http://www.education.gov.uk/schools/pupilsupport/behaviour/f0077153/use-ofreasonable-force-advice-for-school-leaders-staff-and-governing-bodies>

<http://www.education.gov.uk/schools/pupilsupport/behaviour/g0076647/guidance-for-governing-bodies-on-behaviour-and-discipline>

<http://www.education.gov.uk/schools/pupilsupport/behaviour/f0076803/advicefor-headteachers-and-school-staff-on-behaviour-and-discipline>

[http://www.ico.gov.uk/for\\_organisations/data\\_protection.aspx](http://www.ico.gov.uk/for_organisations/data_protection.aspx)

<http://www.education.gov.uk/childrenandyoungpeople/sen/sen/types/clneeds/a0013105/guidance-on-the-use-of-restrictive-physical-interventions>

<http://www.education.gov.uk/schools/pupilsupport/behaviour/f0076897/screening>

<http://www.education.gov.uk/aboutdfe/advice/f0076882/ensuring-goodbehaviour-inschools/allegations-of-abuse-against-staff>

## Review

This policy will be reviewed annually in the Autumn Term or earlier if required.

Signed by:



Chair of Governors

Date: 6/6/18



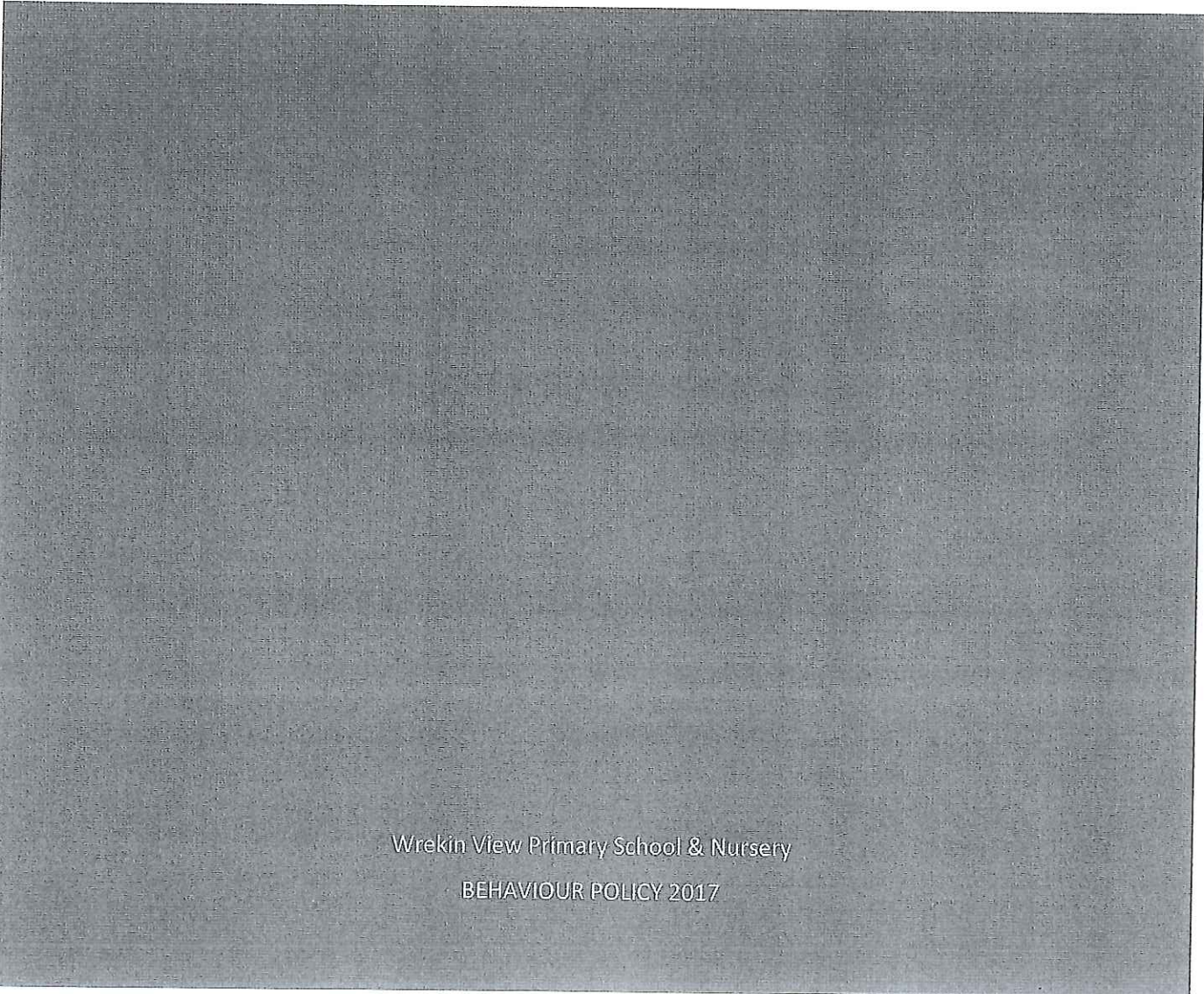
Headteacher

Date: 6/6/18





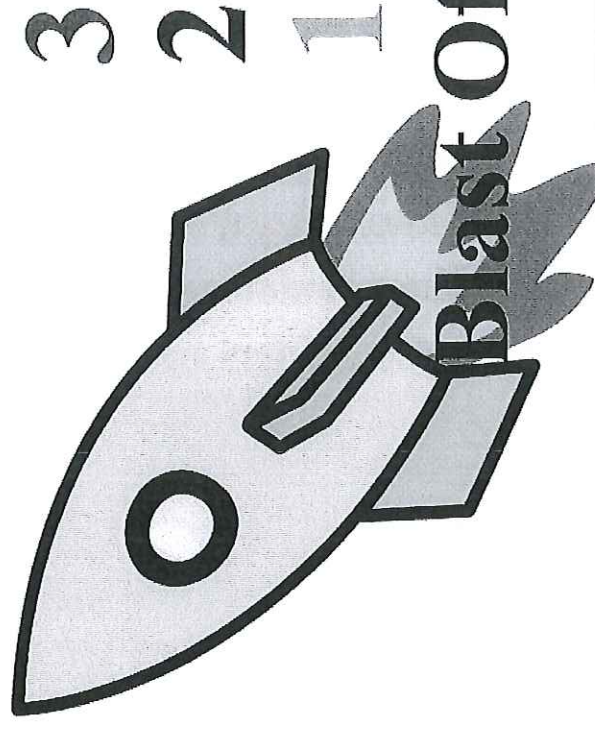
# APPENDICES



Wrekin View Primary School & Nursery  
BEHAVIOUR POLICY 2017

## At Wrekin View I will...

- Be prepared for learning and always try my best
- Listen and follow instructions straight away
- Always try my best
- Show kindness to others
- Think before I act







Behaviour at Wrekin View we can...

- 1. Be ready and prepared for learning
- 2. Listen and follow instructions straight away.
- 3. Always try my best
- 4. Show kindness to others.
- 5. Think before I act.



• Lose 2<sup>nd</sup> Dojo in same day  
• 1/2 day isolation



• Dojo Warning  
• 2 minutes calm time



Verbal Warning



Polite Reminder








# Behaviour at Wrekin View we can...

1. Be ready and prepared for learning
2. Listen and follow instructions straight away.
3. Always try my best
4. Show kindness to others.
5. Think before I act.

**ISOLATION**

- If during the same day, a pupil continues to behave in a way that slows, disrupts or prevents the learning, and they have already lost a dojo, then they will be told that if this continues they will lose a second dojo and this will mean going to isolation for half a day. Teacher will then remove the second Dojo.
- Pupil will complete a second think sheet and level appropriate low adult input tasks. Parents are contacted and are expected to collect the child from the office at 3.15 or drop off at 8.55.
- Parents will also be expected to speak to a senior member of staff.




**Time IN**


- Tell the children that the behaviour continues to slow, disrupt or prevent the learning for themselves or others, and choices they are making is AMBER BEHAVIOUR and that it will now be a warning dojo.
- This is the third chance to make the right choices.
- Once they are given a warning Dojo, they are to have 2 minutes calm time away from the area of the distraction within the same room.

**FINAL WARNING**

- Behaviour that slows, disrupts or prevents the learning for themselves or others continues
- Teacher moves to the second level of response and explain that if it continues, then there may be a warning dojo.

  
**2nd WARNING**

- Children are presenting behaviour that slows, disrupts or prevents the learning for themselves or others.
- Remind all pupils that we expect GREEN BEHAVIOUR
- Staff are to use strategies from the first level of response.

  
**1st WARNING**

Name of  
Child






Teacher

Date







Time

Subject






### What behaviour was I choosing?

Not working	Not listening	Talking or shouting	Using unkind words	Hurting others
 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/>


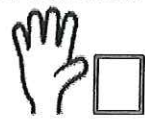




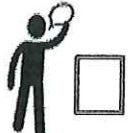



### I was feeling

Sad	Frustrated	Confused	Worried	Bored	Angry
 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/>






### It made others feel

Happy	Sad	Angry	Scared	Frustrated
 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/>

### Next Time I Can

Have safe feet	Have safe hands	Use kind words	Use a safe mouth	Ask for a break
 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/>
Say, "I need space."	Ask someone to, "please stop."	Follow Directions	Stay in my work area	Say, "I don't understand."
 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/>

### If I make better choices

Others will want to be with me	Others will feel good around me	Others want to play with me	I will feel proud of myself	People will know that I am kind
 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/>



**Be ready and prepared for learning**

- 1. Listen and follow instructions straight away.**
- 2. Always try my best**
- 3. Show kindness to others.**
- 4. Think before I act.**

*Copy out these rules below.*

1. \_\_\_\_\_

2. \_\_\_\_\_

\_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

Daily Chart

Weeks1&2	Day 1	Day 2	Day 3	Day 4	Day 5
<b>REGISTRATION</b>					
<b>9:00-9:30</b>					
<b>9:30-10:00</b>					
<b>ASSEMBLY</b>					
<b>BREAK</b>					
<b>10:30-11:00</b>					
<b>11:00-11:30</b>					
<b>11:30-12:00</b>					
<b>LUNCH Time</b>					
<b>1:00-2:00</b>					
<b>2:00-2:15 Afternoon Break</b>					
<b>2:15-3:15</b>					

**Comments**

**Signature**

**Rewards**  
 - 1 dojo for positive in each part of the day (bonus dojo if positive for whole section of the same colour.)

Daily Chart

Week 3	Day 1	Day 2	Day 3	Day 4	Day 5
<b>REGISTRATION</b>					
9:00-9:30					
9:30-10:00					
<b>ASSEMBLY</b>					
<b>BREAK</b>					
10:30-11:00					
11:00-11:30					
11:30-12:00					
<b>LUNCH Time</b>					
1:00-2:00					
2.00-2.15 <b>Afternoon Break</b>					
2:15-3:15					
<b><u>Comments</u></b>					
<b>Signature</b>					
<b>Rewards</b> - 1 dojo for positive in each part of the day (bonus dojo if positive for whole section of the same colour.)					



**Daily Chart**

<b>Week 4</b>	<b>Day 1</b>	<b>Day 2</b>	<b>Day 3</b>	<b>Day 4</b>	<b>Day 5</b>
<b>REGISTRATION</b>					
9:00-9:30					
9:30-10:00					
<b>ASSEMBLY</b>					
<b>BREAK</b>					
10:30-11:00					
11:00-11:30					
11:30-12:00					
<b>LUNCH Time</b>					
1:00-2:00					
2:00-2:15 <b>Afternoon Break</b>					
2:15-3:15					

**Comments**

**Signature**

**Rewards**  
 - 1 dojo for positive in each part of the day (bonus dojo if positive for whole day.)

# Lunchtimes at Wrekin View we...



1. play so that everyone is safe and happy.
2. use equipment the right way.
3. listen to adults and show respect.
4. only come indoors with an adult's permission.

Parents Contacted

Time  
**IN**

5 mins Calm Time

**FINAL  
WARNING**

2 Mins Calm Time



Polite Reminder





Children are safe, happy and enjoy their Lunchtime.



Pupil is involved in persistent rough playing at lunch times and has received 3 Time In sheets

Pupil is involved in serious or extreme lunchtime incident. HT may instigate sanctions lower down the chart if the incident warrants it.

Children who refuse to accept an internal sanction will be told that this means they will just move to the next stage on the chart.

1 Day Lunchtime in Sanction Room

Behaviour Improves

3 Days Lunchtime in Sanction Room

5 Days Lunchtime in Sanction Room

Children complete wishes and feelings work with staff and these are kept as a record.

All incidents, meetings and discussions are recorded in the behaviour log for individual pupils.

SLT meet with parents to explain next stage if behaviour doesn't improve.

Behaviour Improves

1 Day Lunchtime Exclusion

3 Days Lunchtime Exclusion

5 Days Lunchtime Exclusion

Children are collected by parents at start of lunch and do not return until the end of the Lunchtime. Reintegration meeting after each lunchtime exclusion

The start of each new term, any pupils will move back to the previous green point up the chart.

School to initiate paperwork for external services, e.g. FAP, Inclusion Support, behaviour intervention. Parental consent obtained.

SLT meet with parents to explain next stage if behaviour doesn't improve.

Behaviour Improves

1 Day Fixed Term Exclusion

3 Days Fixed Term Exclusion

5 Days Fixed Term Exclusion

Reintegration meeting after each exclusion and a clear reminder of the next sanction if involved in future incidents.

HT can continue with further fixed term exclusions up 45 days in an academic year or consider a permanent exclusion



## The Power to Discipline Beyond the School Gate

1. Disciplining beyond the school gate covers the school's response to all non-criminal bad behaviour and bullying which occurs anywhere off the school premises and which is witnessed by a member of staff or reported to the school. The governing body must be satisfied that the measures proposed by the head teacher are lawful.

2. 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.

3. As a result of any of these behaviours, the Headteacher will collect witness statements from both adults and children who have witnessed the event. The parents of the child involved will be contacted and invited into school to discuss the matter. Sanctions for the bad behaviour will follow those issued by the school for bad behaviour during the school day. Parental support will be sought for sanctions which they are able to administer outside the school day.

4. Following any incident, the Headteacher will consider whether it is appropriate to notify the police or Community Support Officers of the actions taken against a pupil. If the behaviour is criminal or poses a serious threat to a member of the public, the police will always be informed. If there is any concern that the behaviour may be linked to the child suffering, or being likely to suffer, significant harm, Safeguarding procedures would be followed.

## Searching and Confiscation

1. The Headteacher, Deputy Headteacher and two senior members of staff 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, mobile phones, illegal drugs and stolen items. School staff can seize any banned or prohibited item found as a result of a search or is considered to be harmful or detrimental to school discipline.

### **Searching with consent**

2. Schools' common law powers to search; *School staff can search pupils **with their consent for any item which is banned by the school rules.***

2.1. The school does not need 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 and for the pupil to agree.

2.2. Items which are banned in school include, mobile phones, electronic games or devices, any item which could be used as a weapon, matches, any form of drugs (including medicines, which have not been prescribed and a medical from completed), knives, firearms, sprays, alcohol or stolen items.

2.3. 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.

2.4. A pupil refusing to co-operate with such a search raises the same kind of issues as where a pupil refuses to stay in a detention or refuses to stop any other unacceptable behaviour when instructed by a member of staff – in such circumstances, schools can apply an appropriate disciplinary penalty.

### **Searching without Consent**

3. What the law says:

#### **What can be searched for?**

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



### **Can I search?**

Yes, if you are the Headteacher, Deputy Headteacher or a senior member of staff. 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.

### **When can I search?**

If you have reasonable grounds for suspecting that a pupil is in possession of a prohibited item.

### **Authorising Members of Staff**

4. The Headteacher, Deputy Headteacher and two Senior members of Staff are authorised to use these powers.

4.1 Teachers can only request a senior member of staff to 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.

4.2 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**

5. 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.

6. The powers only apply in England.

### **During the Search**

#### Extent of the search – Clothes, Possessions and Trays

7. What the law says:

7.1 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.

7.2 **'Possessions'** means any goods over which the pupil has or appears to have control – this includes trays 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.

7.3 **Trays.** Under common law powers, schools are able to search trays for any item provided the pupil agrees. Pupils will have a tray on condition that they consent to have it searched for any item whether or not the pupil is present.

7.4 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**

8. Reasonable force may be used by the person conducting the search (see appendix 3).

### **After the search**

#### **The Power to Seize and Confiscate Items – General**

9. What the law allows:

9.1 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.

9.2 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.

9.3 Staff have a defence to any complaint or other action brought against them. 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

### 10. What the law says:

10.1 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.

10.2 Where a person conducting a search finds **alcohol**, they must retain it for return to the parent.

10.3 Where they find **controlled drugs**, these must be delivered to the police as soon as possible.

10.4 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.

10.5 Where they find **stolen items**, these must be delivered to the police who may advise it is returned to the owner, providing it is safe to do so.

10.6 Any **weapons or items which are evidence of an offence** must be passed to the police as soon as possible.

10.7 It is school policy to always deliver stolen items, weapons and controlled drugs to the police. If the owners of the items are known and do not pose a threat to the pupil, these will be returned to the owner.

## Telling parents and dealing with complaints

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

11.1 There is no legal requirement to make or keep a record of a search, however as good practice the sheet below will be completed whenever a search and/or confiscation has taken place.

11.2 The school will always inform the individual pupil's parents or guardians where alcohol, illegal drugs or potentially harmful substances are found along with any other banned items which might be found.

11.3 Complaints about screening or searching will be dealt with through the normal school complaints procedure.

## **The Use of Reasonable Force**

### **What is reasonable force?**

1. 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.
2. 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. 'Reasonable in the circumstances' means using no more force than is needed.
4. As mentioned above, schools generally use force to control pupils and to restrain them. 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.
5. 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.
6. 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.

### **Who can use reasonable force?**

7. All members of school staff have a legal power to use reasonable Force.
8. This power applies to any member of staff at the school. It can also apply to people whom the head teacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

### **When can reasonable force be used?**

9. Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.
10. In a school, force is used for two main purposes – to control pupils or to restrain them.
11. 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.
12. The following list is not exhaustive but provides some examples of situations where reasonable force can and cannot be used:



### **Schools can use reasonable force to:**

- 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;
- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground; and restrain a pupil at risk of harming themselves through physical outbursts.
- **Schools cannot** use force as a punishment – **it is always unlawful to use force as a punishment.**

### **Telling parents when force has been used on their child**

15. All incidents of reasonable force are recorded in order to support the child and staff involved. (see sheet below)

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

- All complaints about the use of force should be thoroughly, speedily and appropriately investigated.
- 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.
- 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.
- 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.
- Schools must consider carefully whether the circumstances of the case warrant a person being suspended until the allegation is resolved or whether alternative arrangements are more appropriate.
- 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.
- Governing bodies 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.
- As employers, schools and local authorities have a duty of care towards their employees. It is important that schools provide appropriate pastoral

care to any member of staff who is subject to a formal allegation following a use of force incident.

### **What about other 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:
  - Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school;
  - When comforting a distressed pupil;
  - When a pupil is being congratulated or praised;
  - To demonstrate how to use a musical instrument;
  - To demonstrate exercises or techniques during PE lessons or sports coaching; and
  - To give first aid.





## VIOLENT PUPIL INCIDENT FORM

Child: Class:	
Name of adults.	
Date and Time.	
Location of Incident: Comment/Description of Incident:	
Actions/Next Steps	
SLT informed	Name: _____ Time: _____



## Physical Restraint Recording Log

Child: Class:	
Name of adults.	
Date and Time.	
Location of Incident: Comment/Description of Incident:	
Future Plan put in place as a result of incident.	
SLT informed	Name: _____ Time: _____





Name of child:

(Male/Female)

Class:

### Search and confiscation Record

Reason for the search

Names of staff carrying out the search and those staff acting as witness include title

Items found

Other agencies involved – please list with name and title

Parents contacted

Date:

Time:

Sanctions/Next steps

Meeting with parent and child following the incident

Any further intervention or agency involvement required

Signed:

Date:

