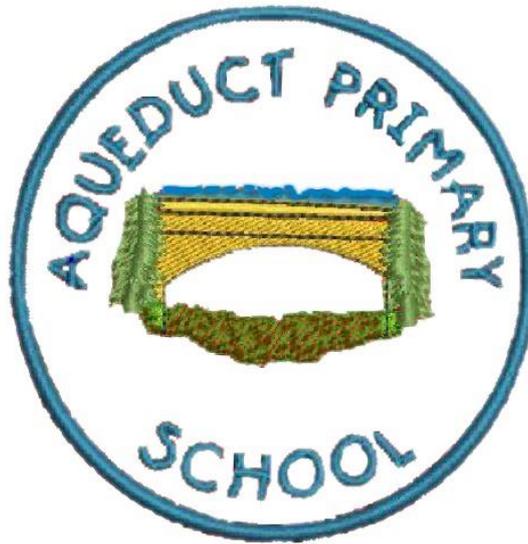


Aqueduct Primary School Behaviour for Learning Policy



2019-2020

Written/Reviewed	September 2018/March 2020
Discussed and Agreed by Governing Body	
Discussed and Agreed by All Staff	September 2019
Next Review Date	September 2020
Copy to be kept in each class in Behaviour for Learning file	

Signed _____ Date _____

Signed _____ Date _____

Organisation of the behaviour and discipline policy

This policy includes the following aspects:

Promoting good behaviour (daily expectations of behaviour) (Appendices 1 to 3)

Consequences and sanctions, including exclusions (Appendices 4 & 5)

Meeting the needs of the individual (multi-agency support for pupils)

Behaviour beyond the school gates and school day (Appendix 6)

Searching and Confiscation (Appendix 7)

The use of reasonable force (Appendix 8)

Pastoral Care for School Staff

Additional Appendices: Master copies of recording sheets (Search & confiscation and use of reasonable force)

Appendices are not included on the website version of the policy. To request a full copy, please contact the school office.

Our Aims

Aqueduct Primary School is a friendly, caring school with close links to parents and the local community. We believe the school needs to maintain a positive atmosphere in which there is a sense of community where every child and adult is valued. We aim to provide a broad and balanced curriculum and support the individuals' social, emotional and learning needs enabling all of our children to become enthusiastic and effective learners and happy people. We work hard, in partnership with parents, Governors and other people, to make sure our children feel safe, happy and confident. We aim to help them to develop attitudes, understanding and skills, which will enable them to make a positive contribution to the world around them, both now and in the future.

We reinforce positive behaviour and recognise the need for clarity and consistency. To reinforce positive behaviour and high respect for all, members of staff and each pupil are asked to consider and follow our six values.



Our values were chosen and agreed by pupils, parents, staff and governors. These 'Values' will be reinforced in the classroom, at play and lunchtimes and in assemblies. They will be used by all staff and pupils as the core of making the school a happy, successful and safe place to learn and for all to, consistently make the right choice to enhance their own lives and the lives of others. Each member of staff, from the Admin and Lunchtime staff and volunteers to the teachers, teaching assistants and Governors, will all wear a lanyard displaying these Values. They are also displayed outside in the playground as a reminder to all pupils when they enjoy their free time.

We aim to create a school in which:

- Everyone can learn together and be happy
- All adults in the school, teachers, support staff, administration staff and lunchtime assistants, volunteers are good role models for our children
- All staff, children and parents can learn effectively
- Everyone can feel safe, comfortable and valued
- Children understand that their behaviour has consequences, both good and bad
- Parents and children support the school, its aims and our behaviour expectations

Promoting Good Behaviour

All staff focus on the good behaviour that we see in school every day. We are confident that positivity creates further positive effects. All staff encourage all children to reflect on their own, and others' positive behaviour.

- Staff praise children very specifically when they see good behaviour. Instead of 'Well done ...' staff will be specific about what it is they are praising or encouraging. This is the case in both spoken and written word.
- Staff focus on the positive behaviour they see.
- Staff tell children clearly what is expected of them.
- Staff refer to previous positive examples of behaviour to highlight expectations for all.
- School and classroom rules are consistent, fair, simple and kept.
- Rules are regularly reviewed with staff and children together.
- When required, trained support staff work with pupils to give additional support to them, encouraging them to change patterns of negative behaviour.
- Responsibilities, expectations, and activities are matched to individual children's age, needs and development.
- Staff regularly inform children's parents of good behaviour or achievement by sharing a record of this as a 'yellow form' (Appendix 1 to 3)
- When children have worked hard on a task and produced excellent work this is displayed as an example. Work and creations that are brought into school by the children are valued and talked about positively. We encourage the children to talk about their learning and achievements out of school. They can bring in certificates, examples of their achievement, trophies etc. to show in our weekly Achievement Assembly.
- Each class has a Family Assembly throughout the year, when families are invited to come and watch and share their assembly time. This is another opportunity to celebrate the achievements of individuals and whole groups/classes.
- In PSHE, SMSC and RE lessons, children are taught the reasons why good behaviour is essential in our society to become a good citizen and how poor behaviour can spoil the lives of others and restrict their own life opportunities. In Reception, the behaviour policy is also supported by the significant emphasis throughout the curriculum on the Characteristics of Effective Learning.
- In assemblies children are encouraged to think and reflect. One assembly each week, led by Mrs. Lockley, aims to embed understanding of our Values.

- In our Achievement Assembly each week, each class teacher will select a pupil who has shown consistent evidence of one of the learning powers or one of our Values. The child who has been named each week will also receive a postcard home, from the Headteacher, Mrs. Lockley.

Rewards

We believe that good behaviour should be consistently rewarded:

- Staff will praise a child immediately for their good behaviour and say why they are pleased with the child; the 'why' is crucial.
- We use the ClassDojo system across school. Each child can be awarded a dojo point for showing good behaviour which links to our school values. The child with the most dojos at the end of the day receives an award and a certificate at the end of the week.
- Staff may give small privileges to children who behave consistently well, and to children otherwise who have made a special effort to do so. These may include, being first in a line, being able to have some time to choose their activity/learning task, an additional sticker or praise note.
- All staff have a 'Positive Praise Pinny' with stickers, dojo points and marble rewards in. These are given to children immediately to recognise good behaviour. All rewards are linked to the Values.
- Children are encouraged to reflect on good behaviour; both their own and that of others.
- Exemplary behaviour or achievement will be commended by staff and will be rewarded via The Golden Book. Each entry can be supplemented with a Good Behaviour Yellow Form or a Good Learning Yellow Form that the child fills in, is signed by the adult giving the reward and sent home. The child can keep this form/these forms at home. There is a tear off strip at the bottom of the form, which parents are invited to fill in and return to school. Once the pupil has three entries in The Golden Book he/she will receive a Golden Certificate in the Achievement Assembly to celebrate their success.
- Teaching staff will endeavour to contact the child's parents to express how pleased they are with his/her behaviour.
- If children follow our school rules and show adherence to the school values, at the end of each half term the class decides on what to do as a class treat. This can be a whole morning or afternoon and a small budget is put aside to fund their chosen activity.

Unacceptable Behaviour

We hope our strategies for promoting good behaviour will be successful for all children. Children will always be given a chance to consider their behaviour. They will be encouraged and helped to make apologies to other children or staff they may have offended or hurt and to show they can keep to school rules and make other suitable reparation.

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 disciplined by a sanction.

Categories include:

- verbal fighting/name calling
- physical fighting
- homophobic/transgender related
- extremism
- racism
- biting/spitting
- bullying
- disturbing/disrupting others learning
- stealing
- telling lies
- destroying property
- swearing
- rudeness/poor manners
- leaving school grounds/classroom
- vandalism
- violence
- disobedience/disregard for school rules and procedure
- inappropriate behaviour
- drug related behaviour
- carrying a weapon

Disciplinary Sanctions

When a child's behaviour is unacceptable, and staff decide that a sanction is necessary, the following stages will be referred to, and the most appropriate course of action determined. The sanctions may include a loss of privilege such as a break time or special time in class, 5 minutes time out in the class or in another classroom, a phone call home to parents or a white form. White forms can be given to children from Reception onwards. They are generally not needed for children in Reception, as time-out, within the Reception classroom, is used, when appropriate.

Children's poor behaviour is dealt with in a number of ways. Children will always be given a number of opportunities to put right their own inappropriate behaviour through:

- Non-verbal prompts by adults
- Acknowledgement of good behaviour e.g. 'Thank you Jack for sitting so quietly'

- Verbal reminder about appropriate behaviour, actions and consequences.

All classrooms have the visual consequences of behaviour displayed with children's names on pegs or faces which can be moved down following appropriate warnings and reminders. The children can clearly see what they should be thinking about and what the consequences may be should they decide to continue to display unacceptable behaviour.

We believe that most unacceptable behaviour should be dealt with by the child's own class teacher using the strategies listed above. However, should unacceptable behaviour continue, clear steps (**Appendix 4**) should be followed. Each teacher has a clear set of steps to follow. These are also shared with all adults in school. These are displayed in each classroom and in key shared areas. Copies are also kept in each class Behaviour for Learning File. As listed in the steps, it may be necessary to record the behaviour on a white form. It will be recorded by the pupils (with support if required) on the White Form (**Appendix 5**). These will be kept in each class Behaviour for Learning File. When a pupil is given a white form, their parent is informed and given the copy of the completed form to take home. Once a child is given a white form, they are informed that they will miss out on an aspect of the end of half term class treat. Three white forms results in them missing the treat morning/afternoon completely. They will, instead stay with a member of the SLT, usually the Head Teacher.

Should a pupil's inappropriate behaviour be extreme e.g. violent towards a member of staff, furniture thrown, violent towards another pupil, then The SLT or Deputy Head or Headteacher needs to be notified. Each class has a Red card and a Yellow card which can be used to alert SLT, the Deputy Head or Headteacher in different situations, as follows. The Red card should only be used in cases of a medical emergency or a life threatening situation. The Yellow card can be used when behaviour such as continuous verbal abuse or swearing at pupils or adults, throwing furniture, throwing items at windows/doors has not ceased following initial intervention/ attempts to support by teaching and support staff. The Yellow card should only be used if all other possibilities have been exhausted, e.g. all support staff both in the class and other classrooms have attempted to calm/diffuse the situation. In the first instance, if the rest of the class are in danger of being harmed, the class teacher should remove the class from the situation (by taking them into another room/area) and send a child (not an adult) with the Yellow card to a member of SLT, the Deputy Head or the Headteacher.

In order for a consistent approach across the school, our clear steps of action will be used by all adults.

More serious behaviours would result in the following steps being taken (throughout EYFS, KS1 and KS2)

- Withdrawal of attendance at a club when not following the directions of the person running the club
- Withdrawal of a class treat/privilege. Children who constantly flout rules in school would not be deemed to be responsible enough to be taken on a class treat e.g. to the cinema. Parents are informed of these decisions. In these instances the child will be encouraged to behave more appropriately in the future.

- Meeting to discuss actions and consequence. The class teacher will invite parents/carers in to discuss a Home/School Behaviour Log. Behaviour will be monitored for an agreed time, followed by a further meeting with parents/carers. There will always be opportunities to redeem and move forward and this is considered best practice.
- The child is sent to the Headteacher, Deputy Head or SLT at an agreed time. They will express displeasure, counsel about relevant needs for compliant behaviour, or investigate the reasons behind the difficulty as they see appropriate.
- If the inappropriate behaviour continues the Headteacher will invite parents/carers in to discuss the possibilities of seeking further advice and support.

Individual Home/School Behaviour Logs are used with specific individuals, both at EYFS, KS1 and KS2 when appropriate. Parents/carers need to be consulted prior to the logs being used. These log the positive and negative behaviours displayed by the pupil during each lesson. These behaviour logs are sent home for parents to read, add comments to and sign. They last for set periods of time, identified through discussions between the class teacher and parents e.g. 1 week, 3 weeks etc. After the agreed period, the child's behaviour is reviewed.

If further support is needed a behaviour support team will be set up. This will involve a member of SLT, the school SENDCo, class teacher, the child concerned and their parents. Additional interventions will be considered including:

- Extra adult support
- A key worker for the child to go to when they need support, to share positive news/achievements with and to meet up with on a regular basis.
- Learning Mentor/Behaviour for learning lead practitioner.
- Advice from the Behaviour Support team or other external agencies (e.g. LSAT or Educational Psychologist)

Exclusions

The school has adopted the LA policy on exclusions.

Only the Headteacher is able to exclude a child from school (or a senior member of staff acting in place of the Headteacher, if the Headteacher is absent from school. Verbal permission from the Headteacher is sought, if practical, for this exclusion). A child may be excluded for one or more fixed periods for up to 45 days in any one school year. The Headteacher may exclude a child permanently. This would be a very last resort after other significant support had been tried and monitored over a period of time.

If the Headteacher excludes a child the parents are informed immediately. It is made clear to the parents that they can, if they wish, appeal against the decision to the Governing Body. The Headteacher also informs the LA and the Governing Body of any permanent exclusions or fixed-term exclusions beyond five days. If a child is excluded for a period of less than 5 days the school will provide work - it is the parent's

responsibility to ensure the child completes the work and returns it to the school for marking (NB: parents can be fined if their child is found in a public place during an exclusion). From Day 6 of exclusion, temporary alternative arrangements for schooling will be made for the child. In the event of a permanent exclusion the Local Authority will contact parents with further details.

The Role of Governors Concerning Exclusions.

The Governing Body has the responsibility of setting down general guidelines on standards of discipline and behaviour. The governors support the Headteacher in implementing the Behaviour Policy and reviewing its effectiveness. The Behaviour Policy is kept under review and monitored. The Headteacher reports to the full Governing Body through the termly Headteacher's report.

The Governing Body has a discipline committee that considers any exclusion appeals on behalf of governors. When the committee meet they consider the circumstances, in which a child was excluded, any representation by parents and from the LA, and whether the pupil should be reinstated. If it is decided that a pupil should be reinstated, the Headteacher must comply with this rule.

Meeting the needs of individuals

A small number of children will require support above and beyond that needed for the majority of children. These include children on the Special Needs Educational Register for Emotional and Behavioural needs and vulnerable children who may be going through a trauma. These children may be helped in a number of ways.

- Working on a specific programme individually or in a group with a Learning Mentor
- Working on targets for behaviour set in a Provision Map with designated Teaching Assistant support
- Where a child is persistently displaying unsafe behaviour, that child may be required to go home for lunch for a set length of time. For Free School Meal children, lunch is still provided. Parents may also be invited into school to share lunch with their child.
- Outside agencies may be involved e.g. Behaviour Support, LSAT and Educational Psychologist. This will often be through the Early Help process.
- Behaviour Support working in school with a child, when that child has been identified as needing more intensive support through the Fair Access Panel
- Part-time education in school and at The Linden Centre.
- In rare cases children will be educated on a reduced timetable and may need to be educated apart from the class for a designated time.

At Lunchtime

1. Lunchtime Supervisors (LS) are expected to and are responsible for implementing the Behaviour Policy. Clear steps of action are to be followed by all LS (**Appendix 4**). After reminders about actions and consequences, children are given the chance to make the right choices.

2. As with all teaching/support staff members, LAs promote positive behaviour and praise children specifically for their good behaviour on the playground/at lunchtime. They employ a 'raffle ticket' system at lunchtime to encourage consistent good behaviour. Children are awarded a raffle ticket when good behaviour is spotted. These tickets are then entered into a draw each week. Ten tickets are drawn out (5 from each key stage) and these children are then given the privilege of having lunch with the Headteacher on Friday. They sit at a specially decorated table, are able to go into the dinner hall first and have a treat to choose, e.g. a ruler, a sparkly pencil, a set of stickers.
3. Games and resources to encourage purposeful physical activity are used on the playground at lunchtime, e.g. giant Jenga blocks, skipping ropes, bowling targets. Specially trained groups of Year 5 pupils will support younger pupils in their play, teach them ring games, team games and other physical challenges such as skipping challenges.
4. There are prefects from Year 6 who monitor and take care of set areas of the school at lunchtime each day. They wear lanyards with Values and their photo/title displayed. At the beginning of each school year they are introduced to the whole school and throughout the year their role is celebrated and reflected on in assemblies. They act as ambassadors for our school on other occasions too, such as when we welcome new parents to the school, e.g. at the Reception Welcome meeting in the summer term.
5. Playground Pals (School Safeguarding Childrens Board) are in the playground and visible by wearing orange bibs. They are trained to instigate games with children who may be seen to be needing a friend or to cheer someone up. They can also direct the child to an adult, should they require any further advice or help.
6. If the pupil is misbehaving during lunch (and the first few steps to promote a turn-around in behaviour haven't been successful) they need to go to the member of the SLT on duty that day.
7. The demountable will be staffed at break and lunchtimes wherever possible by a Behaviour for Learning Lead Practitioner or the Head teacher. Pupils can be asked to go and reflect on any inappropriate choices they have made at break and lunchtimes.
8. After school exclusions can be used when appropriate (decided by the Head teacher) and after discussions with the parents.

Equal Opportunities

Equal opportunities is about ensuring that every member of the school community is regarded as being of equal worth and importance, irrespective of culture, race, gender, sexual orientation, learning abilities, sensory or physical impairment, social class or lifestyle. It is about recognising differences, meeting individual needs and taking positive action, so that everyone has equal access to the educational opportunities offered by the school. It is also about regularly monitoring that each child has the opportunity to achieve. Our commitment to equal opportunities is reflected in our 'Values'.

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 Headteacher are lawful. Should the circumstance arise therefore the Headteacher will inform the Chair of Governors and keep them up to date with the procedures.

Searching and confiscation

The Headteacher and Deputy Head have a statutory power to search pupils or their possessions, without consent, where they suspect the pupil has certain prohibited items. The items that can be searched for under this power are knives or weapons, alcohol, illegal drugs and stolen items. School staff can seize any banned or prohibited item found as a result of a search or is considered to be harmful or detrimental to school discipline (**Appendix 7**). If a staff member suspects a pupil has possession of these items, they should inform the Headteacher or the Deputy Head immediately.

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 themselves 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 follow MAPA procedures and will be recorded. A member of staff will never be alone with a pupil when using physical restraint. The majority of school staff have received MAPA training. This is regularly updated.

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.

Resources available in school

- Behaviour strategy sheets personalised for individual children
- Behaviour for Learning Files in each class
- Positive Behaviour Forms (yellow forms)
- Learning Success Forms (yellow forms)
- Record of Behaviour (white forms)
- Golden Certificates
- Raffle tickets
- Dojos
- Stickers

- Postcards home

Outside Agency Support

(to be accessed via our SENDCo Eloise Harrow/Tammy Lockley)

- CAHMS
- LSAT
- Behaviour Support Service
- Family and Education Support Worker
- The Linden Centre
- Educational Psychology Team

Further reading and guidance

<https://www.gov.uk/government/publications/behaviour-and-discipline-in-schools>

<https://www.gov.uk/topic/schools-colleges-childrens-services/school-behaviour-attendance>

Appendix Reference

Appendix 1 – Record of learning success (Reception)

Appendix 2 – Record of learning success (KS1)

Appendix 3 – Record of learning success (KS2)

Appendix 4 – Steps of consequence

Appendix 5 – Behaviour form (white form)

Appendix 6 – Disciplining beyond the school gate

Appendix 7 – Searching and confiscation

Appendix 8 – Reasonable Force

Appendix 9 – Form for recording when a search has taken place

Appendix 10 – Form for recording when reasonable force has been used

Appendices are not included on the website version of the policy. To request a full copy, please contact the school office.

Safeguarding

Aqueduct School is committed to safeguarding and promoting the welfare of children and expects all staff and volunteers to share this commitment. This means that we have a Child Protection Policy and procedures in place which we refer to in our prospectus. All staff (including supply staff, volunteers and governors) must ensure that they are aware of these procedures. Families are welcome to read the Policy on the school website.

Our Designated Safeguard Leads (DSLs) are: Tammy Lockley (Head Teacher), Jo Clarke (Deputy Head) Eloise Harrow (SENDCo), Ash Palin (Assistant Head Teacher/KS2 phase leader) Cara Duppa (EYFS manager)

APPENDIX 1

Aqueduct Primary School
Record of Learning Success - Reception



Child's name:

Class:

_____ is pleased with me because I have done some really good work in:

.....

.....

Which Value have I thought about?

					
Positivity	Happiness	Kindness	Safety	Learning	Respect

My face shows how I feel about my achievement today.

This is who will be proud of me.

Signed: _____

Date/Time: _____

✂ _____

_____ has received a golden form for some great work detailed above. If you would like to follow this up with a treat at home, it would be well deserved!

Parental comments:

APPENDIX 2

Aqueduct Primary School
Record of Learning Success - KS1



Child's name:

Class:

_____ is pleased with me because I have done some really good work in:

.....

.....

Which Value have I thought about?

					
Positivity	Happiness	Kindness	Safety	Learning	Respect

This is how I feel about my achievement today.

These are the people who will be proud of me.

Signed: _____

Date/Time: _____

✂ _____

_____ has received a golden form for some great work detailed above. If you would like to follow this up with a treat at home, it would be well deserved!

Parental comments:

APPENDIX 3

Aqueduct Primary School
Record of Learning Success - KS2



Child's name:

Class:

_____ is pleased with me because I have done some really good work in:

.....

.....

Which Value have I thought about?



Positivity



Happiness



Kindness



Safety



Learning



Respect

This is how I feel about my achievement today:

These are the people who will be proud of me and why:

Signed: _____

Date/Time: _____

✂ _____

_____ has received a golden form for some great work detailed above. If you would like to follow this up with a treat at home, it would be well deserved!

Parental comments:

APPENDIX 4

Steps of Consequence

Welcome to Class 10



We are all making good, safe choices.

First Warning



Remember

Our Values



Think about what you should do next.

Second Warning



Remember

There is always a way to prevent things from getting worse.

STOP, THINK, ACT.



Feel yourself getting upset or confused? Breathe deeply and consider how best to continue. Make the right choice to keep yourself and others safe.

Consequence



This may be:

- Moving to work on another table.
- Moving to work in another classroom.
- Loss of your playtime.
- Loss of a privilege.
- Moving to work with SLT.
- A phone call home.
- Staying after school.
 - Write form.
- Internal exclusion.

It's time to reflect on your actions and how they have affected you and others.

APPENDIX 5



Aqueduct Primary School
Record of Behaviour (White form)

Child's Name:

Class:

Date:

What happened/What my involvement was

Which Value have I not thought about?



Positivity



Happiness



Kindness



Safety



Learning



Respect

What the consequences could be

What I would do differently next time

.....
School slip



Date:

Name of child:

Behaviour displayed:

Description:

Because of my behaviour I have lost my 1st, 2nd, 3rd chance to take part in the end of term treat. (Please circle)

Signed:

Role:

APPENDIX 6

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 Headteacher are lawful.

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.

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.

Following any incident, the Headteacher will consider whether it is appropriate to notify the police or Community Support Officers on Aqueduct 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.

APPENDIX 7

Searching and confiscation

The Headteacher and the Deputy Head have a statutory power to search pupils or their possessions, without consent, where they suspect the pupil has certain prohibited items. The items that can be searched for under this power are knives or weapons, alcohol, illegal drugs and stolen items. School staff can seize any banned or prohibited item found as a result of a search or is considered to be harmful or detrimental to school discipline.

Searching with consent

Schools' common law powers to search:

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

1. 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. 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 form completed), knives, firearms, sprays, alcohol or stolen items.
3. If a member of staff suspects a pupil has a banned item in his/her possession, they can instruct the pupil to turn out his or her pockets or bag and if the pupil refuses, the teacher can apply an appropriate punishment as set out in the school's behaviour policy.
4. 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

What the law says:

What can be searched for?

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

Can I search?

2. Yes, if you are the Headteacher, Deputy Headteacher or member of SLT.

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?

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

Authorising members of staff

The Headteacher, Deputy Head and SLT are authorised to use these powers. As a result of only having two male members of staff on the SLT, Mr Westwood would have the power to search with a senior member of staff present. This should only be required should Mr. Palin, a member of SLT, be absent.

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.

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

1. 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.

2. The powers only apply in England.

During the search

Extent of the search - clothes, possessions and trays

What the law says:

The person conducting the search may not require the pupil to remove any clothing other than outer clothing. '**Outer clothing**' means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear but 'outer clothing' includes hats; shoes; boots; gloves and scarves. '**Possessions**' means any goods over which the pupil has or appears to have control - this includes 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.

Trays/Drawers

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

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

Use of force

Reasonable force may be used by the person conducting the search (**Appendix 12**).

After the search

The power to seize and confiscate items – general

What the law allows:

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

1. The member of staff can use their discretion to confiscate, retain and/or destroy any item found as a result of a 'with consent' search so long as it is reasonable in the circumstances. Where any article is thought to be a weapon it must be passed to the police.
2. 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

What the law says:

- A person carrying out a search can seize anything they have reasonable grounds for suspecting is a prohibited item (that is a weapon/knife; alcohol; illegal drugs or stolen items) or is evidence in relation to an offence.
- Where a person conducting a search finds **alcohol**, they must retain it for return to the parent.
- Where they find **controlled drugs**, these must be delivered to the police as soon as possible.
- 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.
- Where they find **stolen items**, these must be delivered to the police or returned to the owner, providing it is safe to do so.
- Any **weapons or items which are evidence of an offence** must be passed to the police as soon as possible.
- It is school policy to always deliver stolen items or 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

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

1. There is no legal requirement to make or keep a record of a search, however as good practice the sheet below (**Appendix 10**) will be completed whenever a search and/or confiscation has taken place.
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.
3. Complaints about screening or searching will be dealt with through the normal school complaints procedure.

APPENDIX 8

The use of reasonable force

What is reasonable force?

(i) 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.

(ii) Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.

(iii) 'Reasonable in the circumstances' means using no more force than is needed.

(iv) 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.

(v) Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.

(vi) 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.

2 Who can use reasonable force?

(i) All members of school staff have a legal power to use reasonable force

(ii) This power applies to any member of staff at the school. It can also apply to people whom the Headteacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

3 When can reasonable force be used?

(i) Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.

(ii) In a school, force is used for two main purposes - to control pupils or to restrain them.

(iii) 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.

(iv) 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.**

Using force

A panel of experts identified that certain restraint techniques presented an **unacceptable risk** when used on children and young people. The techniques in question are:

- the 'seated double embrace' which involves two members of staff forcing a person into a sitting position and leaning them forward, while a third monitors breathing;
- the 'double basket-hold' which involves holding a person's arms across their chest; and
- the 'nose distraction technique' which involves a sharp upward jab under the nose.

Staff training

A majority of SLT are MAPA trained. Additional members of staff are trained and this is updated every two years. Training is provided for senior staff so that they are able to support staff across the school.

Telling parents when force has been used on their child

All incidents of reasonable force are recorded in order to support the child and staff involved.

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

APPENDIX 9



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

- 1.
- 2.

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:
Designation:

Date:

APPENDIX 10



Name of child:

(Male/Female)

Class:

Reasonable Force Record

Reason for the use of reasonable force

Names of staff using reasonable force

- 1.
- 2.

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:

Designation: