

HOWARD OF EFFINGHAM SCHOOL BEHAVIOUR MANAGEMENT POLICY

Purpose:

- All students and parents should know what the school policy is on behaviour and what procedures will be followed.
- All teaching and non-teaching staff will know what the school policy is on behaviour and follow it when dealing with behaviour issues.
- When poor behaviour is reported, parents and students will feel assured that they will be dealt with fairly within well established guidelines.

Date created: June 2008

Governors Committee Responsible: PSC

Senior Manager Contact: ABY

Review period: Biennial

Date reviewed: June 2015

Date ratified:

Next due for review: June 2017

1. CONTENTS

- a) Behaviour Policy**
- b) Appendix A – DfE publication - Use of Reasonable Force**
- c) Appendix B – Rewards and Sanctions**
- d) Appendix C – Behaviour for Learning**
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- f) Appendix E – Rewards and Sanctions Ladder**
- g) Appendix F – Home-School Agreement**
- h) Appendix G – DfE publication - Screening, Searching and Confiscation**

2. CONTEXT

This policy is written in response to the Education and Inspection Act 2006 and with reference to the Equality Act (2010).

The following DfE guidance will be used in conjunction with applying the policy:

Use of Reasonable Force – advice for head teachers, staff and governing bodies July 2013

Screening, Searching and Confiscation – advice for head teachers, staff and governing bodies February 2014

As with all Effingham Learning Partnership policies, there will be a consistent application of the policy and procedures which will take into account gender, race, disability, religion or belief, sexual orientation, pregnancy and gender reassignment.

3. AIMS AND OBJECTIVES OF THE ELP BEHAVIOUR POLICY

The Howard of Effingham School, in conjunction with ELP regards the Behaviour Policy as underpinning all teaching and learning. The policy will enable the school to maintain an environment conducive to learning, one which safeguards the rights of students to be educated and is proportionate. The aims of this policy are to:

1. promote self-discipline and respect for others
2. promote good behaviour
3. promote high self-esteem
4. ensure fairness of treatment for all to ensure the welfare of all
5. ensure a consistency of response to all behaviours
6. provide a safe environment free from disruption, bullying, violence, discrimination and any forms of harassment
7. encourage a positive partnership with parents

This policy will apply at all times when students are the responsibility of school staff and when they are out of school as the responsibility of others and are acting in such a way as to bring the school into disrepute (whether or not they are in school uniform) e.g. to and from school, on educational visits, work experience. Schools have a statutory power to regulate the behaviour of students when off school premises and not supervised by school staff.

4. REVIEW PERIOD

This policy will be reviewed on a biennial basis taking into account subgroups such as vulnerable children and in consultation with staff, students and parents.

5. ROLES AND RESPONSIBILITIES

- i. **The Governing Body** will establish in consultation with the headteacher, staff and parents the policy for the promotion of good behaviour and keep it under review. It will ensure that it is communicated to students and parents, is non-discriminatory and the expectations are clear. Governors will support the school in maintaining high standards of behaviour.
- ii. **The Headteacher** is accountable for the implementation of the policy, and will delegate the responsibility for its day to day management to the SLT and others.
- iii. **Staff**, including teachers, support staff and volunteers, will be responsible for ensuring that the policy and procedures are followed, and consistently and fairly applied. Mutual support amongst all staff in the implementation of the policy is essential. Staff have a key role in advising the headteacher on the effectiveness of the policy and procedures. They also have responsibility, with the support of the headteacher, for creating a high quality learning environment, teaching good behaviour and implementing the agreed policy and procedures consistently. **Staff have a statutory authority to impose sanctions** on behalf of the school.
- iv. **The Governing Body, headteacher and staff** will ensure that there will be a consistent application of the policy and procedures which will take into account gender, race, disability, religion or belief, sexual orientation, pregnancy and gender reassignment. Parents will be informed of the statutory nature of this policy.
- v. **Parents and carers** will take responsibility for the behaviour of their child both inside and outside the school. They will be encouraged to work in partnership with the school to assist the school in maintaining high standards of behaviour and will have the opportunity to raise with the school any issues arising from the operation of the policy. (See also Appendix F Home School Agreement)
- vi. **Students** will be expected to take responsibility for their own behaviour and will be made fully aware of the school policy, procedures and expectations. Students also have a responsibility to ensure that incidents of disruption, violence, bullying and any form of harassment are reported. (See also Appendix F Home School Agreement and refer to the Anti-Bullying Policy).

6. TAKING ACCOUNT OF INDIVIDUAL STUDENT'S NEEDS

The staff at the Howard of Effingham school will take into account the particular needs of more vulnerable students, those with SEN, disability and/or different race, religion or culture. We will ensure that we will:

- not discriminate against particular racial groups in the application of our behaviour policy
- ensure staff members are well informed about cultural differences in behaviour and their implications
- support newly-arrived students in understanding and following the behaviour policy
- make reasonable adjustments in the application of our behaviour policy to disabled students
- make special educational provision for students whose behaviour related learning difficulties call for it to be made
- identify students at-risk in advance
- not discriminate against students with regard to sexual orientation, pregnancy and gender reassignment
- plan proactively how our disciplinary framework should be applied for each of these identified students
- make sure that every vulnerable student has a key person in school who knows them well, has good links with the home and can act as a reference point for staff when they are unsure how to apply the behaviour policy.

7. PROCEDURES/RULES

The procedures arising from this policy will be developed by the headteacher in consultation with the staff. These procedures will make clear to the students how acceptable standards of behaviour can be achieved and will have a clear rationale which is made explicit to staff, students and parents. The procedures will be consistently and fairly applied and promote the idea of personal responsibility and that every member of the school has a responsibility towards the whole community (see Appendices B-F)

8. REWARDS

A school ethos of encouragement is central to the promotion of good behaviour. Rewards are one means of achieving this. They have a motivational role in helping students to realise that good behaviour is valued, and are clearly defined in the procedures. Integral to the system of rewards is an emphasis on praise both informal and formal to individuals and groups. (See Appendices B-F)

9. SANCTIONS

Sanctions are sometimes needed to respond to inappropriate behaviour and schools have a statutory power to impose them.

A range of sanctions is clearly defined in the attached appendices, and their use will be characterised by clarity as to why the sanction is being applied and what changes in behaviour are required to avoid future sanctions. The appendices make a clear distinction between the sanctions applied for minor and major offences. (See Appendices B-F)

10.TEACHERS' POWERS:

Teachers have the statutory authority to discipline students whose behaviour is unacceptable, who break the school rules and who fail to follow a reasonable instruction (Section 91 of the Education and Inspections Act 2006).

The power also applies to all paid staff (unless the Headteacher says otherwise) with responsibility for students.

Teachers can discipline students whose conduct falls below the standard which could reasonably be expected of them. This means that if a student misbehaves, breaks a school rule or fails to follow a reasonable instruction the teacher can impose a punishment on that student.

To be lawful, the punishment (including detentions) must satisfy the following three conditions:

1) The decision to punish a student must be made by a paid member of school staff or a member of staff authorised by the head teacher;

2) The decision to punish the student and the punishment itself must be made on the school premises or while the student is under the charge of the member of staff; and

3) It must not breach any other legislation (for example in respect of disability, special educational needs, race and other equalities and human rights) and it must be reasonable in all the circumstances.

A punishment must be proportionate. In determining whether a punishment is reasonable, section 91 of the Education and Inspections Act 2006 says the penalty must be reasonable in all the circumstances and that account must be taken of the student's age, any special educational needs or disability they may have, and any religious requirements affecting them.

The head teacher may limit the power to apply particular punishments to certain staff and/or extend the power to discipline to adult volunteers, for example to parents who have volunteered to help on a school trip.

Corporal punishment is illegal in all circumstances.

Schools should consider whether the behaviour under review gives cause to suspect that a child is suffering, or is likely to suffer, significant harm. Where this may be the case, school staff should follow the schools' safeguarding policy. They should also consider whether continuing disruptive behaviour might be the result of unmet educational or other needs. At this point, the school should consider whether a multi-agency assessment is necessary.

4) Students that are found to have made malicious allegations against staff would have deemed to have breached school behaviour policy. The school will consider whether to apply an appropriate sanction, which could include temporary or permanent exclusion (as well as referral to the police if there are grounds for believing a criminal offence may have been committed).

Teachers can discipline students at any time the student is in school or elsewhere under the charge of a teacher, including school visits.

Teachers can also discipline students for misbehaviour outside school.

Teachers have a statutory power to discipline students for misbehaving outside of the school premises. Section 89(5) of the Education and Inspections Act 2006 gives headteachers a specific statutory power to regulate students' behaviour in these circumstances "to such extent as is reasonable."

Teachers may discipline a student for any misbehaviour when the child is:

- o taking part in any school-organised or school-related activity or
- o travelling to or from school or
- o wearing the school uniform or
- o in some other way identifiable as a pupil at the school.

or misbehaviour at any time, whether or not the conditions above apply, that:

- o could have repercussions for the orderly running of the school or
- o poses a threat to another pupil or member of the public or
- o could adversely affect the reputation of the school.

Teachers have the specific legal power to impose detention outside school hours.

The times outside normal school hours when detention without parental consent may be given are evenings (as previously), plus weekends and INSET days.

Parental consent is not required for detentions.

As with any disciplinary penalty a member of staff must act reasonably when imposing a detention.

With lunchtime detentions, staff should allow reasonable time for the pupil to eat, drink and use the toilet.

School staff should not issue a detention where they know that doing so would compromise a child's safety. When ensuring that a detention outside school hours is reasonable, staff issuing the detention should consider the following points:

- Whether the detention is likely to put the student at risk.
- Whether the student has known caring responsibilities which mean that the detention is unreasonable.
- Whether suitable travel arrangements can be made by the parent for the student.

It does not matter if making these arrangements is inconvenient for the parent.

Teachers can confiscate students' property.

There are two sets of legal provisions which enable school staff to confiscate items from pupils:

- 1) The general power to discipline enables a member of staff to confiscate, retain or dispose of a student's property as a punishment and protects them from liability for damage to, or loss of, any confiscated items; and

2) Power to search without consent for “prohibited items” including:

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images

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

- any item banned by the school rules which has been identified in the rules as an item which may be searched for.

The legislation sets out what must be done with prohibited items found as a result of a search.

Weapons and knives and extreme or child pornography will always be handed over to the police otherwise it is for the teacher to decide if and when to return a confiscated item.

Further guidance (Appendix G) : Screening, Searching and Confiscation – advice for head teachers, staff and governing bodies February 2014

Power to use reasonable force

The legal provisions on school discipline also provide members of staff with the power to use reasonable force to prevent pupils committing an offence, injuring themselves or others or damaging property, and to maintain good order and discipline in the classroom.

Where force can be used authorised staff may only exercise the statutory power to use force where:

- they and the student are on the premises of a school at which education is provided for the student. The student need not necessarily be a registered student at that school. The power also applies to students from other schools who are on the premises; or
- they are off school premises but are in lawful control or charge of the student (for example on a school visit).

Other than in these circumstances, staff only have common law rights to use force to defend themselves, persons or property.

Employers providing work experience placements for school students only have common law rights to use force.

Sometimes an authorised member of staff should not intervene in an incident without help (unless it is an emergency). For example, help is likely to be needed in dealing with an older student, a large student, more than one student or if the authorised member of

staff believes he or she may be at risk of injury. In these circumstances he or she should take steps to remove other students who might be at risk and summon assistance from other authorised staff.

Further guidance (Appendix A) : Use of Reasonable Force – advice for head teachers, staff and governing bodies July 2013

12. MONITORING THE IMPACT OF THE BEHAVIOUR POLICY

The Howard of Effingham School will monitor the distribution of rewards and sanctions by gender, ethnicity and SEN in order to ensure that our behaviour policy is effective. We have a specific duty to monitor the impact of the operation of policies on students, parents/carers and staff from different racial groups, and we will evaluate the impact of this behaviour policy and act on the results of these evaluations. Racial harassment will not be tolerated and the school will record all racist incidents, and parents/carers and governors will be informed of such incidents and the action taken to deal with them. The Howard of Effingham Governing Body will inform the local education authority annually of the pattern and frequency of any racist incidents.