



# BEHAVIOUR POLICY

February 2020

# ODST Behaviour Policy Guidance

*A clear school behaviour policy, consistently and fairly applied, underpins effective education. ODST believes that high standards of behaviour lie at the heart of a successful school and that this enables our pupils to make the best possible progress in all aspects of their school life. A fundamental part of a child's education is learning to be part of the society in which they live.*

*Through our behaviour policy guidance we aim to encourage and acknowledge behaviour which allows others to learn and our schools to flourish. We value everyone as an individual, capable of growth, change and development. Our relationships are underpinned by the principles of justice, equality, mutual respect, fairness and consistency. We have high expectations that support the development of our pupils as effective and responsible citizens.*

## **OBJECTIVES**

Our behaviour policy guidance is based on the key principles in which our schools:

- respect and accept pupils and staff, regardless of age, gender, race, sexuality, religious beliefs or academic ability
- allow teachers to teach and learners to learn
- help our schools to act with trust and honesty
- take pride in our schools, their uniqueness and individual ethos

This document describes how we expect Local Governing Bodies (LGB) to design and implement policies promote good behaviour, self-discipline and respect, prevent bullying and regulate the conduct of pupils. Their policies will show how behaviour is monitored, praised or corrected and how they expect the school community to function and flourish.

## **SCOPE**

- Governing Body
- Teaching Staff
- Headteacher
- Support staff
- All School Staff
- Pupils
- Central Office Staff
- Contractors/ Service Providers
- Users of the school site and buildings

## **RELEVANT LEGISLATION**

- Education Act 1996
- School Standards and Framework Act 1998
- Education Act 2002
- Education and Inspections Act 2006
- School Information (England) Regulations 2008
- Equality Act 2010
- The Education (Independent School Standards) (Amended) (England) Regulations 2014
- Education Act 2011

- Schools (Specification and Disposal of Articles) Regulations 2012
- The School Behaviour (Determination and Publicising of Measures in Academies) Regulations 2012

### **RELATED POLICIES**

- ODST and School Safeguarding & Child Protection Policy
- ODST Equality Policy
- ODST Tackling Extremism and Radicalisation Policy
- School Anti-Bullying Policy

### **DATE OF REVIEW**

The policy will be reviewed as required by the Board of Directors of ODST to take account of any legislative changes and / or national policy development as well as feedback from ODST staff and schools.

### **GENERAL PRINCIPLES**

#### **Definitions**

- Where the term “relevant body” has been used this refers to the Board of Directors of ODST;
- Unless indicated otherwise, all references to “school” include both schools and academies;
- Unless indicated otherwise, all references to “teacher” include the headteacher;
- Unless indicated otherwise, all references to ‘staff’ include teaching and support staff.
- The term ‘behaviour’ is deemed to include all policies dealing with conduct, attitudes, sanctions, rewards, sanction, detention and the authority of employed staff to discipline pupils.

### **DELEGATION**

The relevant body has chosen to delegate its functions to local governing bodies and headteachers as set out in this policy.

### **MONITORING & EVALUATION**

The Local Governing Body and headteacher will monitor the operation and effectiveness of the school’s Behaviour Policy and deal with any queries relating to it. The relevant body, through the ethos committee, will monitor any concerns or complaints raised in relation to the policy on an annual basis.

# The Hendreds CE Primary School

## Behaviour Policy

The Hendreds School seeks to create an inclusive environment which expects, encourages, reinforces and rewards good behaviour. Good learning behaviours promote educational progress and understanding. A clear school behaviour policy, consistently and fairly applied, underpins effective education. Our behaviour policy aims to:

- Create an environment which encourages good behaviour, self-discipline and respect;
- To respond consistently to positive and negative behaviour;
- Promote self-esteem, self-discipline and positive relationships;
- Prevent bullying.

The LGB must have regard to any guidance or statute provided by the trust, the DfE or other responsible bodies which may include the following:

- screening and searching pupils;
- the power to use reasonable force and other physical contact;
- the power to discipline beyond the school gate;
- when to work with other local agencies to assess the needs of pupils who display continuous disruptive behaviour; and
- pastoral care for staff accused of misconduct.

The headteacher must publicise the school behaviour policy, in writing, to staff, parents and pupils at least once a year. The school's behaviour policy must be published on its website.

## School Behaviour

These key aspects of school practice that, when effective, contribute to improving the quality of pupil behaviour:

- A consistent approach to behaviour management;
- Strong school leadership;
- Classroom management;
- Rewards and sanctions;
- Behaviour strategies and the teaching of good behaviour;
- Staff development and support;
- Pupil support systems;
- Liaison with parents and other agencies;
- Managing pupil transition; and
- Organisation and facilities.

This policy sets out the disciplinary action that will be taken against pupils who are found to have made malicious accusations against school staff.

This policy acknowledges the school's legal duties under the Equality Act 2010, in respect of safeguarding and in respect of pupils with special educational needs and disabilities (SEND).

## Discipline in schools – teachers’ powers

The Hendreds School takes into account the following statutory authorities and expectations:

- Teachers have statutory authority to discipline pupils whose behaviour is unacceptable, who break the school rules or who fail to follow a reasonable instruction<sup>1</sup>
- The power also applies to all paid staff (unless the headteacher says otherwise) with responsibility for pupils, such as teaching assistants.
- Teachers can discipline pupils at any time the pupil is in school or elsewhere under the charge of a teacher, including on school visits.
- Teachers can also discipline pupils in certain circumstances when a pupil’s misbehaviour occurs outside of school.
- Teachers can confiscate pupils’ property.

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

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

- The decision to sanction a pupil must be made by a paid member of school staff or a member of staff authorised by the headteacher;
- The decision to sanction the pupil and the sanction itself must be made on the school premises or while the pupil is under the charge of the member of staff; and
- 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 sanction must be proportionate. In determining whether a sanction is reasonable account must be taken of the pupil’s age, any special educational needs or disability they may have, and any religious requirements affecting them.

The headteacher may limit the power to apply particular sanctions 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 sanction is illegal in all circumstances.

This policy invites staff to 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 multiagency assessment is necessary.

Teachers have the power to discipline pupils for misbehaving outside of the school premises “to such an extent as is reasonable”.

Subject to the behaviour policy, teachers may discipline pupils for:

misbehaviour when the pupil is:

- taking part in any school-organised or school-related activity or

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<sup>1</sup>(Section 90 and 91 of the Education and Inspections Act 2006).

- travelling to or from school or
- wearing school uniform or in some other way identifiable as a pupil at the school, e.g. football kit.

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.

In all cases of misbehaviour, the teacher can only discipline the pupil on school premises or elsewhere when the pupil is under the lawful control of the staff member.

## **Behaviour and sanctions**

Our school encourages good behaviour through a mixture of high expectations, clear policy and an ethos which fosters discipline and mutual respect between pupils, and between staff and pupils.

Our school has in place a range of options and rewards to reinforce and praise good behaviour, and clear sanctions for those who do not comply with the school's behaviour policy. These will be proportionate and fair responses that may vary according to the age of the pupils, and any other special circumstances that affect the pupil.

Sanctions are rarely necessary but, when they are necessary, the types we use include:

- Telling off – gently or firmly depending on the context;
- Sitting quietly for five minutes ('time out');
- Exclusion from playtime or a favourite activity;
- Working apart from friends, possibly in another classroom or by the office;
- Discussing poor behaviour with a parent after school;
- Informing a parent in writing of unacceptable behaviour;
- Having a discussion between parents, Headteacher and child.

## **Support**

The class teacher discusses expectations about behaviour with each class. Each class also has its own classroom code, which is agreed by the children and displayed on the classroom wall. In this way, every child in the school knows the standard of behaviour that we expect in our school. If there are incidents of anti-social behaviour, the class teacher discusses these with the whole class during 'circle time' which is centred on positive behaviour and how to control emotions and feelings. Extra guidance and support may be given staff when appropriate

## **Appendix A - Specific Guidance**

### Confiscation of inappropriate items

Our LGB is aware of two sets of legal provisions which enable school staff to confiscate items from pupils:

The general power to discipline (as described in the bullets under the heading "Discipline in Schools – Teachers' Powers" on pages 4 and 5) enables a member of staff to confiscate, retain or dispose of a pupil's property as a sanction, so long as it is reasonable in the circumstances. The law protects them from liability for damage to, or loss of, any confiscated

items provided they have acted lawfully. The legislation does not describe what must be done with the confiscated item and ODST would expect LGBs to set this out in its behaviour policy; And

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; and
- 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 must always be handed over to the police, otherwise it is for the teacher to decide if and when to return a confiscated item.
- More detailed advice on confiscation and what must be done with prohibited items found as a result of a search is provided in guidance<sup>2</sup>.

#### Power to use reasonable force

- Members of staff have 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.
- Head teachers and authorised school staff may also use such force as is reasonable given the circumstances when conducting a search without consent for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm.
- Schools can also identify additional items in their school rules which may be searched for without consent. Force cannot be used to search for these items.
- Separate advice is available on the use of reasonable force<sup>3</sup>

#### Seclusion / isolation rooms

Schools can adopt a policy which allows disruptive pupils to be placed in an area away from other pupils for a limited period, in what are often referred to as seclusion or isolation rooms. This is not a policy we use at The Hendreds School.

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<sup>2</sup> [Screening, Searching and Confiscation – advice for head teachers, staff and governing bodies](#) (2014)

<sup>3</sup> [Use of Reasonable Force – advice for school leaders, staff and governing bodies](#) (2013)

<sup>6</sup> Section 90 of the Education and Inspections Act 2006

