



Lenham Primary School

Take Pride; Be Proud

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Behaviour Policy

May 2019

Document history: Reviewed by Andrea McCluskey	
Agreed by the governing body on:	May 2019
Review date:	September 2020
Signed:  Chair of Governors	

INTRODUCTION

At Lenham Primary school we are committed to enabling all children to access education successfully. We believe in a family ethos, which established the best learning environment for all children and supports them in achieving their best. This is an “inclusive” process, with the commitment to a high standard of behaviour throughout the school.

We aim to create an atmosphere where children are able to develop a moral awareness and are sensitive to the needs of others and one in which they will show respect and consideration for other people and property.

Adults in the school praise and reward positive attitudes to behaviour and work, maintain fairness and consistency, whilst encouraging self-discipline.

Our aims are to;

- Ensure a safe, caring and happy school
- Promote good citizenship, good self-esteem, self-discipline and emotional intelligence
- Prevent bullying

We recognise that high standards are best promoted when everyone (staff, parents and children) have a shared understanding of what is acceptable and unacceptable behaviour. By promoting good behaviour we can build individual and collective esteem and encourage good personal relationships.

PRINCIPLES OF BEHAVIOUR

- Every child has the right to learn, but no child has the right to disrupt the learning of others.
- Everyone has a right to be listened to, to be valued, to feel and be safe.
- Everyone must be protected from disruption or abuse.
- The main approach is a positive one - rewarding good behaviour and mutual respect.
- A whole school approach to discipline, with a clearly defined code of conduct.
- It is expected that all adults (staff and volunteers) will set excellent examples to the children in all their work.
- We will seek to give every child a sense of personal responsibility for his/her own actions.
- Effective communication systems.
- Where there are significant concerns over a pupil's behaviour we will share the strategies we use with parents; working on an active partnership to promote good behaviour.
- Early support for developing problems.
- Any incident raising concern will be recorded.
- Bad language is considered to be unacceptable behavior.
- We will seek advice and support from appropriate outside agencies when necessary.
- Staff regularly discuss current initiatives as part of Staff Development Meetings.

The following behaviours are considered to be unacceptable:

- Bullying - individual or group; verbal or physical abuse; taunting; mimicking (including Cyberbullying)
- Aggression towards pupils and adults
- Swearing

- Rudeness
- Stealing
- Inappropriate/unwelcome touching

We aim to encourage the children to exercise self-discipline and develop the ability to:

- Control their feelings.
- Take turns and share.
- Learn to interrupt only if, and when, appropriate.
- Listen and respond immediately to the teacher's voice.
- Work independently and co-operatively.
- Work without disturbing others.
- Work consistently, always giving their best.
- Communicate with their peers in order to rectify their own disputes/issues
- Seek adult support, when needed, to resolve disputes/issues

SCHOOL RULES

At Lenham Primary School, we **DO** the following...

We respect each other and our environment.

We take PRIDE in our work and behaviour.

DOs of the playground

Do look after the younger children

Do pick up litter

Do line up quietly after the bell and walk into school calmly

Do stay off the grass unless given permission

Do stay on the playground

Do play safely and treat each other with kindness and consideration

Do let everyone join in

Do use respectable language

Do walk away from trouble and tell an adult

DOs of the classroom

Do be punctual

Do use your manners

Do put your hand up

Do listen to the teacher and one another

Do your best

Do walk in class

Do tidy up

Do remember homework

Do talk quietly

Do bring PE kit in on correct days

Do follow your class rules

DOs of the school areas

Do walk and keep to the footpaths

Do look after school property

Do respect all adults and pupils

Do keep the school tidy

Do hang up coats

Do wear correct uniform

Do make visitors welcome

Do smile and be happy

IMPLEMENTATION

It is recognised that the quality of learning experiences in the classroom will have an impact on behavior, and vice versa. High expectations from staff delivering a curriculum matched to children's varying needs, will help to motivate pupils; promoting self-esteem and confidence.

It is also recognised that external influences on children must be taken into account and related to the expectations of the school. The development of good relationships with parents will assist in the encouragement of support and understanding.

Finally it is important to reward those who behave well. Most children respond well to praise and there is something worthy of praise in all children. However it is important that children accept responsibility for their own actions through class rules and the school's rules.

In all disciplinary actions it is essential the child knows that it is the behavior which is unacceptable, not the child as a person.

THE ROLE OF THE HEADTEACHER

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

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

The Headteacher has access to records of all reported incidents of misbehaviour in the Behaviour File/Sims and class-based Pastoral Files.

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

THE ROLE OF GOVERNORS

Under Section 88 (1) of the Education and Inspections Act 2006 (EIA), governing bodies must ensure that policies designed to promote good behaviour and discipline on the part of its pupils are pursued at the school.

Section 88 (2) of the EIA requires the governing body to:

- Make, and from time to time review, a written statement of general principles to guide the head teacher in determining measures to promote good behaviour and discipline amongst pupils; and
- Notify the head teacher and give him or her, related guidance if the governing body wants the school's Behaviour Policy to include particular measures or address particular issues.

Before making their statement of principles, the governing body must consult (in whatever manner they think appropriate) the head teacher, school staff, parents and pupils.

The governing body must provide clear advice and guidance to the head teacher on which he/she can base the school Behaviour Policy.

It is also the governing body's role to deal with allegations against teachers and school staff quickly, fairly and consistently in a way that protects the pupil and at the same time supports the person subject to the allegation.

THE ROLE OF THE STAFF

It is the responsibility of the class teacher to ensure that the school rules are enforced in their class, and that their class behaves in a responsible manner during lesson time.

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

It is the responsibility of the class teacher to record significant incidents of inappropriate behaviour in the class' Pastoral File (copies may need to also go into the Behaviour File in the headteacher's office). Recording lower level incidents may also be useful to record too, in order to gain further evidence or recognise patterns.

Teachers have statutory authority to discipline pupils whose behaviour is unacceptable, who break the school rules or who fail to follow a reasonable instruction (*Section 91 of the Education and Inspections Act 2006*). All staff 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 for misbehaviour outside school.

Teachers have a specific legal power to impose detention outside school hours, but this will not be imposed at Lenham Primary School.

Teachers can confiscate pupils' property.

At Lenham Primary School we use a hand signal which the children copy to be silent.

Silence



CLASSROOM MANAGEMENT PROCEDURES

To promote good discipline within the classroom staff should aim to:

- Establish defined classroom areas.
- Label resources clearly and make them easily accessible.
- Design classroom layout to facilitate ease of movement.
- Organise and adhere to consistent classroom routines e.g. lining up, sitting correctly.
- Place emphasis on independent learning.
- Avoid queues.
- Be well prepared and organised.
- Allow adequate time for tidying up.
- Make expectations clear to children and parents, when applicable.
- Share responsibilities between all children.
- Avoid shouting, use eye contact, gesture, etc.
- Maintain a quiet, calm atmosphere.
- Encourage children to raise their hands rather than interrupt.
- Send children to collect resources in small groups.
- Be ready in the classroom to greet children before the start of each lesson.
- Involve children in the organisation of systems wherever possible.
- Be positive and use Makaton- good walking

Classes set their own rules, with adults support, at the beginning of the year and are reminded throughout the year what they are and how to adhere to them.

Each class has a Learning Ladder, which promotes good learning behaviours in the classroom. Pupils start each day afresh, in the middle of the ladder. If a child reaches the top of the Learning Ladder, they are rewarded with a PRIDE award. Should a pupil reach the bottom of the Learning Ladder, they are sent to the headteacher, or a Member of SLT.

TEN SIMPLE GUIDELINES FOR POSITIVE BEHAVIOUR MANAGEMENT

- Establish a friendly, positive, supportive relationship with the pupils in your care.
- Make sure, wherever possible, that pupils are doing purposeful activities that they enjoy.
- As soon as it occurs, reward positive behaviour with attention and praise. 'Catch them being good'.
- Where possible, identify when behaviour problems are likely to arise and try to divert to modify the pupils' behaviour before discipline is needed.
- Know the school rules and the reasons for them. Be clear, firm and polite about the behaviour boundaries.
- Know what sanctions you can use, but try to avoid using them – especially if a quiet word or reminder will do.
- Always remain calm when you speak to pupils. This will help you maintain your authority and confidence and keep your relationships with them positive.
- Avoid telling a pupil off in public.
- Avoid the use of sanctions when support strategies will suffice.
- Use the school's monitoring, report and behaviour referral systems so that you support each other in addressing the individual pupil's needs and those of the whole school.

PARENTAL INVOLVEMENT

Staff welcome early contact if parents have a concern about their child's behaviour or fear that they are being upset by others. If parents and school work together we believe that the discipline and behaviour of pupils will be maintained and respected by all.

Parents can help in the following ways:

- By ensuring that pupils arrive punctually for the start of the school day.
- By ensuring that pupils have appropriate dress for school and PE so as to take a full part in all school activities.
- By supporting the school in our policy that all pupils are expected to behave in a responsible manner, both towards themselves and others, showing consideration, courtesy and respect for other people at all times.
- By ensuring regular attendance at school and avoiding unnecessary pupil absence. (see kelsi.org.uk for most up to date information regarding penalty notices etc.)

We value our partnership with parents/carers and encourage involvement in all aspects of school life including discipline and behaviour.

Parents must take responsibility for their child if excluded, and ensure that they are not in a public place without good reason during school hours within the first five school days of any exclusion. If they do not, the school or local authority may issue penalty sanctions.

Parents must also ensure that their child attends the suitable full time education provided by the school governing body or the local authority from the sixth day of exclusion.

Parents are expected to attend a reintegration interview following any fixed period exclusion from primary school and any fixed period exclusion of more than five days from secondary school.

SANCTIONS

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 punishment (including detentions) must satisfy the following three conditions:

- The decision to issue a sanction to a pupil must be made by a paid member of school staff or a member of staff authorised by the head teacher;
- The decision to issue a sanction to 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 deemed to be reasonable. In determining whether a sanction is reasonable, *Section 91* of the *Education and Inspections Act 2006* says the penalty must be proportionate in the circumstances and that 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 head teacher 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 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.

If the behaviour is criminal or poses a serious threat to a member of staff or the public the police should always be informed.

MALICIOUS ALLEGATIONS

Allegations of abuse will be taken seriously, and Lenham Primary School will deal with allegations quickly in a fair and consistent way that provides effective protection for the child and supports the person who is the subject of the allegation. Every effort will be made to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated. Suspension will not be used as an automatic response when an allegation has been reported. (see also: Whistle-Blowing Policy, Complaints Policy etc.)

PUPILS CONDUCT OUTSIDE OF SCHOOL

Teachers have a statutory power to discipline pupils 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 pupils' behaviour in these circumstances 'to such extent as is reasonable'.

Subject to the school's behaviour policy, the teacher may discipline a pupil for:

- **any misbehaviour 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.

DETENTION

Teachers have a legal power to put pupils (aged under 18) into after-school detention, but this will not be imposed at Lenham Primary School.

CONFISCATION OF INAPPROPRIATE ITEMS

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

- The general power to discipline enables a member of staff to confiscate, retain or dispose of a pupil's property as a punishment and protects them from liability for damage to, or loss of, any confiscated items.
- 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 (e.g. mobile phones)

Staff are advised to carry out any searches of this kind in pairs and to proceed with caution.

USE OF REASONABLE FORCE

The legal provisions on school discipline provides 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. Staff have a legal power to use force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action.

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. Force cannot be used to search for items banned under the school rules.

Senior school leaders should support their staff when they use this power.

Please Note: Parental consent is not required to restrain a pupil.

(See Appendix 1 for further details)

REWARDS

We aim to reward positive rather than emphasise negative attitudes to behaviour and work. It is essential that the main focus for rewards and sanctions should be within the classroom, extending to SLT where necessary.

Rewards can be given to individual children, small groups, classes / year groups or houses by any member of staff.

The focus of rewards is mainly the school's values system: P.R.I.D.E. These awards are given by the staff at school assemblies, to pupils who have been reported to have had a significant achievement in the following areas:

P	-	Personal Excellence
R	-	Respect and Resilience
I	-	Inspiration
D	-	Determination & Courage
E	-	Equality and Friendship

Rewards could include the following:

- Written praise e.g. a positive comment on work, report,
- Verbal praise e.g. to the child, parent, another adult in school
- Peer group praise e.g. a clap, name read out in class assembly
- Being moved up the Learning Ladder
- Being nominated for a PRIDE award
- Being given house point tokens
- Placing value on achievements eg. work shown to another class
- Being mentioned in the school's newsletter/website/twitter
- Special responsibilities e.g. being a monitor/house captain
- Child, group or class, singled out as a role model
- Seeing the Headteacher/deputy Headteacher (Headteacher/Deputy Headteacher sticker)
- Stickers

Every class has a learning ladder. All children start everyday on Green. Green is a good place to be, they can go up the learning ladder as a reward for working hard or they can go down, if they are making the wrong choices.



Each class also operates their own system of class rewards, which focuses positive rewards based on supporting each other as a group, in order to perform well.

The school's house system also encourages pupils to work as cross-phase groups in order to succeed as even larger groups.

REVIEW OF PROCESS / STAGES OF INTERVENTION

The school's discipline procedures can be summarised into five stages. These stages of intervention should be logged and dated in the Pastoral File / Behaviour Log

Stage 1

The class teacher supports the child and encourages them to develop strategies which will assist them to resolve their own difficulties.

If there is no improvement assistance should be sought from another adult in school

If there is no improvement the child should be informed that parental contact will be made by the class teacher and the reasons should be made clear.

Stage 2

Joint intervention by the class teacher and parents. The child should be included in discussions as appropriate.

If there is no improvement the class teacher should inform the parents.

Stage 3

Discussions between teachers, SENCo and parents, involving the child as appropriate, to try and resolve the problem.

The Headteacher may become involved if a resolution cannot be reached. A support plan may be written, if appropriate.

Stage 4

Discussions between the Headteacher and parents involving the child as appropriate. The class teacher, SENCo or Deputy Headteacher to be included as necessary. Involvement of appropriate external agencies may be considered. A contract may be agreed between school, parents and child. If there is no improvement the Headteacher should inform the parents of any further action which is likely to be taken, stating the reasons why.

Stage 5

The Headteacher refers the matter to the Governing Body giving account of the action taken by school to date, supported by logged information.

SANCTIONS

The following can be imposed by the Class Teacher:

- Reasoned explanation of why the behaviour is unacceptable, followed by an appropriate sanction e.g. a verbal or written apology, repetition of an unsatisfactory task.
- Withdrawal of privilege relative to misbehavior
- Missing a morning, lunchtime or afternoon break
- Parents informed and involved in the behaviour management process
- Page completed for Behaviour Log / Pastoral File
- Time out – within the classroom; supervised, outside of the classroom
- Child be moved places in the classroom
- Child to assist in rectifying the problem they have caused
- A verbal reprimand appropriate to the child and misbehaviour e.g. within the group, individually
- Developmental written comment on work
- Work to be completed in the child's own time or at home.
- Child sent to another appropriate adult to explain their misbehaviour.
- Referral to SLT / Headteacher
- Behaviour chart

The Headteacher can impose further sanctions:

- Ask parents to escort children to and from the premises before and after school, on safety grounds
- Fixed exclusion
- Permanent exclusion
- Exclusion

Prior to the exclusion of a child these steps must be taken:

- Full consultation with parents well before the stage of considering exclusion is reached unless in response to a serious incident

- Full consultation with all relevant staff about the child's problems
- Involvement of the child where appropriate including reasons for action taken
- Discussion with outside agencies
- An opportunity for parents to present their case
- Pastoral support plan written

PUPILS WITH BEHAVIOURAL DIFFICULTIES

There are a number of behaviours which may signal the need for special provision. Most obviously these include bullying, disruptive behaviour and poor temper management. Less obviously, these include poor motivation, poor organisational skills and poor concentration.

The most important cause of behavioural difficulties in children is their limited self-esteem. Children often have life experiences which make them feel that they are not loved, cared for, valued or seen as special by others. This can inform their behaviour patterns, which may have a negative influence on the way people react to them, which ultimately reinforces their low self-esteem. A vicious circle is established, which many pupils lack the insight or the power to break.

Pupils with low self-esteem may display their insecurities by...

- Becoming either boastful or over self-critical
- Becoming aggressive or withdrawn
- Looking for ways to avoid new academic or social challenges
- Finding it hard to relate appropriately to others and appearing uncomfortable in unfamiliar company or situations
- Experience difficulties in making friends

Behavioural difficulties in school may sometimes need to be dealt with by the use of sanctions. In the short term, sanctions can stop inappropriate behaviour. However, they must be used sensitively, and the emphasis should be on supporting and rewarding pupils instead.

Pupils with low self-esteem can be very demanding and many of their behaviours can alienate those who are trying hardest to support them. However, the need to adopt positive behaviour management strategies is central to helping them acquire more appropriate patterns of behaviour.

Concentrating on pupils' failings is likely to damage their self-esteem and have a negative effect on their development. Reinforcing good behaviour or celebrating achievements by giving pupils your time, approval and attention is likely to have a positive influence on their global development within and beyond their school years.

BEHAVIOUR MODIFICATION

This process can be used with individual groups of children, classes or year groups as appropriate. All members of staff involved with the target group should work corporately and consistently.

Intervention Techniques

The following intervention techniques can be used in the development of individual programmes for specific children with behaviour problems after consultation with SLT and SENCo.

Ignoring i.e. where practical and safe to do so, ignore inappropriate behaviour, praise appropriate behaviour (role models).

Positive Questioning e.g. “What are you doing?”, “What should you be doing?”, “Good, you know what to do so can you do it.”

Positive Choices “If you do this, then this will happen (positive outcome)” “If you choose to do this, then this will happen (negative outcome)” “Now you choose what you are going to do.”

Behaviour Log File in headteacher’s office in which individual problems are recorded.

Assertive discipline

Compliance Training i.e. provide practice in following instructions in settings where praise can be given. Use of games - Follow My Leader, Simon Says, etc.

Code of Conduct/Rules i.e. positively phrased - incompatible with undesirable behaviour. Take the rule and provide examples. Use praise for positive actions.

Modelling i.e. indicate role models displaying appropriate behaviour. Adults to be good role models.

Distraction i.e. if a difficult situation is likely to develop distracting the child's attention, e.g. give a specific task, send a message, etc.

Time Out .i.e. pupils given ‘time out’ – an opportunity to work under supervision but away from the classroom situation or a period of reflection, standing alone on the playground during playtime within sight of the teacher or supervisor.

Reward Chart- children earn rewards when achieving personal targets.

Lunch time clubs/interventions

Workstation

Fiddle toy

EXCLUSION

Lenham Primary School follows KCC guidance on Exclusions.

KCC provides a guidance to outline exclusion procedures for school staff and any governors who may serve as members of the meeting to consider exclusions. The LA has also indicated details of its role and recommendations for good practice. The document is based on the DfE’s guidance and can be obtained via the DfE website while taking into account local circumstances.

<https://www.kelsi.org.uk/pru-inclusion-and-attendance-service-pias/exclusion-and-reintegration/guidance-on-exclusion>
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/641418/20170831_Exclusion_Stat_guidance_Web_version.pdf

REVIEW AND MONITORING

This policy overlaps with other policies and should be reviewed in conjunction with those policies, in accordance with the schools review cycle.

The policy will be monitored annually (September), in order to clarify procedures to staff for the year ahead and reviewed fully after 3 years.

May 2019

The Behaviour and Discipline policy operates in conjunction with many of the school's policies, including;

- Anti-bullying policy,
- Special Educational Needs (SEN),
- Attendance Policy,
- Safeguarding and Child Protection Policy
- Teaching and Learning Policy
- Staff Code of Conduct

APPENDIX 1

REASONABLE FORCE

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.

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.

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

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. **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.

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?

All members of school staff have a legal power to use reasonable force. 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?

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

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. The following should also be considered:

- the pupil's behaviour and level of risk presented at the time of the incident;
- the degree of force used;
- the effect on the pupil or member of staff;
- the child's age.

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.

Staff training

The head teacher should consider whether members of staff require any additional training to enable them to carry out their responsibilities and should consider the needs of the pupils when doing so.

Informing parents

If the use of force has been applied to a child then a record will be made and the parents/guardians will be informed.

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' [DFE-00061-2011]* 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, to provide support. 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.

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.