

**Ashleigh Primary School and Nursery, Wymondham**

*“We are all stars: Ashleigh makes us shine”*



## **BEHAVIOUR MANAGEMENT and POSITIVE HANDLING POLICY**

**Persons Responsible – Headteacher and Governor for Safeguarding**

**Date of Policy: February 2019**

**Next Review Due: February 2021**

**Adopted by Full Governing Body**

**Signed .....**

**Date .....**

**Chair of Governors**

**Due consideration has been given to all children/adults/stakeholders with regard to the protected characteristics under the Equality Act 2010.**

**BEHAVIOUR MANAGEMENT and POSITIVE HANDLING POLICY**

In all areas of school policy, it is necessary for parents, teachers and governors to work together to enable pupils to develop as fully as possible. Children need to develop socially, academically, and personally. We believe that children develop positive behaviours when they experience

- clear and high expectations
- good role models in both children and adults
- clear and consistent boundaries

At Ashleigh we understand that for the behaviour and safety of pupils at the school to be outstanding we aim to ensure that:

- Pupils' attitudes to learning are exemplary
- Parents, staff and pupils are positive about behaviour and safety
- Pupils' behaviour outside lessons is almost always impeccable. Pupils' pride in the school is shown by their excellent conduct, manners and punctuality
- Pupils are aware of different forms of bullying, including cyber bullying and prejudice-based bullying, and actively try to prevent it from occurring. Bullying in all its forms is rare and dealt with highly effectively
- Skilled and consistent behaviour management by all staff makes a strong contribution to an exceptionally positive climate for learning. There are excellent improvements in behaviour over time for individuals or groups with particular behaviour needs
- All groups of pupils feel safe at school at all times. They understand very clearly what constitutes unsafe situations and are highly aware of how to keep themselves and others safe, including in relation to e-safety.

At Ashleigh we build on the positive patterns of behaviour the pupils have already learnt and we talk to the children about what it is to be an Ashleigh child

An Ashleigh child

- shows respect and gains respect from others
- is kind and caring to others
- considers and celebrates difference
- takes care of other people's property
- listens to others
- tries their best
- is proud to belong to the school community

Our philosophy at Ashleigh is that:

*"Teachers have a right to teach and children have a right to learn in a classroom that is free from disruptive behaviour."*

Quotation: The Empowered Teacher - Positive behaviour management through discipline training – Norfolk Advisory Service

We ensure a whole school consistent approach through

- established, agreed and understood codes of behaviour
- established rewards
- established sanctions
- children's understanding that they are responsible for their own behaviour

We will encourage positive behaviour through

Whole school strategies:

- PATHS and SEAL curriculum
- Achievement assemblies - where individual children celebrate their successes

- Good News Book - where children share good news with the Head Teacher and in assembly
- Positive reinforcement of good behaviour
- Working closely with parents. Class teachers will share any concerns with parents to encourage consistency of approach, agreed understanding and support for the child. Systems for regular communication may be put in place, which will also involve the child.
- In case of dispute between pupils all pupils involved will be supported and encouraged to find solutions and reach resolution through negotiation and compromise. This is supported by the PATHS curriculum.

#### Class, group and individual strategies

- verbal praise
- annotated stickers referring to specific achievement
- head teacher stickers
- EYFS 'tidy up teams'
- allocation of responsible tasks
- 'marbles' in the jar: this is a class reward. Once the jar is full the class have a chosen treat.
- Behaviour Plans and IEPs
- Individual star charts
- Time out to regroup thoughts and return when able to 'conform'.
- Verbal disapproval/disappointment expressed in a calm manner, reinforced through the expectations of an 'Ashleigh child'. The behaviour is discussed. The child is not labelled
- Discussions with all children concerned, facilitated by an adult, to find solutions through negotiation and compromise.

#### Sanctions

Stage 1: General disturbance: look - proximity, periphery praise,

Stage 2: Polite reminder: 'listen, thank you', reinforce: give choice,

Stage 3: Move child to an alternative part of the classroom

Stage 4: Move a child to a thinking corner in their own classroom (Reflection time)

Stage 5: Move a child to a neighbouring classroom – thinking corner (Reflection time) *Recorded in class behaviour file. Parent informed by class teacher.*

Stage 6: Sent to Headteacher. *Recorded in class behaviour file*

Appendix D shows how these sanctions and rewards are shared in the classroom.

Some children, where appropriate, will have individual behaviour plans. These will be shared with parents and all staff working with the child.

#### Consequences

In line with the Norfolk Steps approach we will ensure that there are suitable learning consequences if a child reaches Stage 4 or earlier if deemed necessary by staff. These will be based upon restorative principles and 'learning' consequences.

#### Reporting

All incidents of bullying or racist or sexual discrimination must be reported to the headteacher immediately, and appropriate forms completed. Forms are available from the finance office. Relevant parents/carers will be informed of any such incidents.

### **Appendix A**

#### **Screening, Searching and Confiscation**

At Ashleigh staff may confiscate items from pupils if they are deemed to be a danger or distraction to themselves or others.

This policy should be read in conjunction with the Screening, Searching and Confiscation advice for Teachers, Staff and Governing Bodies.

This is non-statutory advice from the Department for Education. It is intended to explain schools' powers of screening and searching pupils so that school staff have the confidence to use them. In particular it explains the use of the power to search pupils without consent. It also explains the powers schools have to seize and then confiscate items found during a search.

**Appendix B**  
**Use of reasonable force**

Significant school staff have up to date Norfolk Steps training. These staff are available to be called upon in the event of an emergency should it be appropriate in the given circumstances. A list of trained staff is in the Induction Pack and displayed on the staff notice board.

Please see Appendix E: The Government Guidelines on the Use of Reasonable Force

**Appendix C:**  
**Agreed Script**

To de-escalate situations and to provide clarity and consistency for children staff will try to follow 'behaviour scripts' where appropriate. These are:

'Kind words, thank you.'

'Kind hands, thank you.'

'Walking, thank you.'

'Deep breaths and tell me the problem.'

'We will talk about this later and there will be a consequence.'

'Talk and I'll listen'

**APPENDIX D:**  
**Behaviour Ladder**

	<b>Gold</b>	You have shown over a long period of time that you make the right choices, set an example to others and make the classroom a great place for you, your classmates and the adults who work there. Your teacher is so impressed that they want you to go and see Mr Nixon so he knows how well you have done.
	<b>Silver</b>	You are setting a great example to the rest of your class through your excellent behaviour. Your teacher will give you extra praise because you are showing everyone the 'Ashleigh way'.
	<b>Green</b>	You are following all the class rules and helping yourself learn. Your teacher will have noticed how sensible you are being.
	<b>Yellow</b>	The teacher has had to remind you for a second or third time about the choices you are making. You have been moved and there will be a consequence which may mean missing some of your free time to complete the work you have missed or to talk with an adult about the choices you have made. You may need to sit in the thinking area in your class to help you think about the right choices.
	<b>Red</b>	You have continued to make the wrong choices. You need to go to another class to think about your choices. Your parents will be told. If you continue to make the wrong choice Mr Nixon will be called.

**APPENDIX E**

# Use of Reasonable Force

## Advice for headteachers, staff and governing bodies

July 2013

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/444051/Use\\_of\\_reasonable\\_force\\_advice\\_Reviewed\\_July\\_2015.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/444051/Use_of_reasonable_force_advice_Reviewed_July_2015.pdf)

### Summary

#### About this departmental advice

This is non-statutory advice from the Department for Education. It is intended to provide clarification on the use of force to help school staff feel more confident about using this power when they feel it is necessary and to make clear the responsibilities of headteachers and governing bodies in respect of this power.

#### Expiry or review date

This advice will be kept under review and updated as necessary.

#### Who is this advice for?

School leaders and school staff in all schools (1) in England.

#### Key points

- School staff have a power to use force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action.
- Suspension should not be an automatic response when a member of staff has been accused of using excessive force.
- Senior school leaders should support their staff when they use this power.

#### What is reasonable force?

1. The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.
2. Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or

(1) "All schools" include Academies, Free Schools, independent schools and all types of maintained schools where a student needs to be restrained to prevent violence or injury.

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

4. As mentioned above, schools generally use force to control pupils and to restrain them.

Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.

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

6. School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.

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

- All members of school staff have a legal power to use reasonable force (2)
- 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.

### **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.
- In a school, force is used for two main purposes – to control pupils or to restrain them.
- 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 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

(2) Section 93, Education and Inspections Act 2006

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.

### **Power to search pupils without consent**

In addition to the general power to use reasonable force described above, headteachers and authorised staff can use such force as is reasonable given the circumstances to conduct a search for the following “prohibited items”(3):

- 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.

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

Separate guidance is available on the power to search without consent – see the ‘Further sources of information’ section for a link to this document.

### **Communicating the school’s approach to the use of force**

- Every school is required to have a behaviour policy and to make this policy known to staff, parents and pupils. The governing body should notify the headteacher that it expects the school behaviour policy to include the power to use reasonable force.
- There is no requirement to have a policy on the use of force but it is good practice to set out, in the behaviour policy, the circumstances in which force might be used. For example, it could say that teachers will physically separate pupils found fighting or that if a pupil refuses to leave a room when instructed to do so, they will be physically removed.
- Any policy on the use of reasonable force should acknowledge their legal duty to make reasonable adjustments for disabled children and children with special educational needs (SEN).

*(3)Section 550ZB(5) of the Education Act 1996*

- Schools do not require parental consent to use force on a student.
- Schools should **not** have a 'no contact' policy. There is a real risk that such a policy might place a member of staff in breach of their duty of care towards a pupil, or prevent them taking action needed to prevent a pupil causing harm.
- By taking steps to ensure that staff, pupils and parents are clear about when force might be used, the school will reduce the likelihood of complaints being made when force has been used properly.

### **Using force**

- A panel of experts<sup>(4)</sup> 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;
  - the 'nose distraction technique' which involves a sharp upward jab under the nose.

### **Staff training**

- Schools need to take their own decisions about staff training. The headteacher should consider whether members of staff require any additional training to enable them to carry out their responsibilities and should consider the needs of pupils when doing so.
- Some local authorities provide advice and guidance to help schools to develop an appropriate training programme.

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

- It is good practice for schools to speak to parents about serious incidents involving the use of force and to consider how best to record such serious incidents. It is up to schools to decide whether it is appropriate to report the use of force to parents<sup>(5)</sup>
- In deciding what is a serious incident, teachers should use their professional judgement and consider the:
  - pupil's behaviour and level of risk presented at the time of the incident;
  - degree of force used;
  - effect on the pupil or member of staff; and
  - the child's age.

*(4) Physical Control in Care Medical Panel - 2008*

*(5) References to parent or parents are to fathers as well as mothers, unless otherwise stated.*

### **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 (see the ‘Further sources of information’ section below) where an allegation of using excessive force is made against a teacher. This guidance makes clear that a person must not be suspended automatically, or without careful thought.
- Schools must consider carefully whether the circumstances of the case warrant a person being suspended until the allegation is resolved or whether alternative arrangements are more appropriate.
- If a decision is taken to suspend a teacher, the school should ensure that the teacher has access to a named contact who can provide support.
- Governing bodies should always consider whether a teacher has acted within the law when reaching a decision on whether or not to take disciplinary action against the teacher.
- As employers, schools and local authorities have a duty of care towards their employees. It is important that schools provide appropriate pastoral care to any member of staff who is subject to a formal allegation following a use of force incident.

### **What about other physical contact with pupils?**

- It is not illegal to touch a pupil. There are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary.
- Examples of where touching a pupil might be proper or necessary:
  - Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school;
  - When comforting a distressed pupil;
  - When a pupil is being congratulated or praised;
  - To demonstrate how to use a musical instrument;
  - To demonstrate exercises or techniques during PE lessons or sports coaching; and
  - To give first aid.

## **Frequently Asked Questions**

**Q: I'm worried that if I use force a pupil or parent could make a complaint against me. Am I protected?**

**A:** Yes, if you have acted lawfully. If the force used is reasonable all staff will have a robust defence against any accusations

**Q: How do I know whether using a physical intervention is 'reasonable'?**

**A:** The decision on whether to physically intervene is down to the professional judgement of the teacher concerned. Whether the force used is reasonable will always depend on the particular circumstances of the case. The use of force is reasonable if it is proportionate to the consequences it is intended to prevent. This means the degree of force used should be no more than is needed to achieve the desired result. School staff should expect the full backing of their senior leadership team when they have used force.

**Q: What about school trips?**

**A:** The power may be used where the member of staff is lawfully in charge of the pupils, and this includes while on school trips.

**Q: Can force be used on pupils with SEN or disabilities?**

**A:** Yes, but the judgement on whether to use force should not only depend on the circumstances of the case but also on information and understanding of the needs of the pupil concerned.

**Q: I'm a female teacher with a Year 10 class - there's no way I'd want to restrain or try to control my pupils. Am I expected to do so?**

**A:** There is a power, not a duty, to use force so members of staff have discretion whether or not to use it. However, teachers and other school staff have a duty of care towards their pupils and it might be argued that failing to take action (including a failure to use reasonable force) may in some circumstances breach that duty.

**Q: Are there any circumstances in which a teacher can use physical force to punish a pupil?**

**A:** No. It is always unlawful to use force as a punishment. This is because it would fall within the definition of corporal punishment, which is illegal.

## **Further sources of information**

**Other departmental advice and guidance you may be interested in:**

- [Guidance on the Use of Restrictive Physical Interventions for Staff Working with Children and Adults who display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders \(2002\)](#)
- [Guidance on the Use of Restrictive Physical Interventions for Pupils with Severe Behavioural Difficulties \(2003\)](#)
- [Screening, searching and confiscation – advice for headteachers, staff and governing bodies.](#)
- [Dealing with allegations of abuse against teachers and other staff – guidance for local authorities, headteachers, school staff, governing bodies and proprietors of independent schools](#)

Associated resources (external links)

- [Police and Criminal Evidence Act 1984 \(PACE\) Code G: Revised Code of Practice for the Statutory Power of Arrest by Police Officers](#)

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