

## Targeted Education Support Service (TESS)

### Sample - Behaviour and Discipline Policy

#### Behaviour and Discipline in Schools

[please read this document in conjunction]

NB. For the purpose of this document, statutory legislation has been termed, '**must**'.

Every maintained school and non-maintained special school in England must have a Behaviour and Discipline policy which must be published on the school website. Whilst Academies are not required by law to publish on their website, it is good practice to do so.

Having consulted widely with the whole school community, the governing body outlines the overarching values to which the school subscribes. The governing body draws up a statement of general principles on behaviour and discipline.

Having taken account of the governing body's statement of behaviour principles, the headteacher will develop a whole school behaviour and discipline policy.

The behaviour policy **must** include measures to prevent all forms of bullying unless this is detailed in a separate anti-bullying policy, in which case a reference to that policy is sufficient.

#### **Developing the behaviour and discipline policy**

School behaviour policies should aim to establish a positive school ethos and promote effective learning by establishing:

- A consistent whole school approach to behaviour management.
- Strong school leadership.
- Effective classroom management.
- Rules, rewards and sanctions.
- Behaviour strategies and the teaching of good behaviour through explicit expectations **and example**.
- Staff development and support.
- Pupil support systems.
- Strong liaison with parents.
- Effective liaison with other agencies.
- Management of pupil transition.
- Organisation and facilities.

Consider DfE guidance alongside this document. It has been written to provide an outline of what might be included in your policy- please adapt it to the individual needs of your school.

The school's behaviour policy should set out the disciplinary action that will be taken against pupils who are found to have made malicious accusations against school staff.

The behaviour policy should acknowledge the school's legal duties under the Equality Act 2010, in respect of safeguarding and in respect of pupils with special educational needs (SEN). [Keeping Children Safe in Education 2019. New guidance effective from 1<sup>st</sup> September 2020].

## **A whole school behaviour and discipline policy should include the following:**

### **Rationale / Purpose of the Policy ...**

#### **What the law says:**

The Head Teacher **must** set out measures in the behaviour and discipline policy which aim to:

- Promote good behaviour, self-discipline and respect
- Prevent bullying
- Ensure pupils complete assigned work
- Regulate the conduct of pupils

### **Ethos of the school**

A mission statement - a general statement outlining for example, the philosophy, values, principles of the school.

### **Principles underlying the behaviour policy**

Examples of how these principles relate to the overall aims of your school:

- That every member of the school community feels valued and respected
- To promote an environment where everyone feels happy, safe and secure
- That every member of the school community will be treated fairly and in a consistent way
- Always considering what the law says

The principles are not primarily concerned with rule enforcement but rather a means of promoting good relationships, so that people can work together with the common purpose of helping everyone to achieve.

The policy is designed to promote good behaviour whilst developing an ethos of kindness and co-operation, rather than merely deterring anti-social behaviour. [Include the incentives and rewards that you use; the ways in which you acknowledge good behaviour

and publicise it across the school; how pupils know what is meant by good behaviour; how it is modelled amongst staff].

Reference any behaviour charter you have drawn up, how you have decided upon it and how it is shared amongst the school community.

### **The rights and responsibilities of all members of the school community**

- School staff
- Pupils
- Parents/carers
- [See appendix 1]

**Explanation of how positive behaviour is taught, practised and modelled through the curriculum and across all subjects, for example:**

- PSHE / RSE
- RE
- Emotionally Friendly Schools
- SEAL
- R time
- Circle Time
- Nurture Group
- School Council
- Playtime Pals
- Behaviour Champions

### **Rules, Rewards and Sanctions**

- Clarify your school's systems with roles and responsibilities
- Differentiate according to need with consideration for chronological / developmental stage and any SEND
- Keep it simple
- 3-5 clear, observable rules about behaviour should be agreed, known and used at all times
- Rewards should out-number sanctions
- Establish a clear hierarchy for graduated sanctions which appropriately reflects the behaviour observed
- Decide how they are publicised throughout the school community

**Outline outside agency support which is available for parents/carers in developing their child's social, emotional and behavioural skills, and through your graduated approach to SEND for those pupils whose Social, Emotional and Mental Health needs present a barrier to achievement**

Examples:

- Targeted Education Support Service
- Educational Psychology Service
- Start Well
- Embrace
- Other additional Targeted Services

**Outline the support you offer through your graduated approach to SEND, for those pupils whose Social, Emotional and Mental Health needs present a barrier to achievement**

- Quality First Teaching
- Small group support
- 1:1 intervention
- Support from outside agencies [see above]
- All support should be recorded in a plan e.g. an Individual Education / Behaviour Plan (IEP / IBP), Pastoral Support Programme (PSP) and/or an Early Help Form (EHF), Positive Behaviour Support Plan (PBSP)
- Following support, it may be necessary to consider other approaches e.g. an Education, Health and Care Plan (EHCP), attendance at a short stay placement away from the main school site, exclusion (fixed and permanent)

### **Supporting pupil transition and changes**

This could include movement around the school, changes in staffing, moving year groups at the end of the school year, moving key stages and/or moving to another school.

### **Equal opportunities**

Detail how you monitor and analyse records to identify trends. Show how pupils with special needs, such as ADHD or Autism, are included and their needs met. [Keeping Children Safe in Education 2019. New guidance effective from 1<sup>st</sup> September 2020]

[Keeping Children Safe in Education](#)

### **Staff training**

Summarise any recent relevant training.

Consider DfE guidance alongside this document. It has been written to provide an outline of what might be included in your policy- please adapt it to the individual needs of your school.

## **School's power to discipline beyond the school gate.**

School's expectations for positive behaviour off school site including use of media.

The school's behaviour policy should set out what the school will do in response to all non-criminal anti-social behaviour which occurs anywhere beyond the school premises and which is witnessed by a staff member or reported to the school, including the sanctions that will be applied.

Possible objectives might include:

- To maintain appropriate behaviour on transport, educational visits, work experience
- To ensure behaviour which does not compromise the health and safety of everyone
- To provide reassurance to the public about school's care and control pupils and thus protect the reputation of the school

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.

Refer to current DfE guidelines or quote directly from them.

## **Detention**

Detention **must** be mentioned in your Behaviour Policy. State your procedure regarding detention including withdrawal of playtime and lunchtime privileges. [Detention is illegal unless mentioned in your Behaviour Policy]

Any pupil under 18 can be put in detention – assuming this is part of your school's behaviour policy and relevant parties have had sight of it.

Schools can decide what notice to give and how to inform parents / carers.

Home can inform you if the detention will cause the family a particular problem but cannot over-rule your decision.

Refer to current DfE guidelines or quote directly from them.

## Confiscation of inappropriate items

Refer to most current DfE guidelines for this section and follow their detailed advice. It is important to clearly set out what you are legally entitled to do in your behaviour policy.

## Power to use reasonable force - Positive Handling, Physical Intervention

### Use of Reasonable Force in Schools

Example

- All members of staff are regularly updated regarding government guidance on the use of Reasonable Force.
- Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.
- The actions of staff will always be in the best interest of the child and are in line with government guidelines on the Use of Reasonable Force. Under no circumstances will physical force or restraint be used as a form of punishment.
- 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 as to whether it is necessary, reasonable and proportionate to the level of risk.
- If there is foreseeable risk, then a risk assessment **must** be undertaken and a plan created to reduce the level of risk – this could be a Positive Handling Plan (PHP) or a Positive Behaviour Support Plan (PBSP)

Refer to current DfE guidelines or quote directly from them.

## Exclusion

All exclusions **must** be recorded, reported and monitored within the Governing Body.

You may wish to include in detail your school's procedure for exclusion; alternatively, you may wish to quote directly from the most current guidelines.

There is no longer a legal requirement for a reintegration interview for pupils returning from fixed-period exclusion however, the guidance does state that schools should have a strategy for reintegrating pupils following an exclusion, and for managing their future behaviour.

## Isolation Rooms

What is the difference between a seclusion room and an isolation room?

Isolation suggests someone is in an area away from other people and is on their own; seclusion would mean they are isolated and also confined to that area against their will.

## Definitions of terms

### Seclusion

Forced to spend time alone against will  
(requires statutory powers other than in an emergency)

### Time out

Restricting positive reinforcement as part of a planned behavioural programme  
(requires written agreed plan)

### Withdrawal

Removed from the situation but observed and supported until they are ready to resume

Any child, adult or young person who is placed in isolation should be under constant observation by an appropriately qualified person and there should be a clearly defined system in place to summon assistance informed by an up to date risk assessment.

Outside of an emergency where staff need to exercise duty of care to prevent significant harm, seclusion is not acceptable and is likely to be a breach of Human Rights and criminal law, i.e. false imprisonment

### Seclusion

- Any emergency use of seclusion should trigger a review
- Any Deprivation of Liberty needs legal authorisation (outside of legal detainment)
- Seclusion is not therapeutic and is likely to cause psychological harm

### Isolation

- Schools should issue clear guidance to staff on the use of isolation and punitive responses to children with special needs and review blanket policies.

### Time Out

- Time out is a psychological intervention used as a punishment based behavioural system. Staff should be clear about the difference between time out and the use of time away as a proactive strategy.

## Time Away - Example 1:1 intervention

Time away is not a punishment but it should be a carefully planned explicit intervention. Consider the purpose and name the intervention based on what you hope to achieve e.g. Time In, Time Away, Reflection Time, Calming Time, Thinking Time, Time to think, Time to reflect!

(“The use of seclusion, isolation and time out” CAPBS 2015)

If as a school you use such isolation rooms, it **must** be made clear in your behaviour policy. See DfE guidance “Behaviour and Discipline in Schools” (Currently, January 2016)

- Schools can adopt a supportive approach which allows pupils displaying SEMH needs to access a space away from other pupils for a time limited period. If the child is unable to access the provided space as required, it may be necessary to ask the other children to vacate the original space.
- Schools must detail all arrangements clearly as part of their Behaviour Policy.
- Schools must act lawfully, reasonably and proportionately in all cases. Any separate room or area should only be used when it is in the best interests of all pupils.
- The school must also ensure the health and safety of pupils and staff, and any requirements in relation to safeguarding and pupil / staff welfare.
- The pupil will remain the responsibility and in the care of at least one member of staff within the designated space (as agreed in the individual pupil’s plan)
- Schools should ensure that pupils are withdrawn for no longer than is necessary and that their time spent away from the classroom is used as constructively as possible.
- Schools must allow pupils time to eat and use the toilet.
- All use of the designated space should be recorded as an intrinsic part of the graduated approach – assess, plan, do, review process  
(See “The use of seclusion, isolation and time out” CAPBS 2015)

## Dealing with allegations of abuse against teachers and other staff

### Key points

- Whilst all allegations of abuse **must** be taken seriously, the quick resolution of that allegation should be /will be a clear priority to the benefit of all concerned
- In response to an allegation, staff suspension should not /will not be the default option. An individual should /will only be suspended if there is no reasonable alternative
- Allegations that are found to have been malicious should /will be removed from personnel records and any that are not substantiated, are unfounded or malicious should /will not be referred to in employer references



- Pupils that are found to have made malicious allegations are likely to have breached the school Behaviour Policy. The school should /will therefore 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)

The school's behaviour policy should make clear the procedures in place for dealing with malicious allegations against teachers and staff. The procedures should make it clear that all allegations should be reported straight away, normally to the head teacher. The procedures should also identify the person, often the chair of governors, to whom reports should be made in the absence of the head teacher, or in cases where the head teacher is the subject of the allegation or concern. Procedures should also include contact details for the local authority designated officer (LADO) responsible for providing advice and monitoring cases.

The behaviour policy should also set out the disciplinary action that will be taken against pupils who are found to have made malicious accusations against school staff.

### **Home / School**

Include: at what point parents are involved, what their role is expected to be, who meets with them and how they are informed of their roles and responsibilities through newsletters etc.

Although no longer statutory, head teachers may ask parents to sign a Home School Agreement when their child joins the school. By signing the Home School Agreement parents will be indicating their agreement with the school Behaviour and Discipline Policy.

### **State how the school community is involved in developing and reviewing the policy**

The governing body is legally required to consult staff, parents and pupils on the school Behaviour Policy. This should be done every time the policy is updated.

A brief explanation will suffice. Consider including pupils own work and direct quotes from parents/carers as evidence.

**Reference all other relevant school policies including:** Anti-bullying, PREVENT, Child Protection, Attendance, Mental Health and Behaviour, Safeguarding, SEND, Inclusion, Access Arrangements, Parental Involvement, Equality and Teaching and Learning.

## Monitoring and Review

Example:

The Head Teacher monitors the effectiveness of this policy on a regular basis. S/he also reports to the governing body on the effectiveness of the policy and, if necessary, makes recommendations for further improvements.

Include here how the policy will be monitored to ensure that it is effective, e.g. through using assessment tools, exclusion and attendance data, data about the use of interventions, other records that are kept of serious incidents or detentions. It might also include consultation within the school and local community about perceptions of behaviour.

The governing body **must** review this policy every year. The governors may, however, review the policy earlier than this if the government introduces new regulations, or if the governing body receives recommendations on how the policy might be improved.

**Signed:** \_\_\_\_\_ Head Teacher      Date: \_\_\_\_\_

**Signed:** \_\_\_\_\_ Chair of Governors      Date: \_\_\_\_\_