

St Joseph's Catholic Primary School, Worcester

'Following Jesus in all we do'



Behaviour and Discipline Policy

2020-2021

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INTRODUCTION

The Behaviour and Discipline policy operates in conjunction with the following policies:

- COVID-19 Addendum Policy
- Anti-bullying policy
- Exclusion Policy/[Isolation Policy](#)
- Special Educational Needs (SEN)
- Equal Opportunities policy
- Attendance Policy
- Safeguarding and Child protection policy and
- Disability Discrimination Scheme.
- RE and Love and Relationship Policy

Our aim:

At St Joseph's Catholic Primary school we are committed to enabling all children to access education successfully. This is an "inclusive" process; part of this commitment is concerned with establishing a high standard of behaviour throughout the school. The way in which pupils and adults behave has a profound effect on all the work that is undertaken. Therefore a well thought out approach to this aspect contributes directly to both the social and learning aspects of our school.

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.

To praise and reward positive attitudes to behaviour and work and to maintain fairness and consistency, whilst encouraging self-discipline.

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.

We aim to emphasise the following positive qualities through our Catholic Values, which are lived out in all areas of school life

Grateful & Generous

Attentive & Discerning

Compassionate & Loving

Faith Filled & Hopeful

Eloquent & Truthful

Learned & wise

Curious & Active

Intention & Prophetic

The following behaviour is considered to be unacceptable:

- Bullying - individual or group; verbal or physical abuse; taunting; mimicking (including Cyber bullying)
- Aggression towards pupils and adults
- Swearing
- Rudeness
- Stealing
- Aggression/anger causing damage to school property.

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 trying hard and giving their best.

Staff will aim to promote positive self-esteem by:

- **WORK MATCHED TO NEEDS / PROMOTING SELF ESTEEM.**
- Providing opportunities for children to work at their own level in order to achieve success.
- Helping children gain confidence in their own ability.
- Motivating children to improve their performance.
- Encouraging children to take pride in their achievements, sharing their ideas and skills with others.

The Governing Body has a duty under S175 Education Act 2002 that requires them to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children.

St Joseph's Catholic School's Principles of Behaviour

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

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 a clearly defined code of conduct understood by all.

IN ALL DISCIPLINARY ACTIONS IT IS ESSENTIAL THE CHILD KNOWS THAT IT IS THE BEHAVIOUR WHICH IS UNACCEPTABLE, NOT THE CHILD AS A PERSON.

The principles of behaviour are:

- 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 fundamental approach is a positive one, drawing attention to, rewarding good behaviour and mutual respect
- Whole school approach to discipline with a clearly defined code of conduct. For pupils, staff, governors and parents.
- 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 to ensure a consistent, fair approach is maintained.
- Where there are significant concerns over a pupil's behaviour we will share the strategies we use with parents; working in an active partnership to promote good behaviour.
- Early support for developing problems are recorded and acted upon
- Strategies may be recorded in an Behavioural incident log, Behavioural Provision Plan or where there is a high level of concern, a Pastoral Support Plan.

- We will seek advice and support is sought from appropriate outside agencies as is necessary.
- As the staff of the school we will constantly seek to inform ourselves of good practice and strategies to further improve behaviour and attitudes.
- Opportunities for responsibility and recognition for non- academic achievement are a key part of our practice.

Roles on Responsibilities'

The Role of the Headteacher

It is the role of the Headteacher, under the School Standards and Framework Act 1998, to implement the school 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 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 Concern Files.

The Headteacher has the responsibility for giving fixed-term exclusions 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 for a fixed term exclusion

The head teacher 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 it's website (school Information (England) Regulations 2008) .

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.

The governing body will notify the head teacher that the following should be covered in the school behaviour policy:

- Screening and searching pupils (including identifying in the school rules items which are banned and which may be searched for);
- The power to use reasonable force or make other physical contact;
- The power to discipline beyond the school gate;
- Pastoral care for school staff accused of misconduct;
- When a multi-agency assessment should be considered for pupils who display continuous disruptive behaviour.
- In providing guidance to the head teacher, the governing body must not seek to hinder teachers' powers by including 'no searching' or 'no contact' policies, nor to restrict their power to discipline pupils for misbehaviour outside of school.
- Governing bodies will also wish to consider their duty under section 175 of the Education Act 2002 requiring them to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children and their general duty to eliminate discrimination under section 149 of the Equality Act 2010.

The governing body will in consultation with the Headteacher consider what the school's response will be to:

- Any bad behaviour 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.

The Role of the Class Teacher

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.

The class teacher treats each child fairly and enforces the Code of Conduct consistently. The teacher treats 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 Concern Files

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*).

The power also applies to **all paid staff** (unless the head teacher 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 school.

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

Teachers can **confiscate** pupils' property.

The class teacher liaises with Special Educational Needs Coordinator (SENCO), Senior Leaderships and in some cases external agencies, as necessary, to support and guide the progress of each child.

The class teacher reports to parents about the progress of each child in their class, in line with the whole-school policy.

The Role of Non-Teaching Staff

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

The staff at St Joseph's 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.

All non teaching staff treat each child fairly and enforces the Code of Conduct consistently and treat all children in their group with respect and understanding.

Support staff should report any significant incidents back to the class teacher.

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. We believe that by working together with parents 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 that pupils show a proper regard for other people's property, buildings and the environment.
- By ensuring regular attendance at school and avoiding unnecessary pupil absence.
- By adhering to the Home-School Agreement, which details the agreed responsibilities of parents, pupils and teachers. We value our partnership with parents/carers and encourage involvement in all aspects of school life including discipline and behaviour.

Parents are under a legal duty to ensure that their child (aged 5-16) receives a suitable full time education either at school or by making other suitable arrangements.

Where a child is not a registered pupil and other suitable arrangements are not made, the parent may receive a school attendance order from the **local authority** requiring them to register their child at a school.

For school-registered **pupils** or those attending Pupil Referral Units (PRUs), **parents** must ensure that their child attends punctually and regularly. If they do not, the **school** or **local authority** may ask them to sign a parenting contract or may issue a penalty sanction. The **local authority** may also prosecute a parent who fails to ensure their child's regular school attendance or apply to the courts for an education supervision order in respect of the **pupil** himself/herself.

Parents have a clear role in making sure their child is well behaved at school. If they do not, the **school** or **local authority** may ask them to sign a parenting contract or may apply for a court-imposed parenting order.

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 a penalty sanction.

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. Failure to attend may make it more likely that the court will impose a parenting order if the **school** or **local authority** applies for one.

St Joseph's Catholic Primary School

'Following Jesus in all we do'

Behaviour Procedures



St Joseph's Catholic Primary School Behaviour Procedures

Introduction

At St Joseph's, discipline is recognised to be a collective responsibility between parents, staff, governing body, children and other agencies involved with school. It is vital that the behaviour policy is clear, that it is well understood by staff, parents and pupils and that it is consistently applied. If this partnership is working effectively then we expect:

Please also refer to the school's Challenging behaviour checklist and procedure policy

Parents

- Agree to the behaviour policy when they sign the home / school agreement.
- Support the policy by reinforcing rewards and sanctions at home in discussions with their children.

Staff

Staff will take responsibility for:

- Having positive attitudes with a liberal use of praise
- Ensuring we are consistent in our treatment of children
- Establishing routines that reduce opportunities for disruption
- Valuing good, considerate behaviour
- Remaining calm and assertive in difficult situations, giving support to other members of staff

Governing Body

- Will review the policy at least annually and will monitor its' implementation through discussions with senior staff.
- Ensure that arrangements are made to safeguard and promote the welfare of pupils
- Direct staff to the DfE "Searching, screening and Confiscation" guidance February 2014 [Appendix 1] with regards to:
 - Screening and searching pupils
 - Using reasonable force and other physical contact
 - Power to discipline beyond the school gate
 - Pastoral care for staff accused of misconduct
 - when to work with local agencies to assess the needs of pupils who display continuous disruptive behaviour.
- Take action in accordance with the policy against pupils found to have made malicious accusations against school staff
- 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 and is in line with school policy.

Children

Children will take responsibility for:

- Working to the best of their abilities and allowing others to do the same
- Treating everyone with respect
- Listening to others
- Abiding by the agreed class rules
- Moving around the school quietly, safely and courteously
- Taking care of our school environment
- The desired outcome is that children will be motivated and enthusiastic, taking a pride in themselves and our school.

Behaviour Provision Plans (BPP)

Occasionally children may need additional support with specific targets identified by the SENCO and class teacher. This Behaviour Provision Plans (BPP) for behaviour will be shared with parents and then monitored in school. If after following the IEP the child's behaviour does not change, the SENCO will seek advice from Inclusion Support in consultation with the parents.

SAFEGUARDING:

Consideration should be made as to whether a pupil's behaviour gives cause to suspect that a child is suffering, or likely to suffer, from significant harm. Where this is the case the Safeguarding Policy will be followed. There may be multi agency involvement. Incidents will be reviewed at safeguarding team meetings as necessary.

UNACCEPTABLE BEHAVIOUR:

Continuous breaches of the following may lead to Fixed Term or in serious incidents Permanent Exclusion.

- Physical aggression – fighting, shoves, pushes, slaps, tripping up intentionally (see 'Team Teach training and procedures)
 - Disruptive behaviour that stops other children learning
 - Verbal aggression or bad language
 - Racist incidents [see Race Equality Policy]
 - Stealing
 - Bullying [see Anti –Bullying Policy]
 - Homophobic bullying [see Anti-Bullying Policy]
 - Damage to property
 - Persistent disregard for school rules
 - Carrying offensive weapons or items that endanger the safety of other children, staff or ones self
 - Possession of illegal substances [see drugs policy]
- [This is not an exhaustive list and is for illustrative purposes only]**

Peer on Peer abuse

Children can abuse other children. This is generally referred to as peer on peer abuse and can take many forms. It can include (but is not limited to):

- Bullying (including cyberbullying)
- Physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm
- Sexual violence and sexual harassment
- Sexting (also known as youth produced sexual imagery)
- Initiating/hazing type violence and rituals

All staff at St Joseph's should be clear as to the school's policy and procedures with regard to peer on peer abuse. Any Incidents must be record through 'Myconcern' and inform the headteacher immediately.

School staff have the power to search without consent for prohibited items. The Headteacher will confiscate any inappropriate items [weapons, illegal substances, unsuitable toys, stolen items, fireworks, any article that is likely to be used to commit an offence or cause damage, any item banned by the school rules] and if appropriate return them to parents or pass them on to the police. Members of staff have the power to use reasonable force to prevent pupils committing an offence, injuring themselves or others, or damaging property. [DFE Guidance September 2017]

Fixed term exclusions/ Permanent exclusions:

Only the Headteacher of a school can exclude a pupil and this must be on disciplinary grounds. A pupil may be excluded for one or more fixed periods (up to a maximum of 45 schools days in a

single academic year), or permanently. A fixed- period exclusion does not have to be a continuous period.

A fixed period exclusion can also be for parts of the school day. For example, if a pupil's behaviour at lunchtimes is disruptive, they may be excluded from the school premises for the duration of the lunchtime period. The legal requirements relating to exclusion, such as the head teacher's duty to notify parents, apply in all cases. Lunchtime exclusion are counted as half a school day for statistical purposes and in determining whether a governing board meeting is triggered.

The law does not allow for extending a fixed period exclusion or converting a fixed period exclusion into a permanent exclusion. In exceptional cases, usually where further evidence has come to light, a further fixed period exclusion may be issued to begin immediately after the first period ends; or a permanent exclusion may be issued to begin immediately after the end of the fixed period.

The behaviour of a pupil outside school can be considered grounds for exclusion.

Further information and guidance can be found in the DFE documentation 'Exclusion from maintained schools, academies and pupil referral units in England' September 2017

Positive Behaviour Management

Low Level Disruption

The most common form of poor behaviour is low level disruption. This can be subjective as what concerns one teacher may not be of concern to another. Low-level disruption behaviours are not overtly confrontational or challenging, but will distract the teaching and learning.

There are five broad categories of low level disruption:

- Talk
- Movement
- Time
- Pupil- pupil relationships
- Teacher- pupil relationships

If these disruptions are not challenged, they can severely damage pupil learning and lead to frustrations and stress for the teacher.

High Level Disruption

High-level disruptions are more serious and are overtly confrontational and challenging.

These behaviour patterns include:

- Challenges to authority
- Refusal to obey rules
- Frequent verbal abuse

Trying to manage this behaviour is extremely demanding and exhausting. If sustained over a long period, it can have a detrimental effect on the teacher and it will also have adverse effects on the pupils learning. For further reference please refer to the school's stress management policy.

GUIDELINES FOR POSITIVE BEHAVIOUR MANAGEMENT

- 1. Invest time getting to know your classroom and pupils.**
- 2. Be consistent in responding to inappropriate behaviour**
- 3. Remind pupils of the rules before activities take place.**
- 4. Reinforce appropriate behaviour. Ensure a consistent appraisal system for behaviour only is in place.**
- 5. Encourage pupils to self-assess their behaviour and award themselves using the selected appraisal system appropriate**
- 6. Follow the school's checklist and challenging misbehaviour procedure**
- 7. Use the school's challenging misbehaviour log of concern and where required the school's Behaviour Provision Plan along with support from the**

school's SENCO, so that you can support each other in addressing the individual pupil's needs and those of the whole school.

Strategies For Classroom:

EYFS

Rewards

When children demonstrate positive behaviour and make the right choices they may move up the zone board to silver and then gold.

- Silver and Gold stickers are then given out at the end of the day.

Building learning Power Character stickers are awarded when children display positive learning attitudes with focus and free flow tasks.

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Consequences

Stage 1: Children are given 2 verbal warnings about their low level disruptive behaviour. These warnings can involve a time out or encouragement to refocus in a different area of the classroom.

Stage 2: Child moves to orange on the zone board.

Stage 3: Child moves on to the red on the zone board and they are removed from the classroom for an appropriate amount of time. The class teacher at the end of the end of the day will inform parents.

Stage 4: For persistent challenging behaviour a behaviour plan needs to be devised with Mrs McDonagh. Please also refer to the school's Challenging behaviour checklist and procedure policy

Key Stage One

Rewards

When children demonstrate positive learning and attitudes in line with the 'Learning Power characters' and good work they will receive a raffle ticket for the end of week prize draw.

Gold and silver stickers are awarded when children display positive learning attitudes with focus and free flow tasks.

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Consequences

The classroom zone board is used only for behaviour throughout Key Stage One. If a child is moved onto the orange zone- 5 minutes of golden time is lost and 10 minutes lost if on red.

Stage 1: Children are given 2 verbal warnings about their low-level disruptive behaviour.

Stage 2: Child moves to orange on the zone board.(This is linked to Golden time and time can be earned back through positive behaviour).

Stage 3: Child moves on to the red on the zone board and they are removed from the classroom for an appropriate amount of time. The class teacher at the end of the end of the day will inform parents.

Stage 4: For persistent challenging behaviour a behaviour plan needs to be devised with Mrs McDonagh. Please also refer to the school's Challenging behaviour checklist and procedure policy

Key Stage Two

Rewards

When children demonstrate positive learning and attitudes in line with the '5Rs 'Learn to Learn programme' and good work they will receive 'House Points" At the end of the term the winning house will receive extra playtime.

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Consequences

Stage 1: Children are given 2 verbal warnings about their low level disruptive behaviour.

Stage 2: Child's name is displayed and will miss 5 minutes of play or lunch.

Stage 3: If unacceptable behaviour continues, children will be removed from the classroom for an appropriate amount of time. The class teacher at the end of the end of the day will inform parents.

Stage 4: For persistent challenging behaviour a behaviour plan needs to be devised with Mrs McDonagh. Please also refer to the school's Challenging behaviour checklist and procedure policy.

The decision to apply sanctions may only be taken by staff employed by the governing body of St Joseph's

Children will be sent out of class for-

- Disruptive behaviour that stops other children learning
- All consequences have been ignored.
- Showing lack of respect
- Breach of classroom Health and Safety
- Also refer to 'Unacceptable behaviour (pg13)

The class teacher will inform parents at the end of the day if a child goes to work in another classroom twice in one day or if this is persistent.

Persistent misbehaviour will require a Behaviour Provision Plan (BPP) to be put in place with the support of the SENCO. (Please also refer to pg 12)

Strategies for Break Time and Lunchtime

Low level behaviour and challenging **behaviour must be dealt with at the time of the incident** and logged by the member of staff on duty.

Low Level behaviour: Upsetting other children deliberately, playing roughly and not following playground rules etc

Stage 1: Children are given 1 verbal warning for low-level behaviour

Stage 2: If the behaviour continues the child will have stay in a designated area (sitting at a bench, standing by the wall or standing by an adult) for 5 minutes.

Challenging Behaviour: deliberately hurting another child, being disrespectful to an adult. Refusing to follow the rules for low -level behaviour procedures.

Stage 1: The child will have stay in a designated area (sitting at a bench, standing by the wall or adult) for 10 minutes and a behaviour log is to be completed and a copy passed to Jo McDonagh

Stage 2: Removal from the playground will be required, staff to inform a member of the behaviour team to intervene. Lunchtime staff are to ensure that the lunchtime class log book is kept up to date and any incidents during lunchtime are recorded.

The break-time and lunchtime sanctions must not impact on the classroom behaviour procedures.

Behaviour Modification

Stages of Intervention

The school's discipline procedures can be summarised into four stages. These stages of intervention should be logged and dated in the Concern Files.

Stage 1

- The class teacher supports the child and encourages them to develop strategies which will assist them to resolve their own difficulties.
- The class teacher will complete a misbehaviour log and pass a copy to the school's SENCO
- If there is no improvement assistance should be sought from the school's SENCO
- 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 and child that the matter will be referred to the SENCO, stating the reasons why.
- A Behaviour Provision Plan will be drawn up by the class teacher and SENCO and shared with the parent or carer and should be created and reviewed every 4 weeks.
- If there is no improvement, the matter will be referred to the Headteacher stating the reasons why.

Stage 3

- Discussions between the Headteacher and parents involving the child as appropriate. The class teacher, SENCO 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 4

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

Process and Record Keeping

- Where behaviour is persistently below the standard required the pupil will be entered on the Behaviour of Concerns register, a misbehaviour log will be completed and a copy sent to the school's SENCO. Informal notes will be kept by the class teacher and may be discussed at consultations with the parents or at other informal meetings.
- If the problem is more serious a Behaviour Provision Plan will be put into place with support and guidance from the SENCO. Strategies will be discussed and have these will be implemented. This plan will involve the parents, pupil, teachers and TAs and any external professionals involved with the child
- Monitoring systems may be used to assess causes, frequency and outcomes of poor behaviour. E.g. ABC, Antecedent, Behaviour and Consequences, approach to behaviour patterns, timetable based monitoring.
- At all times parents are kept informed and encouraged to be active partners in the strategies to meet the child's needs.
- In very extreme cases where behaviour is not improving in response to the above strategies, the Headteacher may exclude a child from school either for a fixed period or indefinitely.

St Joseph's Catholic Primary School
'Following Jesus in all we do'



Behaviour Policy

Statutory Information

**Further information can be located in the
DFE Behaviour and discipline in schools guidance (January 2016)**

Allegations of abuse will be taken seriously, and LPS 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.

Pupils' conduct outside the school gates- teachers powers

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 head teachers 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**) in detention. Primary School uses detention (including detention outside of school hours) as a sanction. (See section 21 for more information) Where detention is outside school hours Teachers must give parents 24 hours notice, in writing. They do not have to give 24 hours notice for a lunchtime detention.

The times outside normal school hours when detention can be given (the 'permitted day of detention') include:

- Any school day where the pupil does not have permission to be absent;
- Weekends - except the weekend preceding or following the half term break;
- Non-teaching days – usually referred to as 'training days', 'INSET days' or 'non-contact days'.
- The Headteacher can decide which members of staff can put pupils in detention.

Matters schools should consider when imposing detentions

- Parental consent is not required for detentions.
- The school will act reasonably when imposing a detention as with any disciplinary penalty. In addition, when deciding the timing, the teacher will consider whether suitable travel arrangements can be made by the parent for the pupil. It does not matter if making these arrangements is inconvenient.
- With lunchtime detentions, schools 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 pupil at risk.
- Whether the pupil has known caring responsibilities that mean that the detention is unreasonable.
- Whether the parents ought to be informed of the detention. In many cases it will be necessary to do so, but this will depend on the circumstances. For instance, notice may not be necessary for a short after school detention where the pupil can get home safely.
- Whether the parent for the pupil can make suitable travel arrangements. It does not matter if making these arrangements is inconvenient for the parent.

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 paper.
- 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.

Use Of 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.

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.

School 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.

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.

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

What Is 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.
- 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 judgment 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 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.

Communicating The School's Approach To The Use Of Force

- Every school is required by law to have a behaviour policy and to make this policy known to staff, parents and pupils. This policy should include guidance on the use of reasonable force although this is not a legal requirement.
- Any policy on the use of reasonable force should acknowledge their legal duty to make reasonable adjustments for disabled children and children with SEN.
- Schools do not require parental consent to use force on a student.

- 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 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; and

Telling parents when force has been used on their child

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

In deciding what is a serious incident, teachers should use their professional judgment and also consider the following:

- 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.

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.

His 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.

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 the pupils when doing so. At St Joseph's all staff will receive training in the 'Team Teaching programme' the aim of the programme is through the promotion of de-escalation strategies and the reduction of risk and restraint, to support teaching, learning and caring, by increasing staff confidence and competence, in responding to behaviours that challenge, whilst promoting and protecting positive relationships. Positive Behavioural Support (PBS) approaches are entirely compatible with Team-Teach.

Rewards

We aim to reward positive rather than emphasise negative attitudes to behaviour and work. It is important to keep this philosophy in perspective. For the majority of children this approach will work, sanctions should be needed only for a minority of children.

It is essential that the main focus for rewards and sanctions should be within the classroom, extending to Senior Management where necessary. They should be applied in a fair and consistent manner with appropriate parental involvement.

These can be given to individual children, small groups, classes, year groups or departments as appropriate by:

- Classroom Assistants, all support staff and volunteers
- Class teachers
- Headteacher
- Senior Leadership Team
- Midday Supervisors

Celebration Assemblies

The Head teacher at the end of each half term assemblies gives awards to pupils that have been reported for academic and non-academic achievements

House System

The House system operates consistently throughout the School as follows:

- Classes are divided into 4 houses - mixed ability and behaviour.
- Weekly group merit points will be given and displayed in classes
- Children will be awarded merit points for academic achievement and for non-academic achievement. When merit points have been awarded they should not be taken away.
- Children may mark up their own individual points, under supervision. The teachers will total up the points on a weekly basis.

Sanctions

Schools should have 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.

When poor behaviour is identified, sanctions should be implemented consistently and fairly in line with the behaviour policy. Good schools will have a range of disciplinary measures clearly communicated to school staff, pupil and parents.

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.

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