

# Wavertree CE School's Policy for Promoting Excellent Behaviour



Agreed by governors: January 2018

Implementation date: January 2018

Review date: January 2019

## 1. Aims & Expectations

It is a primary aim of Wavertree CE School that every member of the school community feels valued and respected and that each person is treated fairly and well. We are a caring Christian community, whose values are built on mutual trust and respect for all. Therefore, the school behaviour policy is designed to support the way in which all members of the school can live and work together in fellowship. It aims to promote an environment where everyone feels happy, safe, empowered and secure.

The school has a number of school rules, but the fundamental aim of the behaviour policy is not a system to enforce rules. It is a means of promoting good relationships, so that people can work together with the common purpose of helping everyone to learn and grow spiritually, morally and socially. This policy supports the school community in aiming to allow everyone to work together in an effective and considerate way.

The school expects every member of the school community to behave in a considerate way toward others.

We treat all children fairly and apply this behaviour policy in a consistent way.

This policy aims to help children to grow in a safe and secure environment and to become positive, responsible and increasingly independent members of the school community.

The school rewards good behaviour as it believes that this will develop an ethos of kindness and co-operation. This policy is designed to promote good behaviour, rather than merely deter anti-social behaviour.

We expect pupils to be considerate of the property of others and always do their best to look after school resources and property at all times. Pupils are discouraged from bringing personal items into school as these are not insured and in particular IT games and equipment, mobile phones and expensive items are not allowed in school.

Card swapping games are not allowed in school as these type of activities can promote negative behaviour responses.

This policy seeks to promote the eight school values of: thankfulness, friendship, forgiveness, trust, compassion, fellowship, peace and humility.

## School Rules

1. Be kind and courteous to others.
2. Follow instructions first time.
3. Always tell the truth.
4. Use an appropriate level of noise.
5. Walk, when moving around school.
6. Look after our school.
7. Follow the playground rules.

## Playground Rules

1. Be kind and courteous to everyone in the playground.
2. Look after the playground space so that all children can enjoy their game.
3. Stop and listen immediately to any instruction an adult may give.
4. Care for each other and inform a teacher if bullying is seen.
5. Play together and let other children join in with games.

## 2. Rewards & Sanctions

We praise and reward children for good behaviour in a variety of ways: -

- Teachers congratulate children; using verbal praise, stickers and stampers.
- Teachers give children team points
- Each week we nominate a child from each class to receive a certificate for consistently good behaviour. This is given in the Friday celebration assembly.
- 'Hands on the Tree' playtime reward.
- Prize boxes.
- Dojos.

Every class has their own system of rewards, for example, dojos, treasure, stars, gems etc

- We distribute team points to children either for consistent good work or behaviour, or to acknowledge outstanding effort or acts of kindness in school.
- All classes have an opportunity to lead an assembly where they are able to teach the rest of the school and visiting parents about their class Christian value and how this is evidenced in their behaviour.

The school acknowledges all the efforts and achievements of children, both in and out of school. These are celebrated during the Friday assembly.

The school employs a number of sanctions to ensure the school rules and to ensure a safe and positive learning environment. We employ each sanction appropriately to each individual situation.

- We expect children to listen carefully and behave appropriately in lessons. If they do not do so, the child will be given a warning. If this warning is not heeded the child will be asked to 'move their name'. This indicates that the child will not be included in the behaviour percentages in Friday Celebration Assembly and will be excluded from any whole class rewards.
- Exclusion from playtimes can be used when behaviour is inappropriate.
- We expect children to try their best in all activities. If they do not do so, we may ask them to redo a task.
- If a child is disruptive in class, the teacher reprimands him or her. If a child misbehaves repeatedly, we isolate the child from the rest of the class until he/she calms down and is in a position to work sensibly again with others.
- The safety of the children is paramount in all situations.
- If a child threatens, hurts or bullies another pupil, the class teacher records the incident and the child is punished. If a child repeatedly acts in a way that disrupts or upsets others, the school contacts the child's parents and seeks an appointment in order to discuss the situation, with a view to improving the behaviour of the child.
- If a child displays continuous disruptive behaviour a multi-agency assessment will be considered.

The class teacher discusses the school rules with each class. In addition to the school rules, each class also has its own classroom code, which is agreed by the children and displayed on the wall of the classroom. In this way, every child in the school knows the standard of behaviour that we expect in our school. If there are incidents of anti-social behaviour, the class teacher discusses these with the whole class during 'circle-time' or through the Personal Social Health Education curriculum.

Bullying and discriminating behaviour that goes against the Equality Policy will not be tolerated. If we discover that an act of bullying, intimidation or discrimination has taken place, we act immediately to stop any further occurrences of such behaviour. We do everything in our power to ensure that all children attend school free from fear.

### **The Power to Discipline Beyond the School Gate**

Any non-criminal bad behaviour or bullying that occurs anywhere away from the school premises and which is witnessed by a member of staff or is reported to the school will be investigated and sanctions will be considered.

A child is able to be disciplined if they are:

- Taking part on any school-organised or school-related activity; or
- Travelling to and from school; or
- Wearing school uniform; or
- In some other way, identifiable as a pupil at the school.

Discipline will also be considered if the misbehaviour:

- 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.

## **INCLUSION OF REASONABLE FORCE – MARCH 2012**

### **Key Points**

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

### **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.
- '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 contacts, 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 will 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. The Headteacher has the power to apply this to unpaid volunteers and parent helpers.

### **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 threaten 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.
- Restrain a pupil at risk of harming themselves through physical outbursts.

**School cannot use reasonable force as a punishment – it is always unlawful to use force as a punishment.**

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

- i. School is required by law to have a behaviour policy and to make this policy known to staff, parents and pupils. The Governing Body have notified the Headteacher that it expects the school behaviour policy to include the power to use reasonable force.
- ii. School does not require parental consent to use reasonable force on a student.

### **What happens if a pupil complains when force is used on them?**

- i. All complaints about the use of force will be thoroughly, speedily and appropriately investigated.
- ii. 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.
- iii. When a complaint is made the onus is on the person making the complaint to prove that their allegations are true – it is NOT for the member of staff to show that they have acted reasonably.
- iv. Suspension will not be an automatic response when a member of staff has been accused of using excessive force. School will refer to the “Dealing with Allegations of Abuse against Teachers and Other Staff” guidance where an allegation of using excessive force is made against a teacher. This guidance makes it clear that a person will not be suspended automatically, or without careful thought.
- v. School will 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.
- vi. If a decision is taken to suspend a teacher the school will ensure that the teacher has access to a named contact that can provide support.
- vii. The Governing Body will always consider a teacher has acted within the law when reaching a decision on whether or not to take disciplinary action against the teacher.
- viii. 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 within the context of this policy and there are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary:

- a. Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school.
- b. When comforting a distressed pupil.
- c. When a pupil is being congratulated or praised.
- d. To demonstrate how to use a musical instrument.
- e. To demonstrate exercises or techniques during PE lessons or sports coaching.
- f. To give first aid.

### **SCREENING**

The law allows schools to undergo screening by a walk-through or hand-held metal detector (arch or wand) even if they do not suspect them of having a weapon and without the consent of the pupil. At present the Governing Body of Wavertree CE do not intend to use screening, although they reserve the right to amend this decision at any time in the future.

### **SEARCHING WITH CONSENT**

School staff can search pupils with their school for any item which is banned by the school rules.

- a. Schools are not required to have formal written consent from the pupil for this sort of search – it is enough for the teacher to ask the pupil to turn out his or her pockets or if the teacher can look in the pupil's bag or locker and for the pupil to agree.
- b. School has made it clear in the School Behaviour Policy and in communications to parents and pupils what items are banned.

c. If a member of staff suspects a pupil has a banned item in his/her possession, the can instruct the pupil to turn out his or her pockets or bag and if the pupil refuses, the teacher can apply an appropriate punishment as set out in the school's behaviour policy.

d. A pupil refusing to co-operate with such a search raises the same kind of issues as where a pupil refuses to follow instructions or refuses to stop any other unacceptable behaviour when instructed by a member of staff – in such circumstances school can apply an appropriate disciplinary penalty.

### **SEARCHING WITHOUT CONSENT**

The law states that knives or weapons, alcohol, illegal drugs and stolen items (referred to in Section 550ZA of the Education Act 1996 as 'prohibited items').

The Headteacher and school staff can search a child, but:

- a. They must be the same sex as the pupil being searched; and
- b. There must be a witness (also a staff member) and, if at all possible they should be the same gender as the pupil being searched. For example, it is possible for a female teacher to witness a search of male pupil where there is only one male member of staff in school or taking part in a school trip.

The Headteacher and school staff can search a pupil if they have reasonable grounds for suspecting that a pupil is in possession of a prohibited item. The school is aware of what the law also states what must be done with prohibited items seized following a search.

The Headteacher will decide whom to authorise for use their powers of search. There is no requirement to provide authorisation in writing.

Staff members can refuse to undertake a search.

Staff are authorised to search for all items.

### **School Staff Training**

There is no legal requirement for a Headteacher or authorised member of staff to be trained before undertaking a 'without consent' search. It is at the discretion of the Headteacher to provide any additional training.

### **Establishing Grounds for a Search**

a. Teachers can only undertake a search without consent if they have reasonable grounds for suspecting that a pupil may have in his or her possession a prohibited item. The teacher must decide in each particular case what constitutes reasonable grounds for suspicion. For example, they may have heard other pupils talking about the item or they might notice a pupil behaving in a way that causes them to be suspicious.

b. The powers allow school staff to search regardless of whether the pupil is found after the search to have that item. This includes circumstances where staff suspect a pupil of having items such as illegal drugs or stolen property which are later found not to be illegal or stolen.

c. School staff can view CCTV footage in order to make a decision as to whether to conduct a search for an item and act in accordance with the Data Protection Act 1998.

### **Location of a Search**

Searches without consent can only be carried out on the school premises or, if elsewhere, where the member of staff has lawful control or charge of the pupil. Advice will be sought where the trip is outside of England.

### **During the Search**

The extent of a search includes clothes, possession, desks and lockers. The law states:

1. The person conducting the search may not require the pupil to remove any clothing other than outer clothing.
2. 'Outer clothing' means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear but "outer clothing' includes hats; shoes; boots; gloves and scarves.
3. 'Possessions' means any goods over which the pupil has or appears to have control – this includes desks, lockers and bags.
4. A pupil's possessions can only be searched in the presence of the pupil or a member of staff.

The power to search without consent enables a personal search, involving removal of outer clothing and searching of pockets; but not an intimate search going further than that, which only a person with more extensive powers (eg; a Police Officer) can do.

### **Lockers & Desks**

Under common law powers, schools are able to search lockers and desks for any item provided the pupil agrees. Schools will make it a condition of having a locker or desk that the pupil consents to have these searched for any item whether or not the pupil is present.

If a pupil does not consent to a search (or withdraws consent having signed a consent form) then it is possible to conduct a search without consent, but only for the “prohibited items” listed above.

### **After the Search**

The law allows school’s general power to discipline, as set out in Section 91 of the Education and Inspections Act 2006, enables a member of staff to confiscate, retain or dispose of a pupil’s property as a disciplinary penalty, where reasonable to do so.

1 The member of staff can use their discretion to confiscate, retain and/or destroy any item found as a result of a ‘with consent’ search so long as it is reasonable in the circumstances. Where any article is thought to be a weapon it must be passed to the Police.

2 Staff have a defence to any complaint or other action brought against them. The law protects members of staff from liability in any proceedings brought against them for any loss of, or damage to, any item they have confiscated, provided they acted lawfully.

Items found as a result of a ‘without consent’ search

A person carrying out a search can seize anything they have reasonable grounds for suspecting is a prohibited item (that is a weapon/knife; alcohol; illegal drugs or stolen items) or is evidence in relation to an offence.

- Where a person conducting a search finds **alcohol**, they may retain or dispose of it.
- Where they find **controlled drugs**, these must be delivered to the Police as soon as possible unless there is a good reason not to do – in which case the drugs must be disposed of.
- Where they find other substances which are not believed to be controlled drugs these can be confiscated where a teacher believes them to be harmful or detrimental to good order and discipline.
- This would include, for example, so called ‘legal highs’. Where staff suspect a substance may be controlled they should treat them as controlled drugs as outlined above.
- Where they find **stolen items**, these must be delivered to the Police unless there is a good reason not to do so - in which case the stolen item should be returned to the owner. These stolen items may be retained or disposed of if returning them to their owner is not practicable.

In determining what is a “good reason” for not delivering **controlled drugs or stolen items** to the Police the member of staff must have regard to guidance issued by the Secretary of State Section 550ZC (6) Education Act.

- Any weapons or items which are evidence of an offence must be passed to the Police as soon as possible.
- It is up to teachers to decide whether there is a good reason not to deliver stolen items or controlled drugs to the Police.

1. In determining what is a ‘good reason’, the member of staff will take into account all relevant circumstances and will use their professional judgement to determine whether they can safely dispose of a seized article.

2. Where staff are unsure as to the legal status of a substances and have reason to believe it may be a controlled drug they should treat it as such.

3. With regard to stolen items, it would not be reasonable or desirable to involve the Police in dealing with low value items such as pencil cases. However, school staff will judge it appropriate to contact the Police if the items are valuable (iPods/laptops) or illegal (alcohol/fireworks).

4. School can dispose of alcohol as they think appropriate but this does not include returning it to the pupil.

### **Telling parents & dealing with complaints**

School is not required to inform parents before a search takes place or to seek their consent to search their child.

- 1 There is no legal requirement to make or keep a record of a search, but school has decided it is good practice to do so.
- 2 School will inform the individual pupil's parents or guardians where alcohol, illegal drugs or potentially harmful substances are found, though there is no legal requirement to do so.
- 3 Complaints about searching will be dealt with through the normal school complaints procedure.

### **3. 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 classroom code consistently. The teacher treats all children in their class with respect and understanding.

If a child misbehaves repeatedly in class, the class teacher keeps a record of all such incidents. In the first instance, the class teacher deals with incidents him/herself in the normal manner. However, if misbehaviour continues, the class teacher seeks help and advice from the key stage co-ordinators, deputy and ultimately the Headteacher.

The class teacher liaises with external agencies, as necessary, to support and guide the progress of each child. The class teacher may, for example, discuss the needs of a child with the education social worker or LA behaviour support service.

The class teacher reports to parents about the progress of each child in their class, in line with the whole school policy. The class teacher may also contact a parent if there are concerns about the behaviour or welfare of a child.

### **4. The Role of the Headteacher**

It is the responsibility of the Headteacher, under the School Standards and Framework Act to, 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 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 keeps records of all reported serious incidents of misbehaviour.

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.

### **5. The Role of Parents**

The school works collaboratively with parents, so children receive consistent messages about how to behave at home and at school.

We explain the school rules in the school prospectus and we expect parents to read these and support them.

We expect parents to support their child's learning and to co-operate with the school, as set out in the home-school agreement. We try to build a supportive dialogue between the home and school and we inform parents immediately if we have concerns about their child's welfare or behaviour.

If the school has to use reasonable sanctions to punish a child, parents should support the actions of the school. If parents have any concern about the way that their child has been treated, they should initially contact the class teacher. If the concern remains, they should contact the school Governors. If these discussions cannot resolve the problem, a formal grievance or appeal process can be implemented. The Complaints Procedure can be found on the School Website.

### **6. The Role of Governors**

The Governing Body has the responsibility of setting down these general guidelines on standards of discipline and behaviour and of reviewing their effectiveness. The Governors support the Headteacher in carrying out these guidelines.

The Headteacher has the day-to-day authority to implement the school behaviour and discipline policy, but Governors may give advice to the Headteacher about particular disciplinary issues. The Headteacher must take this into account when making decisions about matters of behaviour.

### **7.Fixed-Term & Permanent Exclusions**

Only the Headteacher (or the Acting Headteacher) has the power to exclude a pupil from school. The Headteacher may exclude a pupil for one or more fixed periods, for up to 45 days in any one school year. The Headteacher may also exclude a pupil permanently. It is also possible for the Headteacher to convert a fixed-term exclusion into a permanent exclusion, if the circumstances warrant this.

If the Headteacher excludes a pupil, she informs the parents immediately, giving reasons for the exclusion. At the same time, the Headteacher makes it clear to the parents that they can, if they wish, appeal against the decision to the Governing Body. The school informs the parents how to make any such appeal.

The Headteacher informs the LEA and the Governing Body about any permanent exclusion and about any fixed-term exclusions beyond five days in any one term.

The Governing Body itself cannot either exclude a pupil or extend the exclusion period made by the Headteacher.

The Governing Body has a discipline committee which is made up of between three and five members. The committee considers any exclusion appeals on behalf of the Governors.

When an appeal panel meets to consider an exclusion they consider the circumstances in which the pupil was excluded, consider any representation by parents and the LEA and consider whether the pupil should be reinstated.

If the Governors' appeals panel decides that a pupil should be reinstated, the Headteacher must comply with this ruling.

### **8. Monitoring**

The Headteacher and the Senior Management Team monitors the effectiveness of this policy on a regular basis. They also report to the Governing Body on the effectiveness of the policy and, if necessary, make recommendations for further improvements.

The school keeps a variety of records of incidents of misbehaviour. The class teacher records minor classroom incidents. The Headteacher records those incidents where a child is sent to him/her on account of bad behaviour. We also keep a record of any incidents that occur at break or lunchtimes: Lunchtime Supervisors give written details of any incident in the incident sheets available in the staffroom.

The Headteacher keeps a record of any pupil who is suspended for a fixed-term, or who is permanently excluded.

It is the responsibility of the Governing Body to monitor the rate of suspensions and exclusions and to ensure that the school policy is administered fairly and consistently.

### **9. Review**

The Governing Body reviews this policy every two years. 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.