



CAWTHORNE'S ENDOWED
SCHOOL

(Founded 1674)

ABBEYSTED, LANCASTER, LA2 9BQ

Telephone: (01524) 791565

e-mail: head@cawthornes.lancs.sch.uk

www.abbeysteadschool.co.uk

Headteacher: *Mr. Patrick Corbett*

Behaviour Policy

Reviewed: *September 2023*

To be reviewed: *September 2024*

Head Teacher: *Mr Patrick Corbett*

Mission Statement :

We teach each other. We learn together. We leave prepared.

Our aims:

Aims reflect our beliefs and values, and represent our vision and what we want to achieve as a school community. Our aims are translated into priorities to move the school forward and meet the challenges of an ever changing world.

The aims of our school are to:

- Ensure everyone feels safe, happy and valued
- Work together as a school family
- Ensure that each child reaches their potential
- Have close links with families and the local community
- Stimulate lively, enquiring minds
- Use the idyllic surroundings to enhance learning
- Maintain our Christian ethos
- Learn about the diversity of the wider world
- Face new challenges with confidence

Statement of Behaviour Principles

- Children need praise and other rewards to reinforce good behaviour and promote self-esteem. This leads to success. The emphasis of this policy is on a positive approach to managing behaviour.
- However, unacceptable behaviour cannot be ignored. There is a need to register disapproval if a child does not choose to follow the rules as outlined in this policy. It is very important that children fully understand that it is the behaviour which is unacceptable not the child.
- Children need to be taught that they can choose whether to behave appropriately, how to control their own behaviour and to be aware of their effect on others.
- Children also need to feel safe and protected. They need to know what to do if others treat them in a way that hurts them, makes them feel unhappy or uncomfortable. They need to know that their concerns are taken seriously and will be addressed, with their involvement, until they are resolved.
- This policy outlines the expectations of children in relation to behaviour between children. The Child Protection and Safeguarding Policy outlines procedures in relation to child on child abuse.
- Promoting good behaviour is **everyone's** responsibility. Parental involvement and strong home-school links are vital in this process.

Policy Links

The Behaviour Policy is linked to the following policies and school documents:

- Online Safety Policy
- Safeguarding and Child Protection
- SEND Policy
- Mental Health and Wellbeing Policy
- Anti-Bullying (attached in Appendix 1)
- Home School Agreement (attached in Appendix 2)

CODE OF CONDUCT OR SCHOOL RULES

Our school community will reflect the values and attitudes towards behaviour which will be personal to each situation. The good reputation and high standards of the school depend on the behaviour of all its members, whether in school, in the playground or out in the community.

- Remember that your behaviour affects others.
- Remember you should not do things to other people which you don't want them to do to you.
- Remember everyone in school is valued equally.
- Remember to act with courtesy and consideration to others at all times.
- Remember to try and understand other people's point of view.
- Remember racist behaviour of any kind is unacceptable.

Class 1 Rules:

- Kind Hands
- Kind Feet
- Kind Words

Class 2 Rules:

- Speak and Listen Politely
- Respect Others
- Treat the School and Class Equipment Well
- Look After Our Belongings

Staff responsibility for behaviour management:

Our school will be effective as we:

- Appoint adults who meet health and legal employment requirements, including DBS clearance and are sympathetic to the aims and purposes of our school.
- Are proactive in providing regular behaviour management training for our staff.
- Apply appropriate rewards/sanctions to complement the ethos and to encourage positive behaviour in our school.
- Treat all reports of bullying seriously.

REWARDS AND SANCTIONS

Our behaviour policy is based around positive reinforcement at all times. Staff model and exemplify good behaviour and constantly praise children for their good behaviour and manners.

In order for good behaviour to happen it is important that:

Staff:

- Recognise and reward good behaviour in its various forms including:
 - a positive attitude to learning;
 - compassion and empathy for others;
 - forgiveness and willingness to resolve issues/correct mistakes;
 - exercising self- control;
 - contributing positively to school life.
- Use praise frequently in the classroom and this far exceeds the level of negative comment.
- Avoid any stereotyping/labelling of pupils, which has no place in our school.
- Use language to correct behaviour which labels the behaviour, and not the child.
- Remain objective and do not allow personal feelings or any prejudice to influence their treatment of a pupil so that pupils are dealt with fairly.
- Act as positive role models in their professional relationships with each other and the pupils within their care.
- Demonstrate self-control and do not allow emotions to interfere with their treatment of a situation. It is understood that shouting at pupils, as an emotional response, should be avoided in our school.
- Monitor any behaviour concerns and where appropriate work closely with home to support children struggling with aspects of their behaviour in school.
- Act to prevent unkind behaviour/bullying incidents through PSHE lessons by talking about issues between pupils which might provoke conflict how to develop good relationships and how to show respect to one another.

Pupils:

- Aim for the highest standards of personal behaviour.
- Value the recognition given by the reward system.
- Have the opportunity to celebrate and share their success with others including fellow peers and parents.
- Understand that they will be given a second chance when things go wrong.
- Understand that they will not be prejudged and will be listened to by an adult in school.
- Engage with all adults and others in promoting good behaviour in the school. This includes following any sanctions received.
- Understand that serious misbehaviour that jeopardises safety will not be tolerated.
- Ask for help and expect to be supported if they are finding any aspect of school difficult.

Reward system

Our behaviour policy is based around positive reinforcement and outcomes at all times, developing a positive culture and ethos across the school. All staff model and exemplify good behaviour and constantly praise children for their good behaviour, manner and attitude. Rewards in school are designed to motivate and encourage pupils on an individual or group basis, in recognition of outstanding behaviour.

Cawthorne's Endowed School rewards pupils' good behaviour, attitude or work in school using a number of different methods, which include:

- On entry to school, each child is sorted into one of four house teams: Summer, Autumn, Winter and Spring. Children can be awarded Dojos by any member of staff, volunteer or perhaps be nominated to an adult by another child. This may be for many reasons including: good behaviour, attitude or work in school, being on time regularly, caring for others, being thoughtful and considerate etc. Team points are collected in class and are collated on a weekly basis. This is through the Dojo reward system. The whole school winning team is announced in assembly and the winning house team coloured ribbons are tied onto the trophy for the week. Rewards for the winning team include recognition in the family assembly and a small reward of their choosing at the end of the assembly.
- Children are also given individual verbal or written praise in class or on their work and successes are celebrated and shared during lesson times and in assemblies.
- Certificates are awarded in assemblies, together with 'Stars of the Week', from each class, for a wide range of reasons, such as exceptional work, improvement, kindness, enthusiasm, tenacity etc. The names of 'Stars of the Week' are celebrated on the weekly newsletter.
- Children may also be awarded stickers or another small award by any member of staff who is impressed by the child's behaviour, attitude or work in school.
- *Accelerated Reader* awards are achieved by meeting reading targets.

- Honorary trophies are awarded termly, for outstanding pupils in specific disciplines (both academic and non-academic).
- Additional, temporary in-class reward systems may also be used which include the use of charts and rewards. This may be used specifically to encourage positive and desired behaviours from individuals who are finding this challenging in the day-to-day running of the class and need a more tailored approach.
- A child may be asked to visit the Headteacher to show or talk about and celebrate personal achievements.

Sanctions:

Behaviour at Cawthorne's is generally very good, however on the rare occasion when pupils do misbehave staff may impose sanctions. Generally poor behaviour is acknowledged using this system however on some occasions this may not be sufficient. At any level of sanction, the opportunity for restoration and repair will be supported and encouraged.

Level 1

For low level disruption of insufficient effort, (e.g. talking in class, shouting out, slow work rate not appropriate to the child's own ability), pupils will be made aware of the potential problem in time for them to be given the opportunity to correct the matter.

- Firstly, the child will receive a verbal warning.
- If the behaviour continues, the child may be given an appropriate sanction, such as completion of work during a break time or time out discussion with another member of the teaching staff (other than their own), during an appropriate time to consider the impact of their actions. The sanction will, where possible, be given on the same day and as soon as possible. Once the work or timeout period is complete the matter is considered resolved.
- If a class teacher is not present in the room, the procedure above should be followed by the person in charge, and shared /discussed as soon as possible with the class teacher.
- Welfare staff and volunteers will give verbal warnings, then report to the person in charge of the class as soon as possible.
- In the unlikely event that the behaviour continues, the child will be sent to a member of the teaching staff for further discussion.
- On rare occasions if a whole class has been disruptive, and not followed instructions after a warning, e.g. during transition from one activity to another, then the teacher may retain the children for a few minutes at a playtime to practice how to follow instructions/reduce disruption.

Level 2

This covers more serious disruption to school life and may include altercations between pupils, damage to personal property, inappropriate verbal comments, poor engagement in learning or persistent level 1 behaviours. If procedures at level 1 have been tried followed with no real effect, parents and carers will be informed at this stage by a note, phone call, email, loss of Dojos or a quiet word from the person in charge of the class at the end of the day.

Level 3

This covers more serious misdemeanours that could result in injury or serious damage eg theft or assault, refusal to comply with an adult's instructions that could jeopardise personal safety or the safety of others. In this instance the school will contact parents and invite them to school to discuss the situation. Depending on the severity of the incident, the Headteacher may follow Lancashire Authority's guide to exclusion.

Sustained behaviour causing concern

If a child's behaviour is causing concern or resulting in poor progress the class teacher will inform parents/carers that their child's behaviour will be monitored using an ABC tracking sheet. This will record the antecedents 'A', that is, what happens immediately before the behavioural outburst and can include any triggers, signs of distress or environmental information. 'B' refers to the behaviour itself and is a description of what actually happened during the outburst or what the behaviour 'looked' like. 'C' refers to the consequences of the behaviour, or what happened immediately after the behaviour and can include information about other people's responses to the behaviour and the eventual outcome for the person. This information will be reviewed regularly so that the child's needs can be better catered for.

Positive Handling/Use of Force

All school staff hope that they won't have to use "reasonable force", but as they have a duty of care towards their pupils some situations may leave them with little choice. At Cawthorne's Endowed we employ a wide range of strategies to promote good behaviour. In the event of these not having the desired effect, techniques to de-escalate situations (which should prevent the need to use force from ever occurring) will be employed.

Situations may occur where reasonable force may be required and on these occasions the advice provided within the DfE document 'Use of reasonable force – advice for Headteachers, staff and governing bodies (July 2013 – reviewed July 2015)' will be followed. (See Appendix 3).

School Support systems

At Cawthorne's Endowed Primary School we recognise that for some children additional or different action may be necessary as a result of a special educational need, behaviour need and/or disability. This is in accordance with the SEND code of practice. We recognise that a child with social, emotional or behaviour difficulties may require something additional or different in the same way that we would make curriculum adaptations for a child with learning needs. Where this is the case, a child will be identified on our school SEND register. An individual behaviour plan may be established in consultation with the class teacher and the parents. This may outline agreed targets and strategies as well as the ways in which we will support the child. When required, advice from outside agencies will be sought in order to meet the needs of every child.

Exclusions

Exclusions rarely happen in primary schools. Only the Headteacher or a person acting as Headteacher in their absence may exclude a pupil. The Headteacher decides whether to exclude a pupil for a fixed term or permanently, in line with the school's behaviour policy, after taking into account all the circumstances, the evidence available and the need to balance the interests of the pupil against those of the whole school community.

Criminal law

It is important to bear in mind that some types of harassing or threatening behaviour or communications could be a criminal offence for example under the Protection from harassment Act 1997, the Malicious Communications Act 1988, the Communications Act 2003 and the Public Order act 1986. For example, under the Malicious Communications Act 1988 it is an offence for a person to send an electronic communication to another person with the intent to cause distress or anxiety or to send an electronic communication which conveys a message which is indecent or grossly offensive, a threat or information which is false and known or believed to be false by the sender. If school feel that an offence may have been committed they may elect to seek assistance from the Police but any reference to the police should only be undertaken with the agreement of the Headteacher.

Pupil confidentiality

It is important to note that in any cases of altercations between pupils, pupil confidentiality will be upheld and parent/carers of each child will not receive any information about any sanction given to a child other than their own. In this instance parents should be reassured that the school's behaviour policy and procedures have been followed and implemented.

Lancashire Education Advice

The following section of the policy is based on the advice from LEA:

Home school agreement

The school collaborates actively with parents and carers so that children receive consistent messages about how to behave at home and at school

A home school agreement is sent home and signed by the Headteacher, parent/carers (and with older children), by the child as well. This outlines the responsibilities of the child, parent and the school.

Confiscation of inappropriate items

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

- The general power to discipline enables a member of staff to confiscate, retain or dispose of a pupil's property as a punishment. Staff are protected against liability for damage to or loss of any confiscated items provided they have acted lawfully and reasonably. The confiscated item will be safely stored and if appropriate returned to the child or child's parents by the end of the day.
- Power to search without consent for prohibited items including
 - A. Knives and weapons
 - B. Alcohol
 - C. Illegal drugs
 - D. Stolen items
 - E. Tobacco and cigarette papers
 - F. Pornographic images
 - G. Any article that has been or is likely to be used to commit an offence cause injury or damage to property.
 - H. Any item banned by the school rules which has been identified in the rules as an item which may be searched for

Any items from A or F would be handed directly to the police

The power to discipline beyond the school gates

Teachers have a statutory power to discipline pupils for misbehaving outside of the school premises. Headteachers have a specific statutory power to regulate pupils' behaviour in these circumstances to such an extent as is reasonable. The pupil may be disciplined for any misbehaviour when the pupil is:

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

The pupil may also be disciplined for misbehaviour at any time whether or not the above conditions apply that:

- Could have repercussions for the orderly running of the school;
- Pose a threat to another pupil or member of the public or could adversely affect the reputation of the school.

The same principles and sanctions that are outlined for the management of behaviour in school will be applied in accordance with the severity of the behaviour.

Strategy for maintaining the effectiveness of the behaviour management policy

- To ensure that the governing body is aware that this is a policy that will be scrutinised by the OFSTED inspectors.
- That the school has the responsibility for appointing a member of staff to coordinate the policy.
- That there are regular reports to Governors on the efficiency of the policy and the outcomes.

ANTI-BULLYING

Introduction

1.1 Bullying is repeated action taken by one or more children with the deliberate intention of hurting another child, either physically or emotionally or online.

Aims and objectives

2.1 Bullying is wrong and damages individual children. We therefore do all we can to prevent it, by developing a school ethos in which bullying is regarded as unacceptable. We operate a policy of inclusion so that there is no discrimination against any pupil.

2.2 We aim, as a school, to produce a safe and secure environment where all can learn without anxiety.

2.3 This policy aims to produce a consistent school response to any alleged bullying incidents that may occur.

2.4 We aim to make all those connected with the school aware of our opposition to bullying, and we make clear each person's responsibilities with regard to the eradication of bullying in our school.

The role of governors

3.1 The governing body supports the headteacher in all attempts to eliminate bullying from our school. This policy statement makes it very clear that the governing body does not allow bullying to take place in our school, and that any alleged incidents of bullying that **do** occur are taken very seriously and dealt with appropriately.

3.2 The governing body monitors the incidents of alleged bullying that occur, and reviews the effectiveness of the school policy annually. The governors require the headteacher to keep accurate records of all incidents of alleged bullying and to report to the governors on request about the effectiveness of school anti-bullying strategies.

3.3 If an informal investigation does not resolve a complaint by a parent, then the formal School Complaints Procedure must be followed.

The role of the headteacher

4.1 It is the responsibility of the headteacher to implement the school anti-bullying strategy and to ensure that all staff (both teaching and non-teaching) are aware of the school policy and know how to deal with incidents of alleged bullying. The headteacher reports to the governing body about the effectiveness of the anti-bullying policy on request.

4.2 The headteacher ensures that all children know that bullying is wrong, and that it is unacceptable behaviour in this school. The headteacher draws the attention of children to this fact at suitable moments. **All children are encouraged to tell a teacher if they feel they are being treated in an unacceptable way by any other child or adult, online or in person.** For example, if an incident occurs, alleged or otherwise, the headteacher may decide to use assembly as a forum in which to discuss with other children why this behaviour was wrong, and why a pupil is being punished.

4.3 The headteacher ensures that all staff receive sufficient training to be equipped to deal with all incidents of alleged bullying.

4.4 The headteacher sets the school climate of mutual support and praise for success, so making bullying less likely. When children feel they are important and belong to a friendly and welcoming school, bullying is far less likely to be part of their behaviour.

The role of the teacher

5.1 Teachers in our school take all forms of bullying seriously, and intervene to prevent incidents from taking place.

5.2 If teachers witness an act of bullying, they do all they can to support the children involved. We keep a logbook in the office and record all incidents of bullying and the headteacher investigates.

5.3 If, as teachers, we become aware of any bullying taking place between members of a class, we deal with the issue immediately. This may involve counselling and support for all involved.

5.4 Teachers routinely discuss appropriate responses, which enables them to become equipped to deal with any actual incidents of bullying and behaviour management.

5.5 Teachers attempt to support all children in their class and to establish a climate of trust and respect for all. By praising, rewarding and celebrating the success of **all** children, we aim to prevent incidents of bullying. Our PSHE input in school also addresses how pupils should deal with bullying through role – play and group discussion.

The role of parents

6.1 Parents who are concerned that their child might be being bullied, or who suspect that their child may be the perpetrator of bullying, should contact their child's class teacher in the first instance.

6.2 Parents have a responsibility to support the school's anti-bullying policy and to actively encourage their child to be a positive member of the school.

Appendix 1

Home School Agreement

Our School

Cawthorne's Endowed School was founded by William Cawthorne in 1674 to provide an education for the children of Over Wyresdale. Recognising its historic foundation, the school will preserve and develop its non-denominational character.

The school aims to serve its community by providing an education of the highest quality. It encourages an understanding of the meaning and significance of faith, and promotes moral, cultural and social values through the experience it offers to all of its pupils.



The school will aim to:

- Provide an inclusive, safe, secure and happy environment for children to learn and grow
- Recognise children as individuals with their own unique value and dignity
- Create a learning environment where children are valued, challenged and encouraged to reach their full potential
- Encourage children to take responsibility for themselves and each other
- Treat all members of the school and local community with respect
- Deliver the National Curriculum through our Learning and Teaching Policy and Creative Curriculum
- Prepare children to face new challenges with confidence
- Provide the opportunity to learn about other faiths and cultures while maintaining our Christian ethos

Signed on behalf of Headteacher, Staff and

Governors _____

Mr Patrick Corbett (Head Teacher)

Cawthorne's Endowed School
Abbeystead
Nr. Lancaster
LA2 9BQ
01524 791565
Email:
head@cawthornes.lancs.sch.uk

The parents or guardians will aim to:

- Support the school in its aim to create a secure and happy environment for children to learn and grow
- Ensure that my child/children attends school regularly and punctually and inform the staff if my child is absent
- Attend parent's evenings whenever possible to discuss my child's progress
- Support the school behaviour policy and help reinforce my child's understanding of the rules
- Help my child/children with daily reading and homework when necessary and try to ensure that it is completed and returned on time
- Ensure that my child/children are properly equipped for the school day
- Read the weekly newsletter
- Talk to staff about concerns that may arise about progress, relationships or behaviour
- Only distribute/post photos containing their own children

Parents/Guardians

*We teach each other.
We learn together.
We leave prepared.*



Cawthorne's
Endowed
School

(established 1674)

Home School Agreement
September 2020

The children will aim to:

- Try to do our best at all times, in work, behaviour and our relationships with others
- Take good care of our school, the equipment, grounds and buildings
- Always try to be kind and considerate to each other and try not to hurt anyone in any way
- Work quietly in class, be polite to everyone;
- Try to complete and hand in homework on time
- Remember the rules of the school and help others to understand them

Pupil





Department
for Education

Use of reasonable force

**Advice for headteachers, staff and
governing bodies**

July 2013 Contents

Summary	6
About this departmental advice	6
Expiry or review date	6
Who is this advice for?	6
Key points	6
Who can use reasonable force?	7

When can reasonable force be used?	7
Schools can use reasonable force to:	8
Schools cannot:	8
Power to search pupils without consent	8
Communicating the school's approach to the use of force	9
Using force	9
Staff training	9
Telling parents when force has been used on their child	10
What happens if a pupil complains when force is used on them?	10
What about other physical contact with pupils?	11
Frequently Asked Questions	11
Further sources of information	12

Summary

About this departmental advice

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

Expiry or review date

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

Who is this advice for?

- School leaders and school staff in **all schools**¹ in England.

Key points

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

¹ "All schools" include Academies, Free Schools, independent schools and all types of maintained schools

What is reasonable force?

1. The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.
2. Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.
3. 'Reasonable in the circumstances' means using no more force than is needed.
4. As mentioned above, schools generally use force to control pupils and to restrain them. Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.
5. Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.
6. School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.

Who can use reasonable force?

- All members of school staff have a legal power to use reasonable force².
- This power applies to any member of staff at the school. It can also apply to people whom the headteacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

When can reasonable force be used?

- Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.
- In a school, force is used for two main purposes – to control pupils or to restrain them.
- The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.

- The following list is not exhaustive but provides some examples of situations where reasonable force can and cannot be used.

Schools can use reasonable force to:

- remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- prevent a pupil behaving in a way that disrupts a school event or a school trip or visit;
- prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground; and
- restrain a pupil at risk of harming themselves through physical outbursts.

Schools cannot:

- use force as a punishment – it is always unlawful to use force as a punishment.

Power to search pupils without consent

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

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

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

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

Communicating the school’s approach to the use of force

- Every school is required to have a behaviour policy and to make this policy known to staff, parents and pupils. The governing body should notify the headteacher that it expects the school behaviour policy to include the power to use reasonable force.
- There is no requirement to have a policy on the use of force but it is good practice to set out, in the behaviour policy, the circumstances in which force might be used. For example, it could say that teachers will physically separate pupils found fighting or that if a pupil refuses to leave a room when instructed to do so, they will be physically removed.
- Any policy on the use of reasonable force should acknowledge their legal duty to make reasonable adjustments for disabled children and children with special educational needs (SEN).
- Schools do not require parental consent to use force on a student.
- Schools should **not** have a ‘no contact’ policy. There is a real risk that such a policy might place a member of staff in breach of their duty of care towards a pupil, or prevent them taking action needed to prevent a pupil causing harm.
- By taking steps to ensure that staff, pupils and parents are clear about when force might be used, the school will reduce the likelihood of complaints being made when force has been used properly.

Using force

- A panel of experts⁴ 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
- the ‘nose distraction technique’ which involves a sharp upward jab under the nose.

⁴ Physical Control in Care Medical Panel - 2008 7

Staff training

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

Telling parents when force has been used on their child

- It is good practice for schools to speak to parents about serious incidents involving the use of force and to consider how best to record such serious incidents. It is up to schools to decide whether it is appropriate to report the use of force to parents⁵.
- In deciding what is a serious incident, teachers should use their professional judgement and consider the:
 - pupil's behaviour and level of risk presented at the time of the incident;
 - degree of force used;
 - effect on the pupil or member of staff; and
 - the child's age.

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.

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

- Suspension must not be an automatic response when a member of staff has been accused of using excessive force. Schools should refer to the “Dealing with Allegations of Abuse against Teachers and Other Staff” guidance (see the ‘Further sources of information’ section below) where an allegation of using excessive force is made against a

teacher. This guidance makes clear that a person must not be suspended automatically, or without careful thought.

- Schools must consider carefully whether the circumstances of the case warrant a person being suspended until the allegation is resolved or whether alternative arrangements are more appropriate.
- If a decision is taken to suspend a teacher, the school should ensure that the teacher has access to a named contact who can provide support.
- Governing bodies should always consider whether a teacher has acted within the law when reaching a decision on whether or not to take disciplinary action against the teacher.
- As employers, schools and local authorities have a duty of care towards their employees. It is important that schools provide appropriate pastoral care to any member of staff who is subject to a formal allegation following a use of force incident.

What about other physical contact with pupils?

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

Frequently Asked Questions

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

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

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

Q: What about school trips?

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

Q: Can force be used on pupils with SEN or disabilities? **A:** Yes, but the judgement on whether to use force should not only depend on the circumstances of the case but also on information and understanding of the needs of the pupil concerned.

Q: I'm a female teacher with a Year 10 class - there's no way I'd want to restrain or try to control my pupils. Am I expected to do so? **A:** There is a power, not a duty, to use force so members of staff have discretion whether or not to use it. However, teachers and other school staff have a duty of care towards their pupils and it might be argued that failing to take action (including a failure to use reasonable force) may in some circumstances breach that duty.

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

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

Further sources of information

Other departmental advice and guidance you may be interested in

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

Associated resources (external links)

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



Department for Education

© Crown copyright 2015

This publication (not including logos) is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

To view this licence:

visit www.nationalarchives.gov.uk/doc/open-government-licence/version/3

email psi@nationalarchives.gsi.gov.uk

write to Information Policy Team, The National Archives, Kew, London, TW9 4DU

About this publication:

enquiries www.education.gov.uk/contactus

download www.gov.uk/government/publications

Reference: DFE-00295-2013 Follow us on
Twitter: @educationgovuk

Like us on Facebook:
[facebook.com/educationgovuk](https://www.facebook.com/educationgovuk)

Appendix 3

EXCLUSION INFORMATION

(Steer Report)

EXCLUSIONS FROM SEPTEMBER 2007

- Parents are to be legally responsible for whereabouts of child during days 1-5 of any exclusion - £50 penalty notice if child is found in a public place without reasonable justification.
- Schools must arrange full-time education from day 6 of any period of a fixed period exclusion of 6 days or longer – normally off-site.
- LAs must arrange full-time education from day 6 of any permanent exclusion.

MANDATORY REINTEGRATION INTERVIEWS FOLLOWING FIXED PERIOD EXCLUSIONS

- Headteacher must arrange reintegration interviews following fixed period exclusions.
- Parents will have to be properly notified.
- Interview can be conducted by Headteacher or other person authorised by the Headteacher.
- Failure to attend will be taken into account by courts when considering parents order – but no direct sanction.

EXCLUSIONS AND PARENTAL RESPONSIBILITIES

- Parents to be legally responsible for whereabouts of child during days 1-5 of an exclusion.
- Applies to first five days of any period of fixed period exclusion in school year – potential maximum liability for 45 days.
- £50 penalty notice is child found in public place without reasonable justification.
- Parents are not required to stay at home themselves but must arrange for someone to be responsible.
- Expectation that school will provide work.

Our school is mindful to ensure that it follows the statutory guidance for Exclusion available at <https://www.gov.uk/government/publications/school-exclusion>

