



## WENSLEY FOLD CE PRIMARY ACADEMY

### BEHAVIOUR, RESTRAINT & EXCLUSION POLICY

#### MISSION STATEMENT

*The school values and recognises the uniqueness of each individual child and acknowledge their fundamental right to be educated to their full potential in a safe, secure and caring environment. The school, which has a Christian heritage, will, in partnership with parents and the extended community, aim to make each day count for all.*

#### SCHOOL AIMS

At Wensley Fold we aim to:

1. Develop a happy, cheerful and caring atmosphere for all who work in our school.
2. Provide an environment in which every child will be encouraged to work hard in order for them to achieve their full potential in all aspects of school life.
3. Provide a curriculum which is broad and balanced, responding to the
4. Interests and abilities of all children, encouraging high levels of self esteem.
5. Care for one another, show respect and consideration for each other's needs and to treat everyone equally.
6. Establish a close link between home and school and to form a partnership with parents in the education of their children.
7. Encourage all children to show independence and individuality and adopt high expectations of themselves and others.
8. Foster the development of all pupils as individuals by using their skills and abilities in extra-curricular activities.
9. Meet the spiritual needs of children, through the teaching of Moral and Christian values.
10. Promote an understanding and appreciation of other races, religions and ways of life.
11. Behave appropriately, act with courtesy and take responsibility for our actions.
12. Be committed to training and developing our staff and future entrants to the profession.

#### SCHOOL RULES AND CODE OF BEHAVIOUR

(As found in the Information Booklet for Parents)

1. In class we make it as easy as possible for everyone to learn and for the teacher to teach. (This means arriving with everything that you need for that lesson, beginning and ending the lesson in a courteous and orderly way, listening carefully, following instructions, helping each other when appropriate and being quiet and sensible at all times).
2. We all walk around school at all times.
3. We certainly take care on the stairs.
4. We look after our school, our trays, our toilets and our cloakroom.
5. We do not drop litter - we pick up any litter we see.
6. We should respect each other and treat others in the way we would like to be treated.
7. We certainly do not take things which are not ours and respect other people's property.

8. There are some things we never bring to school:
  - Canned/glass bottled drinks,
  - Chewing gum
  - Sweets
  - Toys
  - Games
  - Money
9. We can wear watches but they must have a label with our name on.
10. There are some things we never wear for school:
  - Jeans
  - Nail varnish
  - All Jewellery (including earrings)
  - Make-up
  - Trainers
11. We take care of our environment
12. We should accept that everyone is different but equally important

### **EFFECTIVE CLASSROOM MANAGEMENT**

Teachers and adults working in the classroom will aim for high standards and consistency throughout the school in the management and organisation of all classroom and extra curricular activities by:

1. Ensuring that procedures are clearly understood regarding pupil discussion, participation in activities, movement in class, the way in which work is handed in, and what pupils should do when tasks are completed
2. Ensuring explanations are clear
3. Ensuring work requirements of pupils are clearly set out, and progress is monitored carefully; clear instructions are given so that activities run smoothly
4. Ensure that misbehaviour is handled quickly and calmly so that the pace of a lesson or activity is not lost and further disruption is minimised
5. Develop good listening skills and react appropriately to pupils' opinions and responses
6. Ensure that work set is appropriate to the pupils' ability
7. Ensure that clear goals are set for each activity and all pupils understand them before a lesson begins
8. Ensure that lessons and activities start and end on time
9. Ensure that classrooms are suited to a particular activity as far as is possible
10. Ensure that seating arrangements are suitable. These will often be dictated by the activity but particular attention should be paid to the location of the more troublesome pupils and those easily distracted
11. Ensure that external interruptions are minimised wherever possible
12. Ensure that the necessary material for a given activity is available

### **REWARDS AND INCENTIVES FOR GOOD BEHAVIOUR/ACHIEVEMENT**

All adults should have high expectations of all the children in terms of both achievement and behaviour

and adopt a positive approach and the use of positive language helps to establish an environment in which children want to both respond and demonstrate their abilities. This can be encouraged by:

- use of traffic lights system in all classes
- silver and gold stars – acknowledgement of a ‘wow’ moment (above and beyond, exceptional)
- praising the good work/behaviour of an individual, group or class
- use praise stamps and stickers
- award house points
- ask the child(ren) to show their work/discuss their achievement with other teachers/Deputy Head/Headteacher.
- inform the child’s parents of the achievement.
- display good work in the classroom/entrance hall; show it to the whole school in assembly.
- achievement assembly, celebrating the children’s achievements within and beyond school, golden jumper for ‘star of the week’.
- golden time
- golden tickets – to gain early entry to the termly club fair

### **PROCEDURES AND SANCTIONS**

The school has agreed the following procedures and sanctions for occasions where inappropriate behaviour occurs.

Please ensure that these are visible in your classroom

a) Breaches of the Code of Behaviour and the school rules:

1. Verbal reprimand
2. Move to amber on the traffic lights
3. Move to red on the traffic lights → loss of privileges (break time or lunch time)
4. Serious incidents reported on CPOMS
5. Class teacher must contact the parents to arrange a meeting to discuss behaviour and agree actions → agreed actions being entered on CPOMS, a lack of willingness to meet or engage by the parents should be reported to SLT immediately
6. Report to the Assistant Head of Key Stage
7. Report to Headteacher
8. Continued inappropriate behaviour → strategy meeting involving parents, class teacher, SENCO and headteacher
9. Behaviour support programme devised
10. Weekly involvement of parents
11. Short term or permanent exclusion
12. A multi agency assessment would be considered for a child who displays continuous disruptive behaviour

*See Appendix 2*

A record will be kept of all measures from stage 4 onwards (CPOMS) when parents will be involved.

b) Major incidents:

All incidents which are classed as major will be reported to the Headteacher and will be dealt with appropriately in terms of the agreed procedures as set out in the above list from number four onwards.

Incidents defined as being major will include:

- Violence (physical and property)
- Bullying – *see Appendix 1*
- Persistent Misbehaviour
- Racism
- Theft

All incidents of this nature will be recorded on an incident sheet together with agreed and actual actions.

Matters which require the involvement of outside agencies such as police/medical will be dealt with accordingly to the procedures of those agencies and recorded as appropriate.

### **VISITS, SCHOOL JOURNEYS, SCHOOL TRANSPORT and BEYOND THE SCHOOL GATE**

All of the aims, responsibilities and guidance set out above apply when children are involved in any educational, sporting or social activity off the school site and on occasions beyond the school gate. All children are ambassadors for their school when on these journeys and expectations of behaviour and discipline are as high as those within school. For the avoidance of doubt, the principles and provisions of this Policy will apply in all situations when children are:

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

In such circumstances the Headteacher will consider whether it is appropriate to notify the police or anti-social behaviour coordinator in the Local Authority of the actions taken against a pupil. If the behaviour is criminal or poses a serious threat to a member of the public, the police should always be informed.

School staff should consider whether the misbehaviour may be linked to the child suffering, or being likely to suffer, significant harm. School staff must follow the school's safeguarding policy.

### **MIDDAY SUPERVISION**

If children misbehave in the playground, they will be reprimanded and the children will be asked to talk through the incident and discuss appropriate choices, if applicable. Children will be given 'time out' in the designated place on the playground or field.

Lunchtime supervisors have the same authority as teachers and will apply the same sanctions – reprimanding, 'time out' and/or reporting to the class teacher, Assistant Headteacher, Deputy Headteacher, Headteacher, where appropriate.

Lunchtime assistants also issue:

- 'man of the match' tickets
- golden cups (Key Stage 1)
- red and blue cups (Key Stage 2)

## **ROLES and RESPONSIBILITIES**

### **The role of the Headteacher**

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) is aware of the school policy and know how to deal with incidents of bullying.

The Headteacher reports to the Governing Body about the effectiveness of the anti-bullying policy on request.

The Headteacher ensures that all children know that bullying is wrong and that it is unacceptable behaviour in our school. The Headteacher draws the attention of children to this fact at suitable moments. For example, if an incident occurs, 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.

The Headteacher ensures that all staff receives sufficient training to be equipped to deal with all incidents of bullying.

### **The role of Governors in eliminating bullying**

The Governing Body supports the Headteacher in all attempts to eliminate bullying from our school. The Governing Body does not allow bullying to take place in our school. Any incidents of bullying that do occur are taken seriously and dealt with appropriately.

The Governing Body monitors the incidents of bullying that occur and reviews the effectiveness of the school policy regularly. The Governors require the Headteacher to keep accurate records of all incidents of bullying and to report to the Governors on request the effectiveness of school anti-bullying strategies.

The Governing Body responds, within ten working days, to any request from a parent to investigate incidents of bullying. In all cases, the Governing Body notifies the Headteacher and asks him/her to conduct an investigation into the case and to report back to a representative of the Governing Body.

### **POLICY FOR SCREENING and SEARCHING PUPILS**

The governors recognise that there are two sets of legal provisions which enable school staff to confiscate items from pupils:

1. 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.

*The governors have agreed that any item confiscated will be returned to the child's parent.*

2. **Power to search without consent** for weapons, knives, alcohol, illegal drugs and stolen items. The legislation sets out what must be done with prohibited items found as a result of a search – weapons and knives must always be handed over to the police otherwise it is for the teacher to decide when and if to return a confiscated item.

*The governors have agreed that whilst such items have never been confiscated before where staff are suspicious that a pupil have any item listed above then they MUST follow legislative guidance with regards to handing over weapons and knives to the police, otherwise staff will hand over other items to the Headteacher who will in turn contact parents to discuss the incident. The Headteacher may decide (depending upon the severity of the incident) to inform other agencies (Children's Social Care, School Nurse, Police etc).*

Refer to <https://www.gov.uk/government/publications/searching-screening-and-confiscation>

### **POLICY FOR THE RESTRAINT OF PUPILS**

*(Please see Use of Reasonable Force Guidance – 2013)*

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

The use of physical force by teachers and others authorised by the Headteacher to control or restrain pupils is sanctioned by section 93 of the Education and Inspections Act 2006. Teachers 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
- 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

Before intervening physically a teacher/teaching assistant should tell the pupil who is misbehaving to stop, and the consequence of what will happen if he/she does not stop. The teacher/teaching assistant should continue attempting to communicate with the pupil throughout the incident, and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary. A calm and measured approach to the situation is needed and a teacher/teaching assistant should never give the impression that they have lost their temper, or are acting out of anger or frustration to punish the pupil.

It is advisable for a teacher/teaching assistant to summon help from another adult. The pupil should be informed that help has been sought.

Physical intervention can take several forms. It might involve:

- Physical interposing between pupils
- Blocking a pupil's path
- Holding
- Leading a pupil by the hand or arm
- Shepherding a pupil away by placing a hand in the centre of the back

Any other forms of restraint are not acceptable, particularly if they may cause injury to the child. Staff should always avoid holding or touching the pupil in a way that might be considered indecent.

In the event of a serious incident the teacher/teaching assistant must provide a written record for the Headteacher (see Appendix 2). Details must include:

- The name(s) of the pupil(s) and where the incident took place
- The names of any other staff or pupils that witnessed the incident
- The reason that force was necessary – for example, to prevent injury to the pupil, another pupil or member of staff
- How the incident began and progressed, including details of the pupil's behaviour, what was said by each of the parties, the steps taken to defuse or calm the situation, the degree of force used, how it was applied and for how long
- The pupil response and the outcome of the incident
- Details of any injury suffered by the pupil, another pupil, or a member of staff and of any damages to the property
- The written account should be signed, dated and shared with the Headteacher

The Headteacher will take responsibility for informing the parents verbally or in writing of any serious incident. Minor incidents should be reported by teachers to parents verbally on the day of the incident. If the child is collected by someone different then a phone call should be made to inform the parents.

### ***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.*

## 15. Exclusion

The Head teacher has the duty to maintain discipline and good conduct to secure an orderly learning environment. In furtherance of this, the Head teacher has the right to exclude children from school at her own discretion, either temporarily or permanently.

1. Only the head teacher 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 school days in a single academic year), or permanently. A fixed-period exclusion does not have to be for a continuous period.
2. A fixed-period exclusion can also be for parts of the school day. For example, if a pupil's behaviour at lunchtime 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 exclusions are counted as half a school day for statistical purposes and in determining whether a governing board meeting is triggered.
3. 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.
4. The behaviour of a pupil outside school can be considered grounds for exclusion.
5. The head teacher may withdraw an exclusion that has not been reviewed by the governing board.
6. Any decision of a school, including exclusion, must be made in line with the principles of administrative law, i.e. that it is: lawful (with respect to the legislation relating directly to exclusions and a school's wider legal duties, including the European Convention on Human Rights and the Equality Act 2010); rational; reasonable; fair; and proportionate.
7. The head teacher must take account of their legal duty of care when sending a pupil home following exclusion.
8. When establishing the facts in relation to an exclusion decision the head teacher must apply the civil standard of proof; i.e. 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt.' This means that the head teacher should accept that something happened if it is more likely that it happened than that it did not happen.
9. Under the Equality Act 2010 (the Equality Act), schools must not discriminate against, harass or victimise pupils because of: sex; race; disability; religion or belief; sexual orientation; pregnancy/maternity; or gender reassignment. For disabled children, this includes a duty to make reasonable adjustments to policies and practices and the provision of auxiliary aids.
10. In carrying out their functions, the public sector equality duty means schools must also have due regard to the need to:

- eliminate discrimination, harassment, victimisation, and other conduct that is prohibited by the Equality Act;
- advance equality of opportunity between people who share a protected characteristic and people who do not; and
- foster good relations between people who share a protected characteristic and people who do not share it.

11. These duties need to be complied with when deciding whether to exclude a pupil. Schools must also ensure that their policies and practices do not discriminate against pupils by unfairly increasing their risk of exclusion. Provisions within the Equality Act allow schools to take positive action to deal with particular disadvantages, needs, or low participation affecting one group, where this can be shown to be a proportionate way of dealing with such issues<sup>4</sup>.

12. The head teacher and governing board must comply with their statutory duties in relation to SEN when administering the exclusion process. This includes having regard to the SEND Code of Practice<sup>5</sup>.

13. It is unlawful to exclude for a non-disciplinary reason. For example, it would be unlawful to exclude a pupil simply because they have additional needs or a disability that the school feels it is unable to meet, or for a reason such as: academic attainment/ability; the action of a pupil's parents; or the failure of a pupil to meet specific conditions before they are reinstated, such as to attend a reintegration meeting. However, a pupil who repeatedly disobeys their teachers' academic instructions could, be subject to exclusion.

14. 'Informal' or 'unofficial' exclusions, such as sending a pupil home 'to cool off', are unlawful, regardless of whether they occur with the agreement of parents or carers. Any exclusion of a pupil, even for short periods of time, must be formally recorded.

15. Maintained schools have the power to direct a pupil off-site for education to improve their behaviour<sup>6</sup>. A pupil at any type of school can also transfer to another school as part of a 'managed move' where this occurs with the consent of the parties involved, including the parents and the admission authority of the school. However, the threat of exclusion must never be used to influence parents to remove their child from the school.

Refer to <https://www.gov.uk/government/publications/school-exclusion> (updated July 2017-changes effective September 2017)

**Refer to;**

***“Exclusion from maintained schools, academies and pupil referral units in England  
Statutory guidance for those with legal responsibilities in relation to exclusion  
September 2017”***

**For further Guidance on**

- The head teacher's power to exclude
- The head teacher's duty to inform parties about an exclusion

- The governing board's and local authority's duties to arrange education for excluded pupils
- The governing board's duty to consider an exclusion
- The governing board's duty to remove a permanently excluded pupil's name from the school register
- The local authority's/academy trust's duty to arrange an independent review panel
- The duties of independent review panel members, the clerk and the SEN expert in the conduct of an independent review panel
- The governing board's duty to reconsider reinstatement following a review
- The local authority's role in overseeing the financial readjustment/payment
- Statutory guidance to the head teacher, governing board and independent review panel members on police involvement and parallel criminal proceedings

**Pupil's Conduct Outside the School Gates – Teachers' Powers (taken from DfE '*Behaviour & Discipline in Schools*' January 2016)**

***What the law allows:***

*Teachers have the power to discipline pupils for misbehaving outside of the school premises "to such an extent as is reasonable".*

*Maintained schools and Academies' behaviour policies should set out what the school will do in response to non-criminal bad behaviour and bullying which occurs off the school premises and which is witnessed by a staff member or reported to the school, including the punishments that will be imposed on pupils.*

*Subject to the behaviour policy, teachers may discipline pupils for:*

*misbehaviour when the pupil 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.*

*In all cases of misbehaviour the teacher can only discipline the pupil on school premises or elsewhere when the pupil is under the lawful control of the staff member.*

With regard to exclusion:

*The behaviour of pupils outside school may be relevant and can be considered as grounds for an exclusion decision.*

Please refer above.

### **Pastoral Care for School Staff Accused of Misconduct**

The Governors and Headteacher will have due regard for the pastoral care and wellbeing of any member of staff accused of misconduct. All incidents or allegations will be looked into swiftly, fairly and sensitively (for all parties involved) with reference to school’s Safeguarding and Disciplinary policies.

### **PROVISION FOR PROFESSIONAL DEVELOPMENT / INSET / SUPPORT FOR STAFF**

Provision for Assimilation by all teaching and non-teaching staff will be through:

- INSET
- Induction of new staff (teaching and non-teaching)
- Inclusion in Internal Consistencies document

Pastoral support will be available for school staff accused of misconduct, drawing on the advice in the ‘Dealing with Allegations of Abuse Against Other Staff’ guidance.

The school will not automatically suspend a member of staff who has been accused of misconduct, pending an investigation.

### **REVIEW**

The policy will be reviewed through and by consultation with staff, the Headteacher and governors.

Any amendments to the policy arising from the review procedure will go to consultation with staff and governors for approval and ratification.

This policy complies with section 89 of the Education and Inspections Act (2006) and the statutory guidance Behaviour and Discipline in Schools (advice for Headteachers and school staff – 2016)

<http://www.legislation.gov.uk/ukpga/2006/40/section/89>

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/488034/Behaviour and Discipline in Schools - A guide for headteachers and School Staff.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/488034/Behaviour_and_Discipline_in_Schools_-_A_guide_for_headteachers_and_School_Staff.pdf)

**D. Simpson**  
Headteacher  
Reviewed  
March 2017  
June 2017  
January 2018  
March 2019  
November 2020  
November 2021

Reviewed by the Governing Body November 2021

Signed..... Chair of Governors

# BEHAVIOUR IN AND OUT OF SCHOOL SANCTIONS

