

October 2025

Buxworth Primary School

Policy for Behaviour

October 2025

Title: Behaviour Policy

Function: Information and Reference

Subject Category: Curriculum and Management

Audience: All staff, governors and parents

Date of Review: October 2026

Member of Staff Responsible: All staff

Buxworth Primary School Behaviour Policy

Together our behaviour will be:

Together we will:

1. Be **compassionate** to everyone
2. Be **trustworthy** in all that we do
3. Be **respectful** to each other
4. Be a good **friend**
5. Be **thankful**

We value everyone's contribution to the life of the school.

All staff, pupils, parents and governors are expected to share and uphold this vision.

Good behaviour and discipline are basic to good education.

Teaching and learning needs to take place in a calm, orderly atmosphere where people and property are respected. We aim to provide a positive and encouraging environment in which children are praised for working hard and for showing care and respect for others.

The school rules reflect the ethos of the school and were established in consultation with the children and all the children are aware of them.

The School Rules

The children will

- be kind to each other
- be polite
- be helpful to everyone
- follow instructions from all staff
- care for other people's things
- try to do their very best
- be honest and trustworthy
- ensure their own safety and that of others

Prefects

Prefects, a mixture of boys and girls, are selected from Year 6 and are identified with badges. They are allocated to individual classes; EYFS classes have two prefects each. These children are chosen by the staff on the basis of maturity and potential to respond to this significant responsibility.

Their duties are mainly during assemblies, at playtimes and lunchtimes ensuring that children move around the school sensibly, making sure the children arrive and exit assemblies with the appropriate attitude. During wet playtimes/lunchtimes they take responsibility for their allocated class, modelling and promoting positive behaviour.

Prefects note any children that disobey the school rules. If a child appears three times in any of the Prefects' books, the child concerned will either lose 'Golden Time' or some of their play time. The SLT collects the Prefects' books on a regular basis. Any serious problem that may have arisen eg. a child swearing, will subsequently be dealt with by a senior member of staff.

Prefects can also report individual children or a class that has behaved in an exemplary way for extra privilege e.g. 5 minutes extra play, additional ICT time or Golden Time etc. They also conduct their own achievement assemblies each term, where they elect a child from their allocated class giving the reasons for their choice.

The responsibility of being a Prefect lasts for the whole academic year unless some serious misdemeanour occurs which will result in the child concerned losing their status.

Rewards for Good Behaviour

We give recognition for achievement and good behaviour in a variety of ways: e.g. verbal praise, stickers, certificates, Dojo points, weekly achievement assembly and golden time.

Good work may be shown to a teacher or another member of staff, shown in assembly and/or shown to the Headteacher.

In this way we make an example of habits we wish to encourage. Children learn by example as well as rules.

Once a week 'Silver Assemblies' are held. The awards are awarded for a variety of reasons which can include academic achievements, personal and/or social behaviour. All staff may give awards' for positive behaviour.

Rewards are given for good behaviour at lunchtime.

Pupils are recognised by School Council Reps on a weekly basis – these awards are often for good/exemplary behaviour and courtesy to others. These are then given, by the chair of the school council, in the weekly achievement assembly.

The House System

The children are put into house teams- (mountain names). House points are given to children. These are collected each week and displayed on boards in the hall. At the end of each week a cup is presented to the team captain and put on display and the winning 'team of the term' gain a reward.

Points are also awarded to House Teams on Sports days.

Behaviour Plan

Staff will use their professional judgement with regard to unacceptable behaviour, taking into account the circumstances and the individual concerned.

Action	Action	Action	Action
<i>Not ready to learn - persistently</i>	<i>Disrupting the learning of others</i>	<i>Refusing to cooperate with others (GET ASSISTANCE VIA RED RECATANGLE- IF NEEDED)</i>	<i>Dangerous and damaging behaviour (GET ASSISTANCE VIA RED RECATANGLE)</i>
<ul style="list-style-type: none"> • Not following classroom rules • Not having the right attitude • Late for lesson 	<ul style="list-style-type: none"> • Not listening to or following instructions • Shouting out in class • Disrupting the work of others • Disrespectful comments/behaviour • Not using equipment properly 	<ul style="list-style-type: none"> • Repeated refusal to follow instructions • Using equipment dangerously • Arguing with teachers • Ignoring staff and walking away • Inappropriate sexual comments/behaviour • Swearing at peers • Bullying: Verbal/physical • Stealing • Vandalism • Racist language or behaviour 	<ul style="list-style-type: none"> • Swearing at staff • Verbal or written abuse to staff • Total refusal to co-operate • Vandalism • Excessive physical contact • Racist language or behaviour
Consequences	Consequences	Consequences	Consequences

<p>CLASSROOM TEACHER RESPONSIBLE</p> <ul style="list-style-type: none"> Use classroom management approaches Plus describe the behaviour <p>If pupil continues, point out the consequences</p> <ul style="list-style-type: none"> Detention (break time) Lose golden time Remove to another class <p>Persistent</p> <p>Sent to Phase Leader and inform Learning Mentor (if needed)</p>	<p>CLASSROOM TEACHER RESPONSIBLE</p> <p>Describe the actual behaviour accurately.</p> <p>If pupil continues, point out consequences</p> <ul style="list-style-type: none"> Sent to SLT Entry in behaviour book (3 entries in behaviour book to then go on report). If behaviour continues whilst on report a second card will be issued. A yellow card may be issued for a second week that focuses on particular activities eg. playtimes Letter home to parents <p>Persistent/serious</p> <p>On Report Parents informed Referral to Learning Mentor, Senco</p>	<p>INFORM either Learning Mentor or senior teacher / HT</p> <p>Describe the actual behaviour</p> <ul style="list-style-type: none"> Child on report Inform parents/carers <p>Persistent/serious</p> <ul style="list-style-type: none"> Internal Exclusion Fixed term exclusion CAF/refer to MAGs 	<p>INFORM HT Also (if necessary)</p> <p>Learning Mentor</p> <ul style="list-style-type: none"> Report Behaviour Plan Internal Exclusion Inform parents/carers Fixed Term Exclusion Permanent Exclusion CAF/ refer to MAGs <p>Police</p>
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In the absence of the Headteacher the Teachers will deal with incidents, except for exclusions, where the Headteacher will be consulted.

We hope to encourage co-operation, mutual support and competition through teamwork. We also aim to develop children's learning, independence and self-discipline: in this we are thinking of their future as responsible adults.

Staff Guidance

If children are found to be inside the school buildings at playtimes or lunchtimes, or in a place other than where they are supposed to be, their names are noted and the Staff are informed.

'Behaviour' is a fixed agenda item for staff meetings, providing the opportunity to discuss whole school behaviour on a regular basis.

Children with additional needs may have an individual behaviour plan. If it is considered to be in the best interests of the child they will receive support.

All children should be outside at lunchtimes. Prefects can be on duty at the main entrances.

Totally Unacceptable Behaviour

This can be defined as behaviour that puts the member of staff and/or other children at risk or behaviour that may result in a breakdown of discipline in the classroom and school. Such behaviour would include swearing, verbal or written abuse, excessive physical contact and refusal. In certain circumstances a red recatangle (which symbolises immediate action is required) should be sent to the nearest adult, who will provide immediate assistance. A member of the Senior Leadership Team should be informed when such action has been taken.

Educational Visits

For some children, individual supervision may be necessary on educational trips, including residential trips. A risk assessment noting their particular needs will be identified by the lead teacher, attached to the general assessment, and shared with the EVC (see Inclusion Policy). If a child's behaviour is deemed a safety issue for the trip, then health and safety will take priority and the child in question will not go on the trip. The Headteacher will make the final decision.

Residential Trip

Both parents and children will be fully briefed, before the residential trip, regarding behaviour. Parents will be informed, that if a child's behaviour is such that they put their's or others safety at risk, they will be immediately contacted and asked to collect their child from the trip. If a child's behaviour is deemed a safety issue for the trip, then health and safety will take priority and the child in question will not go on the trip. The Headteacher will make the final decision.

Vandalism

All instances of vandalism should be reported immediately to the Headteacher/SLT. Parents should pay for damages to school property and other people's property and may be reported to the Police.

Stealing

Children know that all staff stakeholders regard stealing as a very serious offence and will investigate all reported incidents. If these are not resolved satisfactorily the Headteacher will be informed. Records should be kept by class teachers of all incidents of stealing. If the child persists in stealing, parents will be informed and, in some cases, the local Police.

Playground Behaviour

During breaktimes, teachers and support staff are responsible for the children. When incidents occur the member of staff may give a verbal warning. A more serious offence should be referred to the Headteacher or Senior teacher and recorded in the Behaviour book. Further incidents should result in additional sanctions being initiated.

At lunchtimes the MDA's (Midday Assistants) and SMDS (Senior Midday Supervisor) are in charge of the children. The MDA's will use the same sanctions as teaching staff to ensure continuity of expectations of behaviour throughout the school day.

Sanctions

In special circumstances, especially when a pupil has been diagnosed with a specific disorder, such as autism, these sanctions may not apply. Such pupils may be / will have been placed on Special Needs Register and will have their own one page profile.

Depending on the misdemeanour, a child's name may be placed in the 'Behaviour Log' by the Headteacher, members of the teaching team.

This is a register of incidents in school. If a child has three entries in the Behaviour Log parents are informed and the 'Report Card System' is initiated. Initially the child is 'on report' for one week. During this time the child has a Report Card on which a record of the child's behaviour during each session of the day is kept. At the end of this time the Headteacher/SLT will use his/her professional judgement to decide whether the child can:-

1. come off report
2. be kept on report for a further week
3. be given a yellow/green card for a further week which could focus on a particular area of concern eg. Playtimes/lunchtimes
4. receive a detention

During the time that a child is 'on report', they are excluded from all extra curricular activities and cannot represent the school in sporting, music or other events.

There may be times when the misdemeanour is serious enough to be put immediately on report (see Behaviour Plan).

The Headteacher and the Deputy Headteacher have the legal right, from 1 September 1998, to detain a child after school for reasons of discipline, without the consent of the parent. Parents will be given 24 hours notice prior to the detention.

Year 3 - 10 minutes

Year 4 - 15 minutes

Year 5 - 20 minutes

Year 6 - 30 minutes

Children with behaviour problems will be referred to the Mentoring Team, if necessary. Our Mentors will also work on a reintegration programme, rewarding good behaviour.

Outcomes from this work may be:

- to develop and implement a structured intervention management programme for children displaying behaviour difficulties;
- to provide teaching for identified pupils;
- to assist pupil learning for those on the SEN register for behaviour difficulties;
- to respond flexibly to pupils needs in order to avoid exclusion;
- to monitor the non-attendance of pupils and unauthorised absences;
- to implement a re-integration programme for non-attendees;
- to analyse statistical information such as incidents of poor behaviour and unauthorised attendance's;
- to encourage pupil evaluation;
- to observe and record pupils, before, during and after programmes of support;
- to liaise with external agencies;
- to provide support and guidance on behaviour to members of staff and parents.
- to provide support for identified families to aid learning and good behaviour.

Internal / External Exclusions

A pupil may be excluded by the Headteacher. It must be noted that exclusion is a last resort and only considered at the end of a programme of sanctions that endeavour to discipline a pupil or if behaviour, in the opinion of the SLT, is extreme enough to force an immediate exclusion.

A pupil may have a fixed period (up to 15 days per term) or a permanent exclusion from school.

A fixed term exclusion can be extended to a permanent exclusion.

The parent will be informed by telephone when possible and by a letter within one school day. Parents can appeal against an exclusion.

All exclusions are reported to the Governing Body.

The Discipline Committee will meet to review an exclusion of 5 days within the time period allowed if requested to by the parent/guardian. The Discipline Committee will meet following a permanent exclusion within the allowable time limits. In both situations an LA representative may be present to give advice. Parents will be invited to give views, and can appeal against the committee's decision. If an exclusion is upheld by an appeal's panel the child's name may be removed from school roll. When a pupil is reinstated a date is specified for return. It is the LA's duty to ensure excluded pupils are re-integrated within one term to an alternative school.

Buxworth Primary School will follow the DfE Guidance on Exclusions.

Incidents of Racial Abuse:

Any form of racial harassment and abuse will not be tolerated at Buxworth Primary School. All incidents will be treated seriously, investigated, dealt with and logged by the Headteacher in the 'Behaviour Log'. 'One-off' incidents of racist behaviour will be dealt with in a way which is sensitive to the victim, acknowledging the harm and injustice done, but which also ensures that the offender understands the seriousness of the offence he or she has caused. The offender will be given every opportunity to try to repair the relationship with the victim wherever possible. Parents or carers of both the victim and the offender will be informed. Parents / carers of the offender will be involved in actions taken to modify the child's future behaviour and attitudes.

Attitudes of respect and tolerance for others will be constantly reinforced throughout all areas of the curriculum but will be addressed most specifically through our PSHCE programme of work.

The use of physical restraint – The use of force-challenging behaviour

In the context of challenging behaviour, physical intervention with pupils is the positive use of 'reasonable' force (no more force than is needed), in order to avert danger by preventing or deflecting a child's or young adults action, or by removing the physical object which could be used to harm themselves or others. Force is usually used either to control or restrain. Control means either passive physical contact (standing between pupils), or restraint (physically holding in order to bring a pupil under control). We agree that the use of force is only lawful if its use is reasonable, proportionate, necessary, and where no more force than is necessary is used. In this school it is usually, but not exclusively, the Headteacher or SENCO that will use physical restraint. From time to time we will provide training on physical restraint for all staff.

School Council

School Council were consulted and supported in the writing of our School Ethos, they have agreed upon the following policy on behaviour.

School Council Policy on Behaviour

This is what we as School Council believe is important to the school and to the children who work in it :

- Everyone is important no matter whatever they look like, their ability or belief.
- Every child should be happy at school and it is the responsibility of everyone to ensure that this is the case.
- Children should be responsible for their own behaviour, respect others and be polite to everyone.
- Children should respect other people's property and take good care of the school premises.
- Children should respect school rules and listen and respond to the person in charge in a polite manner.
- Everyone is responsible to report anything that they believe is not right.

Monitoring and Evaluation

Rewards and sanctions will be monitored to provide the School with regular information on how effectively the behaviour policy is working. The School will monitor to ensure how sanctions are distributed, therefore the data will be analysed by:-

- Gender
- Ethnicity
- PPG children
- SEN&D
- Age/Class
- Incident type

Behaviour data will be monitored by the Staff and regular updates will be given to the LGB • Comparing half termly statistics and annual totals for sanctions; • Comparing group data over time; • Monitoring individual's sanctions to identify progress or cause concern; • Observation of lessons and pupil response.

The Behaviour Policy will be reviewed annually by the LGB.

Monitoring & Review, Policy into Practice

This policy was approved by the Governing Body on:

This policy will be monitored and reviewed on:

The named Governor for bullying will report on a regular basis to the governing body on incidents of poor behaviour choices and outcomes. The school will ensure that they regularly monitor and evaluate mechanisms to ensure that the policy is being consistently applied. Any issues identified will be incorporated into the school's action planning.

Signed

Chair of Governors

Date

Signed

Headteacher

Date

Appendix A

Guidance of the use of physical restraint

The use of force-challenging behaviour

(Extracts from 'Guidance on the use of Physical Intervention, including other physical contact in all Education Establishments in Essex Local Authority' May 2011)

This guidance is based upon a number of principles.

- In line with the UN Convention on the Rights of the Child, all children and young people have a right to be treated with dignity and respect, and to be protected from their own dangerous behaviour and that of others.
- The use of **approved** physical force to address challenging behaviour should, wherever possible be avoided and only be used after all other strategies have been exhausted.
- Staff should not intervene where they feel that an intervention might place them at risk, either professionally or physically.
- It is strongly advised that staff should **not use physical restraint** techniques unless they have undergone specialist training, particularly with respect to Pupils with Special Educational Needs, Behaviour, Education, Social Disabilities or Autistic Spectrum Disorder.
- When the use of physical force is necessary to address challenging behaviour, it should be reasonable, proportional in the circumstances and maintain the safety and dignity of all concerned. It should be used in a manner which is consistent with the statutory duty upon schools to safeguard and promote the welfare of pupils and their staff.
- Governing bodies, Management Committee members and Headteachers should ensure that all staff are clear about what constitutes appropriate behaviour and professional boundaries. The maintenance of this good practice is important both to protect children and minimise the risk of allegations being made against staff.

This guidance applies to all members of school staff at a 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 of school organised visits.

The term 'allegation' means any complaint or concern however, and by whomever, raised which might indicate that:

- a person has harmed a child or put a child at risk of harm;
- a person has displayed behaviour involving or related to a child that might constitute a criminal offence;
- a person has behaved in such a way that raises concern about his/her suitability to work with children.

The legal framework

Section 550A of the Education Act 1996 sets out what physical interventions staff in schools may legally use. The Act states that:

"A member of the staff of a school may use, in relation to any pupil at the school, such force as is **reasonable** in the circumstances for the purpose of preventing the pupil from doing (or continuing to do) any of the following:

- committing any offence;¹
- causing personal injury to, or damage to the property of, any person (including the pupil himself);
- engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among any of its pupils, whether that behaviour occurs during a teaching session or otherwise."

¹ An "offence" includes anything that would be an offence if the pupil were not under the age of criminal responsibility.

The Act applies to "any teacher who works at the school and any other person who, with the authority of the head teacher, has lawful control or charge of pupils at the school". This may include classroom assistants, mid-day supervisors, escorts or voluntary helpers, including people accompanying pupils on visits, exchanges or holidays organised by the school.

The Act does not authorise the use of corporal punishment. Indeed, the law forbids school staff to use any degree of physical contact, which is deliberately intended to punish a pupil or which is primarily intended to cause pain or injury or humiliation. The Guidance for Safe Working Practices for the Protection of Children and Staff in Education Settings (2005), states that 'The use of unwarranted physical force is likely to constitute a criminal offence'. There is **no** legal definition of 'reasonable force'. The degree of force that may be used depends on all the particular circumstances. There are five relevant considerations.

1. The use of force can be regarded as reasonable **only** if the circumstances of the particular incident warrant it. It should be possible to show that, unless immediate action had been taken, there were strong indicators that injury or damage to property would follow. The use of any degree of force is unlawful, if the particular circumstances do not warrant the use of such physical force, and therefore should be in proportion to the incident.

2. Force can be used to **control** pupils i.e. passive physical contact, such as standing between pupils or blocking a pupils path.

3. Force can be used to **physically restrain** a pupil to bring them under control. It should only employ a **minimum amount of force** - i.e. the minimum force needed to avoid injury, damage to property or to prevent a breakdown in discipline - for the shortest period of time. The degree of force used will also be dependent on the age, understanding, physical maturity, developmental stage, sex of the pupil and whether the pupil has a special educational need. The decision to physically restrain a pupil must take account of these circumstances and be based on an assessment of the risks associated with the intervention, compared with the risks of not employing a physical intervention. **The resulting risk management strategy should be compatible with a positive behaviour management approach, and this should be an integral part of the schools Behaviour Policy.**

4. The **decision** on whether to use a **controlling or restraining force** on pupils is down to the professional judgement of the staff member concerned, however, schools should communicate clearly to their staff the school's approaches towards the use of either controlling or restraining forces. Schools do not require parental consent to use force to control or restrain a pupil, however, where this force is an integral part of a physical intervention daily management plan, this should be completed in partnership with the parents/guardians and pupil.

Whenever it is reasonably foreseeable that a pupil might require the use of a physical intervention i.e. controlled force or physical restraint; **a risk assessment** should be carried out, which identifies the benefits and risks associated with different intervention strategies and ways of supporting the pupil. The use of physical interventions should be minimised by the use of preventative strategies whenever it is foreseeable that a young person might require these types of intervention. The risk assessment must clarify the threshold for intervention and the interventions likely to be required.

Risk assessments and management plans for physical intervention should be the product of an assessment made collaboratively by those professionally involved with the young person and their parents/carers, thus indicating that a broad range of views has been taken into account in its completion. ('Ethical approaches to physical interventions', D Allen, BILD Publications, 2002). Wherever possible, pupils should be involved in this process. This risk assessment should form part of the individual's behaviour management plan.

The decision to use a physical intervention must take account of the circumstances (see 'reasonable force' above) and be based on an assessment of the risks associated with the intervention compared with the risks of not employing a physical intervention. The resulting risk management strategy should be compatible with a positive behaviour management approach.

Risks to young people are that a physical intervention will:

- be used unnecessarily (less intrusive methods could be used);
- cause injury, pain, distress or psychological trauma;
- become routine;

- increase the risk of abuse;
- undermine dignity and self-esteem;
- undermine relationships and create distrust.

Staff must issue children or young people with a verbal warning or an appropriate gesture i.e. British sign language and/or Makaton and/or PECS (Picture Exchange Communication System) or tactile Communication systems that physical intervention will be used unless the challenging behaviour ceases. The tone of voice needs to be appropriate to the needs of the child and decisive, and statements/signs/gestures must be unambiguous and clear. Staff should also be aware of the measures, developed and taken in advance, which have been designed to prevent the need for physical intervention.

On occasions, there may be no alternative but to intervene physically with a child, either to control or restrain, in their own and others' interests and safety. In such instances no more than minimum necessary force should be used, taking into account all of the circumstances. Such interventions should only be made when they are likely to succeed. Except in emergencies, more than one adult should be present.

There are a wide variety of situations in which the use of physical interventions, either to control or restrain a pupil who is displaying challenging behaviour, may have to be applied.

Examples

Where action is necessary in self-defence or because there is an imminent risk of injury

a pupil attacks a member of staff or another pupil

pupils are fighting

a pupil absconds from a class or tries to leave school - this will only apply if a pupil could be seriously at risk if not kept in the classroom or at school

Where there is a risk of significant damage to property

a pupil is engaged in, or is on the verge of committing, significant damage or vandalism to property

a pupil is causing, or is at risk of causing, injury or damage by accident, by rough play or by misuse of dangerous materials or objects

Behaviour and discipline in schools

**Advice for headteachers and school staff
February 2016 ²**

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Summary

About this departmental advice

- This guide is from the Department for Education. It provides advice to headteachers and school staff on developing the school behaviour policy and explains the powers members of staff have to discipline pupils.
- The purpose of this document is to provide an overview of the powers and duties for school staff. It is for individual schools to develop their own best practice for managing behaviour in their school.

Expiry or review date

This guide will be reviewed in January 2016.

Who is this advice for?

This advice is for:

- School leaders and school staff in **all** schools in England.
- For the purposes of this advice references to “maintained school” means a community, foundation or voluntary school, community or foundation special school. It also means Pupil Referral Units and non-maintained special schools.
- For the purpose of this advice references to “School” means School schools (including mainstream free schools) and AP Academies (including AP Free Schools).
- Where particular provisions do not apply to a particular type of school we make this clear.

Key points

- Teachers have power to discipline pupils for misbehaviour which occurs in school and, in some circumstances, outside of school.
- The power to discipline also applies to all paid staff (unless the headteacher says otherwise) with responsibility for pupils, such as teaching assistants.
- Headteachers, proprietors and governing bodies must ensure they have a strong behaviour policy to support staff in managing behaviour, including the use of rewards and sanctions.
- Governing bodies of maintained schools have a duty under section 175 of the Education Act 2002 requiring them to make arrangements to ensure that their

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functions are carried out with a view to safeguarding and promoting the welfare of children. The proprietors of Academies have a similar duty under paragraph 7 of Schedule 1 to the Education (Independent School Standards) (England) Regulations 2010. They must ensure that arrangements are made to safeguard and promote the welfare of pupils.

The school behaviour policy

What the law says:

Maintained schools

1. The headteacher must set out measures in the behaviour policy which aim to:

- promote good behaviour, self-discipline and respect;

- prevent bullying;
- ensure that pupils complete assigned work; and which
- regulate the conduct of pupils.¹

2. When deciding what these measures should be, the headteacher must take account of the governing body's statement of behaviour principles. The headteacher must have regard to any guidance or notification provided by the governing body which may include the following:

- screening and searching pupils;
- the power to use reasonable force and other physical contact;
- the power to discipline beyond the school gate;
- when to work with other local agencies to assess the needs of pupils who display continuous disruptive behaviour; and
- pastoral care for staff accused of misconduct.

3. The headteacher must decide the standard of behaviour expected of pupils at the school. He or she must also determine the school rules and any disciplinary penalties for breaking the rules.

4. Teachers' powers to discipline include the power to discipline pupils even when they are not at school or in the charge of a member of staff.

5. The headteacher must publicise the school behaviour policy, in writing, to staff, parents² and pupils at least once a year.

6. The school's behaviour policy must be published on its website (School Information (England) Regulations 2008). Where they do not have a website the governing body should make arrangements for the behaviour policy to be put on a website and to make the address and details (of the website) known to parents.

¹ Section 89 (1) of the Education and Inspections Act 2006 ⁵

² References to parent or parents are to fathers as well as mothers, unless otherwise stated.

³ This section also applies to independent schools.

⁴ Education (Independent School Standards) (England) Regulations 2010

⁵ Education (Independent School Standards) (England) Regulations 2010 as amended by the Education (Independent School Standards) (England) (Amendment) Regulations 2012

⁶ Learning behaviour - the Report of the Practitioners' Group on School Behaviour and Discipline" (2005).

School schools

7. The proprietor of an School is required to ensure that a written policy to promote good behaviour among pupils is drawn up and effectively implemented⁴. The policy must set out the disciplinary sanctions to be adopted if a pupil misbehaves. The proprietor is also

required to ensure that an effective anti-bullying strategy is drawn up and implemented.⁵ The behaviour policy should be made available to parents on request.

8. While Academies are not required by law to publish their behaviour policy on their website, it is good practice to do so.

Home school agreements

9. The standard of behaviour expected of all pupils must be included in the school's home-school agreement which parents must be asked to sign following their child's admission to a school. PRUs and AP Academies are not required to have home-school agreements. Further advice on home school agreements is available – see Associated Resources section below for a link.

Developing the behaviour policy

10. It is vital that the behaviour policy is clear, that it is well understood by staff, parents and pupils, and that it is consistently applied. In developing the behaviour policy, the headteacher should reflect on the following ten key aspects of school practice that, when effective, contribute to improving the quality of pupil behaviour⁶:

- 1) A consistent approach to behaviour management;
- 2) Strong school leadership;
- 3) Classroom management;
- 4) Rewards and sanctions;
- 5) Behaviour strategies and the teaching of good behaviour;
- 6) Staff development and support;
- 7) Pupil support systems;
- 8) Liaison with parents and other agencies;
- 9) Managing pupil transition; and
- 10) Organisation and facilities.

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

12. The behaviour policy should acknowledge the school's legal duties under the Equality Act 2010, in respect of safeguarding and in respect of pupils with special educational needs (SEN).

Discipline in schools – teachers' powers

Key Points

- Teachers have statutory authority to discipline pupils whose behaviour is unacceptable, who break the school rules or who fail to follow a reasonable instruction (Section 90 and 91 of the Education and Inspections Act 2006).
- The power also applies to all paid staff (unless the headteacher says otherwise) with responsibility for pupils, such as teaching assistants.
- Teachers can discipline pupils at any time the pupil is in school or elsewhere under the charge of a teacher, including on school visits.
- Teachers can also discipline pupils in certain circumstances when a pupil's misbehaviour occurs outside of school.
- Teachers have a power to impose detention outside school hours.
- Teachers can confiscate pupils' property.

Punishing poor behaviour

What the law allows:

13. Teachers can discipline pupils whose conduct falls below the standard which could reasonably be expected of them. This means that if a pupil misbehaves, breaks a school rule or fails to follow a reasonable instruction the teacher can impose a punishment on that pupil.

14. To be lawful, the punishment (including detentions) must satisfy the following three conditions:

1) The decision to punish a pupil must be made by a paid member of school staff or a member of staff authorised by the headteacher;

2) The decision to punish the pupil and the punishment itself must be made on the school premises or while the pupil is under the charge of the member of staff; and

3) It must not breach any other legislation (for example in respect of disability, special educational needs, race and other equalities and human rights) and it must be reasonable in all the circumstances.

15. A punishment must be proportionate. In determining whether a punishment is reasonable, section 91 of the Education and Inspections Act 2006 says the penalty must be reasonable in all the circumstances and that account must be taken of the pupil's age, any special educational needs or disability they may have, and any religious requirements affecting them.

16. The headteacher may limit the power to apply particular punishments to certain staff and/or extend the power to discipline to adult volunteers, for example to parents who have volunteered to help on a school trip.

17. Corporal punishment is illegal in all circumstances.

18. Schools should consider whether the behaviour under review gives cause to suspect that a child is suffering, or is likely to suffer, significant harm. Where this may be the case, school staff should follow the schools' safeguarding policy. They should also consider whether continuing disruptive behaviour might be the result of unmet educational or other needs. At this point, the school should consider whether a multi-agency assessment is necessary.

Behaviour and sanctions

19. A clear school behaviour policy, consistently and fairly applied, underpins effective education. School staff, pupils and parents should all be clear of the high standards of behaviour expected of all pupils at all times. The behaviour policy should be supported and backed-up by senior staff and the head teacher.

20. Good schools encourage good behaviour through a mixture of high expectations, clear policy and an ethos which fosters discipline and mutual respect between pupils, and between staff and pupils.

21. Schools should have in place a range of options and rewards to reinforce and praise good behaviour, and clear sanctions for those who do not comply with the school's behaviour policy. These will be proportionate and fair responses that may vary according to the age of the pupils, and any other special circumstances that affect the pupil.

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

- A verbal reprimand.
- Extra work or repeating unsatisfactory work until it meets the required standard.
- The setting of written tasks as punishments, such as writing lines or an essay.
- Loss of privileges – for instance the loss of a prized responsibility or not being able to participate in a non-uniform day (sometimes referred to as 'mufti' days).
- Missing break time.
- Detention including during lunch-time, after school and at weekends.
- School based community service or imposition of a task – such as picking up litter or weeding school grounds; tidying a classroom; helping clear up the dining hall after meal times; or removing graffiti.
- Regular reporting including early morning reporting; scheduled uniform and other behaviour checks; or being placed "on report" for behaviour monitoring.
- In more extreme cases schools may use temporary or permanent exclusion.

Pupils' conduct outside the school gates – teachers' powers

What the law allows:

23. Teachers have the power to discipline pupils for misbehaving outside of the school premises "to such an extent as is reasonable"⁷ – see paragraph 21.

⁷ Section 90 of the Education and Inspections Act 2006

24. 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.

25. 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.

26. 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.

Detention

What the law allows:

27. Teachers have a power to issue detention to pupils (aged under 18).

28. Schools must make clear to pupils and parents that they use detention (including detention outside of school hours) as a sanction. 29. The times outside normal school hours when detention can be given (the 'permitted day of detention') include:

- a. any school day where the pupil does not have permission to be absent;
- b. weekends - except the weekend preceding or following the half term break; and
- c. non-teaching days – usually referred to as 'training days', 'INSET days' or 'non-contact days'.

30. The headteacher can decide which members of staff can put pupils in detention. For example, they can limit the power to heads of year or heads of department only or they can decide that all members of staff, including support staff, can impose detentions.

Matters schools should consider when imposing detentions

31. Parental consent is not required for detentions.

32. As with any disciplinary penalty a member of staff must act reasonably given all the circumstances, as described in paragraph 15 above, when imposing a detention.

33. With lunchtime detentions, staff should allow reasonable time for the pupil to eat, drink and use the toilet.

Detentions outside school hours

34. School staff should not issue a detention where they know that doing so would compromise a child's safety. When ensuring that a detention outside school hours is reasonable, staff issuing the detention should consider the following points:

- Whether the detention is likely to put the pupil at risk.
- Whether the pupil has known caring responsibilities which mean that the detention is unreasonable.
- Whether the parents ought to be informed of the detention. In many cases it will be necessary to do so, but this will depend on the circumstances. For instance, notice may not be necessary for a short after school detention where the pupil can get home safely; and
- Whether suitable travel arrangements can be made by the parent for the pupil. It does not matter if making these arrangements is inconvenient for the parent.

Confiscation of inappropriate items

What the law allows:

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

1) The **general power to discipline** (as described in the bullets under the heading “Discipline in Schools – Teachers’ Powers” on pages 3 and 4) enables a member of staff to confiscate, retain or dispose of a pupil’s property as a punishment, so long as it is reasonable in the circumstances. The law protects them from liability for damage to, or loss of, any confiscated items provided they have acted lawfully⁸. The legislation does not describe what must be done with the confiscated item and the school behaviour policy may set this out; and

⁸ Section 94 of the Education and Inspections Act 2006

⁹ Section 550ZA (3) of the Education Act 1996

2) **Power to search without consent** for “prohibited items”⁹ including:

- 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; and
- any item banned by the school rules which has been identified in the rules as an item which may be searched for.

The legislation sets out what must be done with prohibited items found as a result of a search.

36. Weapons and knives and extreme or child pornography must always be handed over to the police, otherwise it is for the teacher to decide if and when to return a confiscated item.

37. More detailed advice on confiscation and what must be done with prohibited items found as a result of a search is provided in ‘Screening, Searching and Confiscation – advice for head teachers, staff and governing bodies’. See Associated Resources section below for a link to this document.

Power to use reasonable force

38. Members of staff have the power to use reasonable force to prevent pupils committing an offence, injuring themselves or others, or damaging property, and to maintain good order and discipline in the classroom.

39. Head teachers and authorised school staff may also use such force as is reasonable given the circumstances when conducting a search without consent for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm.

40. Schools can also identify additional items in their school rules which may be searched for without consent. Force **cannot** be used to search for these items.

41. Separate advice is available in 'Use of Reasonable Force – advice for school leaders, staff and governing bodies'. See Associated Resources section below for a link to this document.

Seclusion / isolation rooms

42. Schools can adopt a policy which allows disruptive pupils to be placed in isolation away from other pupils for a limited period. If a school uses isolation rooms as a disciplinary penalty this should be made clear in their behaviour policy. As with other disciplinary penalties, schools must act reasonably in all the circumstances when using such rooms (see paragraphs 14 and 15). Any separate room should only be used when it is in the best interests of the child, and other pupils. Any use of isolation that prevents a child from leaving a room of their own free will should only be considered in exceptional circumstances. The school must also ensure the health and safety of pupils and any requirements in relation to safeguarding and pupil welfare.

43. It is for individual schools to decide how long a pupil should be kept in seclusion or isolation, and for the staff member in charge to determine what pupils may and may not do during the time they are there. Schools should ensure that pupils are kept in seclusion or isolation no longer than is necessary and that their time spent there is used as constructively as possible. Schools should also allow pupils time to eat or use the toilet.

Associated resources

1. Home school agreements
2. Use of Reasonable Force – advice for headteachers, staff and governing bodies
3. Screening, Searching and Confiscation – advice for headteachers, staff and governing bodies
4. Exclusions Guidance
5. Safeguarding
6. SEN Code of Practice
7. The Government's former expert adviser on behaviour, Charlie Taylor, has produced a checklist on the basics of classroom management. Teachers can use it to develop between five and ten essential actions to encourage good behaviour in pupils.

Legislative links

Education Act 1996

School Standards and Framework Act 1998

Education Act 2002

Education and Inspections Act 2006

School Information (England) Regulations 2008

Equality Act 2010

The Education (Independent School Standards) (England) Regulations 2010

Education Act 2011

Schools (Specification and Disposal of Articles) Regulations 2012

The Education (Independent School Standards) (England) Regulations 2012

The School Behaviour (Determination and Publicising of Measures in Academies) Regulations 2012 14

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