

## Annex to Behaviour Policy

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Walton anti bullying annex Walton attendance annex Walton uniform expectations		DALP behaviour policy: <a href="http://dalp.org.uk/wp-content/uploads/2019/08/Behaviour.pdf">http://dalp.org.uk/wp-content/uploads/2019/08/Behaviour.pdf</a> DALP attendance policy: <a href="https://www.dalp.org.uk/documents/Policies/AttendancePolicy.pdf">https://www.dalp.org.uk/documents/Policies/AttendancePolicy.pdf</a>	
<b>Links to:</b>			
Exclusion from maintained academy and academies and child referral units in England 2017 <a href="http://www.gov.uk/government/publications/schoolexclusion">www.gov.uk/government/publications/schoolexclusion</a>		Keeping Children Safe in Education 2018 <a href="http://www.gov.uk/government/publications/keepingchildren-safe-in-education">www.gov.uk/government/publications/keepingchildren-safe-in-education</a>	

Equalities Act 2010

[www.gov.uk/government/publications/equality-act2010-advice-for-schools](http://www.gov.uk/government/publications/equality-act2010-advice-for-schools)

Searching, screening and confiscation 2018

[www.gov.uk/government/publications/searchingscreening-and-confiscation](http://www.gov.uk/government/publications/searchingscreening-and-confiscation)

Working Together to Safeguard Children 2018

[www.gov.uk/government/publications/workingtogether-to-safeguard-children](http://www.gov.uk/government/publications/workingtogether-to-safeguard-children)

SEND Code of Practice 2014

[www.gov.uk/government/publications/send-code-ofpractice-0-to-25](http://www.gov.uk/government/publications/send-code-ofpractice-0-to-25)

Use of reasonable force in schools 2013

<http://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>



# Behaviour Policy

At Walton we promote a 'Culture of excellence and kindness'.

Our culture is underpinned by our academy expectations:

- Ready
- Respectful
- Responsible

In line with the academy ethos we strive to achieve the highest standards of behaviour.

We recognise that this can only be achieved with the full co-operation of students and support of parents / carers through the implementation of the:

- Code of Conduct
- Personal development and well-being procedures and the policies on:
  - Behaviour Management
  - Anti-bullying
  - Reward System
  - Referral
  - Attendance
  - Social Inclusion
  - Restraining Students

We have high expectations of all students and expect excellent behaviour.

## **THE WALTON CODE OF CONDUCT**

The Code of Conduct expects all stakeholders to treat each other with Care, Courtesy and Consideration

- Following the Code improves the quality of life in the school and provides an orderly, secure and civilised atmosphere in which learning can be more effective.
- A high standard of courtesy, respect and behaviour is expected both between student and student and between students and members of staff.
- The way in which students dress, move about the premises and show respect and consideration for others will be reflected in standards of work and behaviour.
- As part of its duty to care, the academy takes all reasonable and considered measures to restrict and prevent bullying, involving parents, outside agencies and the community whenever necessary.
- Our rewards system increases the motivation of the students, and reinforces our policy of seeking to foster high standards, through rewarding for effort, either inside or outside the classroom. The scheme has been designed so that all students, not just the academically more able, have equal opportunity to receive an award.
- The tired behaviour system operates to discourage unacceptable behaviour. The academy wishes to work in partnership with parents and will communicate with parents whenever necessary.

- Good attendance provides continuity in a student's education and is likely to reduce the risk of behavioural problems arising. The attendance policy encourages procedures to be followed to allow effective monitoring of attendance.
- For those few members of the Walton community who fail to follow the rules, a variety of sanctions will be imposed. These include academy detentions, internal exclusion, alternative provision, loss of unstructured time, deprivation of privileges and the carrying out of tasks which will benefit the academy.

## **THE PRINCIPLES AND AIMS OF THE BEHAVIOUR POLICY**

Walton's Behaviour Policy is centred on creating and sustaining an effective climate for learning. Students and staff should feel safe within an environment that enables teachers to teach and learners to learn.

### **1. PRINCIPLES**

- Students should be ready to learn.
- Students should respect all members of the school community and should be entitled to respect for themselves, by staff and students.
- That respect should automatically include care for their own and others' safety, property and well-being at all times.
- It is the responsibility of all members of the academy to be courteous and show consideration for others.
- Everyone shares the responsibility for maintaining a positive learning environment

### **2. AIMS**

We aim to provide:

- Good adult and peer role models of respectful, caring and co-operative behaviour.
- Reinforcement of positive attitudes to expectations.
- A positive climate for learning
- Celebration of a wide range of achievement.
- Acceptance by all adults in the academy of a common responsibility for maintaining good discipline and promoting and implementing the academies expectations, 'Code of Conduct' and anti-bullying policy.

## **STRATEGIES FOR MANAGING BEHAVIOUR**

All strategies for managing behaviour are centred on achieving a positive climate for learning by implementing a rewards first system, by providing support structures, identifying unacceptable behaviours, and by operating clear and appropriate strategies. Walton will encourage positive behaviour. All aspects of behaviour are monitored through the SIMS system, a database from which staff can respond to patterns of behaviour and devise strategies as appropriate.

### **Three basic principles observed in managing behaviour**

1. Rewards - the academy's system for rewarding students who try hard, show commitment and demonstrate clear improvement and progress.
2. Identifying and not tolerating behaviour that is anti-social, dangerous or harmful to others and their learning in the academy community.
3. Implementing strategies to deal appropriately with poor behaviour.

### **1 REWARDS AT WALTON**

- Verbal praise (individual and public)
- Achievement points
- Written praise (letters of commendation) – Feel Good Friday cards
- Principal's award
- Reward stamps and stickers in books, on work and in study planners
- Governor letters of commendation
- Student of the week award
- Student of the term award
- Core value awards
- Acts of kindness award
- Trips and activities
- Awarding of certificates
- Department/faculty awards
- Achievement point badges
- Extra prizes at the end of the year
- House celebration assemblies
- Achievement evening
- Faculty and House success boards
- Displays of students' work
- Certificates and awards are rewarded for 97 - 100% attendance
- Non uniform days
- Golden ticket events
- House reward trip

## 2 SUPPORT STRUCTURES

- Form Tutors
- Mentoring by staff
- Kindness ambassadors
- Learning Mentors
- Heads of House
- Attendance Officer
- ELSA trained staff
- Pastoral Team intervention
- SEND Department
- Safeguarding team
- Outside Agencies
- Parental Involvement
- Post 16 mentoring
- Post-16 Privilege System
- Target Sheets
- Inclusion Strategies
- Intervention Strategies

## 3 IDENTIFYING UNACCEPTABLE BEHAVIOURS

The following behaviours are unacceptable and will result in the academy's agreed sanctions and strategies being applied as appropriate.

The list below is illustrative but not exhaustive. The academy will exercise discretion over any behaviour perceived as anti-social or in any way harmful to the health, safety and welfare of other individuals or the wider school community. Where relevant, the behaviour policy applies equally to students on academy excursions, journeys to and from the academy on public transport, academy transport, on foot or by bicycle.

*Asterisked items are dealt with in more detail in further sections.*

- Smoking and/or possession of tobacco products \*
- Substance abuse and/or non co-operation with the school drugs policy \*
- Possession and/or consumption of alcohol \*
- Repeated non co-operation
- Disruption to learning
- Defiance / disrespectful behaviour
- Physical assault
- Fighting
- Incitement
- Bullying
- Vandalism
- Verbal assault
- Racist behaviour
- Swearing or use of inappropriate language
- Sexual abuse and harassment
- Extortion
- Theft

- Bringing electronic player or recording equipment to the academy\*
- Bringing firearms or imitation firearms to the academy
- Bringing knives, clubs or other offensive weapons to the academy
- Bringing the academy into disrepute
- Inappropriate use of internet or other technology \*
- Possession of pornographic and inappropriate materials
- Dangerous behaviour
- Anti-social behaviour
- Truancy from the academy
- Truancy from lessons
- Lateness to the academy at the start of the school day (after 8.55 am)
- Lateness to lessons
- Going off the school site without permission
- Chewing gum at any time
- Eating outside of designated area
- Disruption to orderly corridor and stairwell environment
- Disruption to queuing systems
- Non co-operation with academy uniform policy and standards \*
- Non co-operation with academy jewellery policy \*
- Incorrect equipment
- Excessive noise levels
- Insolence and bad manners
- Possession/use of aerosols
- Use of mobile phone in academy time \*
- Extremist views and use of extremist language

## **STRATEGIES**

The management of students' behaviour is organised through a tiered system of Response. Tiers 1-3 are overseen by subject teacher and form tutors; Tier 4 – 7 is overseen by the middle and senior leaders. Students can be moved up or down the tiers, according to how they respond to the strategies employed.

There will be exceptional circumstances where it is appropriate to permanently exclude a student for a first or 'one off' offence. These might include:

- Serious actual or threatened violence against another student or a member of staff.
- Sexual abuse or assault.
- Supplying an illegal drug.
- Carrying an offensive weapon.

## **BEHAVIOUR BEFORE AND AFTER THE ACADEMY DAY**

On an academy day, every student represents the academy on their journeys to and from the academy and students are expected to observe the basic principles of the behaviour policy, expectations and the academy's code of conduct. In situations where students have brought the academy into disrepute, academy sanctions will be applied.

Additional attention needs to be given to the following:

- Students should be respectful and polite to members of the local community.
- Students should act in a socially responsible manner.
- Students should not damage public and private property.
- Students should not drop litter.
- During events after the academy day on the school site, the behaviour policy is in full effect. Poor behaviour can result in sanctions being applied, in addition to being prohibited from attending subsequent extra-curricular activities.
- When representing the academy in sporting or other activities at Walton and at other venues, students should conduct themselves within the full spirit of the academy expectations and Code of Conduct, remembering that they are ambassadors for the academy.

## **The Use of Reasonable Force**

[Please refer to separate Use of Reasonable Policy for detailed information]

This policy is written in line with DfE Guidance issued July 2013 [Extracts from DfE's Use of reasonable force - Advice for headteachers, staff and governing bodies July 2013 (please see Appendix 3)]

Whilst every effort is made to deal with behavioural situations in a calm manner there may be occasions when staff may need to use reasonable force.

All members of academy staff have a legal power to use reasonable force.

### **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 an academy, 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.

### **Academy's can use reasonable force to:**

- Remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- Prevent a student behaving in a way that disrupts a school event or a school trip or visit;



- Prevent a student leaving the classroom where allowing the student to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- Prevent a student from attacking a member of staff or another pupil, or to stop a fight; and
- Restrain a student at risk of harming themselves through physical outbursts.

**Academies cannot:**

- Use force as a punishment.
- Use techniques such as 'seated double embrace', 'double basket hold', 'nose distraction technique'.

**Power to search pupils without consent:**

- In addition to the general power to use reasonable force described above, the Principal and senior staff can use such force as is reasonable given the circumstances to conduct a search for the following "prohibited items":
- 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 academy rules.

## **EXCLUSIONS**

### **Lunchtime Exclusion**

This is a fixed term exclusion and will not be used as a long term solution to behaviour. A lunch time exclusion counts as half a day when calculating the number of day's exclusion.

If the decision is made to exclude a child from school for lunchtime, arrangements will be made with parents/carers to collect and supervise the pupil. Lunchtime exclusion will not be invoked for more than one week and pupils who attend free school meals will be given this provision.

### **Fixed Term Exclusions**

Exclusion decisions are made in line with Local Authority guidance and DfE: 'Exclusion from maintained schools and Academies and pupil referral units in England'.

All incidents will be investigated thoroughly, using the published school procedure, before a decision is made to exclude. All students and staff involved, including witnesses, will be asked to write an account of the incident. They will be questioned to clarify any missing or conflicting details. Students may be isolated during the investigation. Parents/ carers will be contacted, by the person completing the investigation, at the earliest opportunity. When all the facts have been established the Principal who will make the decision whether to exclude.

Various factors will be considered when making the decision to exclude and these include:

- The severity of the incident
- Whether the student has shown similar behaviour previously
- Whether the student has special educational needs or is a Looked After Child

Parents/carers will be contacted to inform them of the decision and the formal letter will then be sent with the student, where possible, and another copy in the post. Work will be sent with the student or a form of E-learning will be used.

Fixed-term exclusions are usually kept to between 1-3 days, with 5 days being used for a very serious incident or persistent poor behaviour. In line with DCSF guidance: 'During these initial 5 school days of exclusion, parents must ensure that their children are not present in a public place during school hours without reasonable justification'.

If a fixed-term exclusion is necessary for more than 5 days, the school, in conjunction with the Local Authority, will arrange full-time education, either on or off-site.

Every effort will be made to avoid excluding students and all strategies will be used to manage behaviour. The academy will work hard to accommodate students who have behavioural difficulties or students on the Special Educational Needs or Disability register, but there may sometimes be a need to do so. 'Looked-after' children, on the LA register, will be provided with full-time education after 1 day, in line with recent legislation, the LA will be informed along with their social worker.

Parents/carers will be expected to attend the re-integration meeting, following a fixed-term exclusion. This is an important opportunity to agree a way forward. A student/pastoral support plan or individual education plan may be put in place. The student maybe put on report or other agencies such as the Lincs behaviour outreach and support service may be brought in to help modify the student's behaviour. If requested by parents the academy board may consider any representations made by parents to a fixed term exclusion but it cannot direct reinstatement.

## **Permanent Exclusions**

If a pupil is excluded for more than 45 days in one school year, they will be permanently excluded. A fixed term exclusion can be extended or changed into a permanent exclusion by the Principal if the circumstances warrant it.

A permanent exclusion is an extremely serious sanction, and a step taken by the academy only as an absolute last resort, in most cases, permanent exclusions will only be used after various alternative strategies have been tried to improve behaviour but have been unsuccessful. There are however, some situations in which permanent exclusion on the first offence is the only option. These include:

- Serious, actual or threatened violence against pupil or staff
- Racist behaviour
- Sexual abuse or assault
- Supplying an illegal drug
- Carrying an offensive weapon
- Arson

It may be necessary to involve the police if the offence warrants it. All permanent exclusions will be reviewed by the academy board. A Principal can withdraw an exclusion that has not yet been reviewed by the academy board.

## **Reviewing an exclusion**

Parents/ carers have the right to make representations about the decision to exclude, to the academy board. If they wish to do so, they should write to the Clerk to the Discipline Committee at the school address. In this case, a meeting of the Discipline Committee will be convened where the parent can present their objections to the Principal and the Discipline Committee.

The governing body will meet in all cases of permanent exclusion, as well as any fixed term exclusion that would lead to a pupil being excluded for more than 15 days of a school term or missing a public exam.

The parents will be invited to the meeting and are entitled to bring a friend or legal representative with them. Pupils concerned are encouraged to attend and take part in the process.

Parents will be notified of the outcome of the review meeting in writing. The outcome will be either

- Uphold the Exclusion
- Reinstating the pupil

Following the meeting, parents have the right to ask an independent review panel to review the decision of the academy board not to reinstate a permanently excluded student. Details of this process will be given to parents following the exclusion meeting.

## **Conclusion**

Our overriding aim is to work with parents/ carers and other agencies to find ways of modifying students' behaviour, so that the whole academy community can be safe and successful. Our priority is that the climate in the classroom and around the school is calm and positive so that young people can learn effectively.

## UNIFORM POLICY

At all times, whilst wearing our uniform both in the academy and on the way to and from the academy whilst, students are expected to follow the academy rules.

### General Appearance

- Students are expected to wear the correct uniform both in and out of the academy. Outdoor clothing should not be worn in classrooms.
- Blazers should be worn to and from the academy and at all times during the academy day, students may ask to remove their blazer in lessons but must wear them at all times when moving around the academy, this includes unstructured time.
- Shoes should be plain black formal shoes, no pumps or trainers to be worn.
- Make-up should not be worn.
- False nails, gel nails or similar and coloured nail varnish are not allowed.\*

### Hair

Long hair should be tied back and hair should be cut in a sensible style, acceptable to the academy and of natural colour. Extremes of style, colour or colouring are not acceptable.

### Jewellery

- A wristwatch may be worn.
- No other jewellery is considered suitable for the academy except for one pair of small, plain sleepers or plain studs (one earring only to be worn in each lower ear lobe). Covering piercings with plaster is not acceptable.\*
- Facial (including tongue) piercings are not allowed.\*

**\*Students who fail to observe these rules will be asked to remove the offending item immediately and will be issued with an academy detention. Students may spend time in isolation, out of circulation until the issue is resolved.**

## MOBILE PHONES AND ELECTRONIC DEVICES POLICY

The academy acknowledges that communication devices such as mobile phones are a useful tool, especially if safety is an issue during the journey to and from the academy or if parents need to communicate with their children outside the academy's formal day.

Sixth Form students are permitted to use mobile phones at break time and lunchtime in the Sixth Form Common Room.

As the wide range of applications now available on mobile phones and small computers are extended, by 'communication devices' we include any device which can connect to a mobile network or to the internet.

Students and staff have an entitlement to a learning environment which is free from interruption. All students have an entitlement to uninterrupted learning.

Challenges in bringing such communication devices to the academy include:

- Taking responsibility for their proper use
- Accepting that valuable staff time which should be devoted to the prime function of teaching is inevitably spent on picking up the consequences of misuse

- Ensuring compliance with the requirements of examining bodies regarding the banning of mobile phones and other communication devices in examination rooms which puts at risk the award of grades to all candidates
- Coping with the ever-increasing sophistication of electronic technology which increases the possibilities of inappropriate use

Mobile phones should be switched off and out of site between 8.45 am and 3.35 pm.

Misuse between 8.45 am and 3.35 pm will result in confiscation and students will be issued with an academy detention and possible inconvenience to parents who will need to make an appointment, convenient to the academy, to collect the equipment. This is likely to mean students having to do without the equipment overnight or at a weekend.

We cannot run the risk of students disrupting not only their own learning but also that of others.

Parents are reminded that urgent messages may be communicated via the school office.

If parents choose to permit their child to bring such devices to Walton, the academy accepts no responsibility nor does it undertake to investigate loss. As with other academy rules we want our students to understand our high expectations for learning.

## **MISUSE OF INFORMATION TECHNOLOGIES**

Misuse of the information technologies at the academy includes:

- a) Causing embarrassment, humiliation, intimidation or harm against other students or staff.
- b) Bringing the academy into disrepute.
- c) Accessing inappropriate websites (pornography, violence, etc.).

Misuse of the information technologies at home or at any place outside of the academy includes:

- a) Causing embarrassment, humiliation, intimidation or harm against other students or staff.
- b) Bringing the academy into disrepute.

Such misuse as detailed above will incur sanctions, dependent on context and harm caused. In very serious cases, a permanent exclusion could be applied. In addition to this, such misuse could be liable to a referral to the police and/or prosecution by Lincolnshire County Council and/or an individual member of staff's professional organisation.

## **CONFISCATION OF ITEMS**

Staff have the legal right to confiscate certain items that are not allowed in school. These include an item:

- That poses a threat to others.
- That poses a threat to good order for learning.
- That is against school uniform rules.
- That poses a health or safety threat.
- Which is counter to the ethos of the school.

- Which is illegal for a child to have.

In the majority of cases, confiscated items could be collected at the end of the day. In some cases, however, it will be appropriate to retain items for longer. Such cases would include:

- Items of no material or emotional value that may simply be disposed of.
- Items of value which the student should not have brought to school, or has misused in some way, might, if the school judges this appropriate and reasonable, be stored safely at the school until a responsible family adult can come to retrieve them.
- Other items which the student should not have had in their possession, particularly of an unlawful or hazardous nature, may be given by the school to an external agency for disposal or further action as necessary.

## **STAFF SEARCHING STUDENTS**

Teachers have the legal right to search students within the following guidelines:

- Two teachers working together, one of which must be a member of the Leadership Team, can instruct students to turn out their pockets or their bags, Students and their possessions can be searched with the student's consent.
- The Principal can authorise a search of student or their possessions (including bags or lockers) for weapons and drugs.

## **ANTI-DRUGS POLICY**

Please refer to the document **Drugs Education and Management of Drug-Related Incidents** for the school's full anti-drugs policy.

The use of illegal drugs or alcohol by any student, or the illegal supply of these substances during any academy activity is strictly prohibited, whether on site or off. Although use and supply of tobacco products is illegal, such products are dealt with separately within the Anti-Smoking Policy detailed below.

- The use of illegal drugs or alcohol on the academy site or during an off-site academy activity will result in serious sanctions being applied.
- In appropriate cases, drug education will form part of the package of measures in response to a drug-related incident.
- The repeated use of illegal drugs or alcohol on the academy site will result in a permanent exclusion.
- In certain cases, the one-off use of illegal drugs will result in a permanent exclusion.
- The supply of illegal drugs (including 'sharing') on the school site will result in an immediate permanent exclusion.

## **ANTI-SMOKING POLICY**

- The academy is committed to the health and safety of all of its students and staff and will take action to safeguard and promote their well-being.
- The academy prohibits the use of tobacco, and the supply of these substances, by all members of the academy community.

- The academy has a duty to inform and educate young people on the consequences of tobacco use as part of its concern for their welfare.
- It is important to recognise that the majority of young people choose not to use tobacco products.
- Smoking is not allowed:
  - On the academy site
  - In the vicinity of the academy
  - On the journey to and from academy
  - In the bus park
  - On the buses
- Students are not allowed to bring tobacco, tobacco products, matches, lighters or any equipment for the purpose of smoking onto the academy site. This applies to all students.
- Any student found in possession of illegal tobacco products will have them confiscated and destroyed. Any student refusing to co-operate with confiscation will incur Tier Six sanctions.
- Any student supplying illegal tobacco products on the school site or during an off-site academy activity will incur Tier Six sanctions.
- If found smoking on the school site, or in the vicinity of the academy, appropriate sanctions will be applied

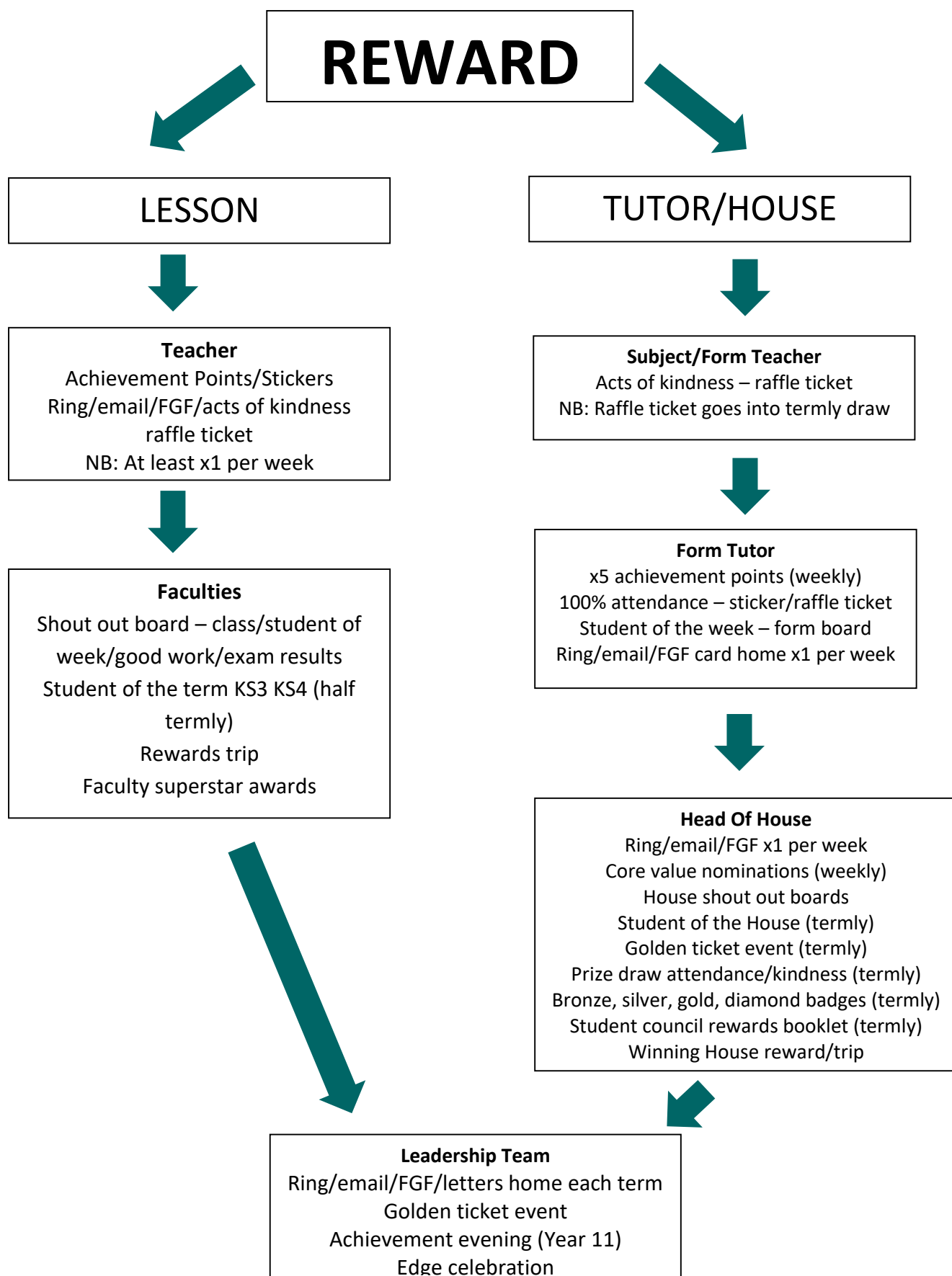
## **BEHAVIOUR OFF-SITE POLICY**

- The object of this policy is to ensure the safety of the students at all times that they are in the care of the academy.
- Under no circumstances should Y7-11 students leave the academy site during the course of the day without permission.
- On school-organised excursions, all students and staff follow the academy's behaviour policy.

## **EXCURSIONS**

- On academy-organised excursions, staff have full authority to exercise their duty of care. This includes adults who have been temporarily designated responsibility for that care, e.g. parent volunteers, outside agency instructors, etc.
- Students must follow staff instructions at all times.
- Students who misbehave on academy excursions, or behave in an unsafe manner, risk the following:
  - Incurring sanctions upon return to school
  - Not being permitted to go on subsequent academy excursions
  - Not being permitted to engage in extra-curricular leisure events (disco's etc.)
  - Being returned home immediately. In some cases, parents will be asked to collect their child.

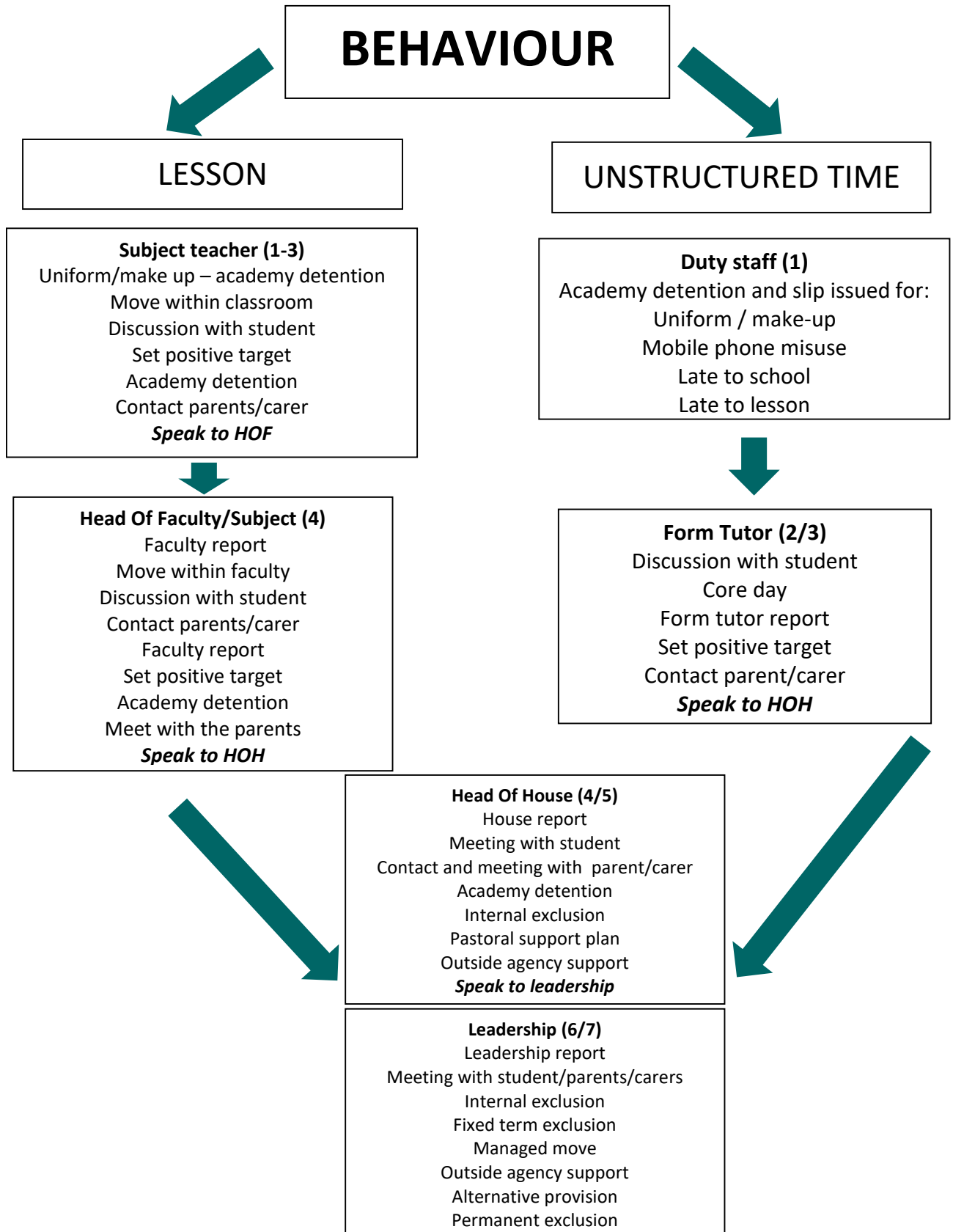
## POSITIVE BEHAVIOUR MANAGEMENT – REWARDS





## POSITIVE BEHAVIOUR MANAGEMENT – SANCTIONS

As an academy we have a target rewards to sanctions target of 20:1, this is seen as exceptional. We all have a responsibility for behaviour and rewards, the flow charts below show the interventions at each level.





Department  
for Education

# Use of reasonable force

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

**July 2013 <sup>2</sup>**

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## 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 next be reviewed in February 2019

### Who is this advice for?

This advice is for:

- School leaders and school staff in all schools<sup>1</sup> in England.

<sup>1</sup> "All schools" include Academies, Free Schools, independent schools and all types of maintained schools

### 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.

## 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 force<sup>2</sup>.
- 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.

<sup>2</sup> Section 93, Education and Inspections Act 2006

## 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”<sup>3</sup>:
  - 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.

<sup>3</sup> Section 550ZB(5) of the Education Act 1996

## 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 experts<sup>4</sup> 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.

<sup>4</sup> Physical Control in Care Medical Panel - 2008

## 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 parents<sup>5</sup>.
- 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.

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

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

- All complaints about the use of force should be thoroughly, speedily and appropriately investigated.
- Where a member of staff has acted within the law – that is, they have used reasonable force in order to prevent injury, damage to property or disorder – this will provide a defence to any criminal prosecution or other civil or public law action.
- When a complaint is made the onus is on the person making the complaint to prove that his/her allegations are true – it is not for the member of staff to show that he/she has acted reasonably.
- Suspension must not be an automatic response when a member of staff has been accused of using excessive force. Schools should refer to the “Dealing with Allegations of Abuse against Teachers and Other Staff” 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. <sup>7</sup>
- 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](#)

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