



## PENS MEADOW SCHOOL

### BEHAVIOUR MANAGEMENT POLICY AND GUIDANCE

**Policy review :** Annually

**Next Review date:** June 2018

Member of staff responsible: Head Teacher

*This policy should be read alongside the school's 'Policy on the use of Physical Interventions' and 'Safeguarding Policy'*

#### Background

Pens Meadow School staff and governors are committed to all aspects of positive behaviour management as we believe it is one of the essential foundations needed to create an effective learning and teaching environment, whilst ensuring a culture of respect, safety and security.

The Department for Education has issued up-dated guidance (amended January 2016) on developing the school behaviour policy. However, their guidance does not relate to legislation recently introduced, but in fact re-emphasises schools' existing powers to discipline pupils. Importantly, it underlines the need for individual schools to develop their own best practice for managing behaviour in their school. Pens Meadow approach is outlined in this Policy and Guidance

The terminology used in this advice:

**must** denotes a statutory requirement; and

**should** emphasises what schools should have regard to.

#### Key points in the DfE guidance

Teachers have power to discipline pupils for misbehaviour which occurs in school, and in some circumstances, outside school.

The power to discipline also applies to all paid staff at Pens Meadow with responsibility for pupils.

The head teacher and governing bodies ensures there is 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 functions are carried out with a view to safeguarding and promoting the welfare of children. Pens Meadow is fully compliant with this requirement.

### **The school behaviour policy**

#### **What the law says:**

- 1.** The head teacher 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
  - regulate the conduct of pupils (Section 89 (1) of the Education and Inspections Act 2006)
  
- 2.** When deciding what these measures should be, the head teacher must take account of the governing body's statement of behaviour principles. The head teacher must have regard to any guidance or notification provided by the governing body and includes the following at Pens Meadow:
  - the power to use reasonable force and other physical contact;
  - when to work with other local agencies to assess the needs of pupils who display continuous disruptive behaviour

The governing body of Pens Meadow expects all staff to act in accordance with the training they have undertaken. Staff receive regular training in the understanding of why certain behaviours happen, with an emphasis on identification and intervention (CRISES training). Some behaviours are well-established and strategies are used to manage these behaviours in order to ensure as little disruption as possible to the pupils' learning.

- 3.** The head teacher must decide the standard of behaviour expected of pupils at the school. He/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 head teacher must publicise the school behaviour policy, in writing, to staff, parents (those with parental responsibility) and pupils annually. This policy is available on the school website.

## **Discipline in schools – teachers powers DfE key points**

- Teachers have statutory authority to discipline pupils whose behaviour is unacceptable, who break the school rules or 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 with responsibility for pupils.
- 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.

### **What the law allows**

**6.** 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.

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

- The decision to punish a pupil must be made by a paid member of school staff or a member of staff authorised by the head teacher.
- 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 a member of staff.
- 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 circumstances.

**8.** 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. Schools will be aware that when adopting their school uniform policy (eg the wearing of items of jewellery etc) they must be mindful of the Equality Act 2010.

**9.** Corporal punishment is illegal in all circumstances.

**10.** Schools should consider whether the behaviour under review gives cause to suspect that a child is suffering or is likely to suffer, significant harm. This may be the case in certain cultures where family discipline is more likely to be harsh. Where this may be the case, Pens Meadow school staff should follow the schools' safeguarding policy. Pens Meadow staff will also consider whether continuing disruptive behaviour might be the result of unmet educational or other needs. At this point the school will consider whether a multi-agency assessment is necessary.

## **Behaviour and sanctions**

**11.** A clear school behaviour policy, consistently and fairly applied, underpins effective education. Pens Meadow school staff, pupils and parents are all clear of the high standards of behaviour expected of all pupils at all times. The behaviour policy is supported and backed-up by senior staff and the head teacher.

**12.** Pens Meadow school encourages 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. Pupils at Pens Meadow school attend because they have severe learning difficulties and / or ASD; sometimes there are behaviours associated with this level of cognition and pupils are managed on an ‘individual needs’ basis. Identified pupils have a behaviour management strategy (BMS) which is updated at least termly. The strategy identifies likes and dislikes of the individual, effective rewards and reinforcers, and specific triggers for the pupil, along with strategies for managing the behaviour. The BMS are written by class staff, in collaboration with the child’s parent/carer, as well as any other stakeholder who has a part to play in the pupil’s life. Where there are identified risks, such pupils will have a Behaviour Risk assessment (BRA) written in conjunction with their BMS.

**13.** Pens Meadow has 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.

Pens Meadow uses frequent positive reinforcement to develop pupils’ understanding of appropriate behaviour. Individual class reward systems are in place (personal to that class due to the age range of the pupils) and staff are also encouraged to report good work/behaviour to the Leadership Team, where they may receive a sticker or certificate. At the weekly assembly there is the opportunity to reinforce aspects of positive behaviour through the presentation of certificates. Class staff communicate regularly with parents and carers via the ‘home-school book’ and are encouraged to share positive aspects of their child’s behaviour.

**14.** Where poor behaviour is identified, sanctions will be implemented consistently and fairly in line with this policy. The range of disciplinary measures includes:

- a verbal reprimand;
- extra work or repeating unsatisfactory work until it meets the required standard;
- loss of privileges – for instance the loss of a responsibility,
- missing break time;
- 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;
- extra physical activity such as running around a playing field.

**Note:** several of the above examples were added to the DfE guidance from 2014. However, school leaders at Pens Meadow are mindful of the fine balance of what is perceived to be a disciplinary sanction and what is perceived by others to be a sanction that imposes humiliation.

Because of the individual needs of the pupils, consequences of inappropriate behaviour are personalised. This is also dependent on the level of understanding of the pupil. All staff recognise that for pupils with an autistic spectrum disorder, what can be interpreted as 'bad' behaviour may be a stress reaction to a difficult situation. To reiterate, clear strategies are in place which can be found on each pupil's behaviour management strategy and this information is made available to all who work with that pupil.

**15.** All incidents involving inappropriate behaviour are recorded using the incident file and book, on which staff receive regular training updates. These are analysed on at least a termly basis, collated and archived. The leadership team, governors and teacher responsible for Behaviour and Safety monitor individual incidents and ensure that follow-up action is taken to prevent these incidents from recurring.

Where ongoing behaviours give cause for concern, and strategies are ineffective, a multi-agency approach is established, in close consultation with parents & carers. This can involve seeking advice and support from the following:

- Single Point of Access (SPA)
- Multi Agency Safeguarding Hub (MASH)
- Educational Psychologist
- Child and Adolescent Mental Health Services (CAMHS)
- Autism Outreach Team
- School Health Adviser
- Family Outreach Team
- Any other stakeholder who can make a positive contribution

**16.** Pens Meadow school does not condone **any** form of bullying including cyberbullying or peer to peer and the behaviour management strategies in place for appropriate pupils act as a preventative measure. Bullying is also a component of the school's PSHE curriculum so pupils have the opportunity to develop their understanding of this. Circle time is also used to address issues of inappropriate behaviour and staff are encouraged to share any concerns through the following channels:

- Staff briefing
- Phase meetings
- Designated weekly meetings; Team around the Child and CRISES
- Reference to Leadership team

**17.** Every effort is made to ensure that behaviours are managed positively, and the school does not exclude any pupil from an activity solely on the grounds of their behaviour. If the behaviour is likely to impinge on an activity a

full risk assessment is carried out to ensure adequate levels of staffing. An alternative activity may be offered if the risk is deemed to be too great e.g. using hazardous tools and equipment in Design & Technology.

**18.** In more extreme cases schools may use temporary or permanent exclusion. Pens Meadow School is sensitive to the nature of every pupil's learning difficulties and their associated behaviours and this policy clearly states the range of strategies employed by the school to manage these behaviours. However, Pens Meadow School does not condone the following:

- Persistent disruptive behaviour
- Physical assault against a pupil
- Physical assault against a member of staff
- Verbal abuse against a pupil/member of staff
- Damage to property
- Racial abuse
- Bullying including cyberbullying
- Sexual misconduct
- Theft

There may be occasions when a pupil's behaviour is serious enough to warrant either a fixed term or permanent exclusion, due to the breach of this policy or because allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school. The length of the exclusion is both determined by, and at the discretion of, the Head Teacher. School exclusions are carried out in line with Local Authority Guidance and consistent with *Improving Behaviour and Attendance: Guidance on Exclusion from Schools and Pupil Referral Units* (Ref: DfES/0087/2003). Parents and Carers are notified of their rights to appeal against the exclusion.

### **Power to use reasonable force**

**19.** The DfE states that 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. Separate non-statutory guidance is available on the DfE website – *Use of reasonable force 2012*. Ofsted 2013 also produced guidance for their inspectors. This is due, Ofsted states, to increasing numbers of complaints received.

### **What is reasonable force?**

**20.** The use of force is usually either to control or restrain – ranging from guiding a pupil to safety by the arm, to break up a fight or where a student needs to be restrained to prevent violence or injury.

### **What is reasonable in the circumstances?**

**21.** This means no more force than is necessary.

### **What is meant by control?**

**22.** This means either passive or physical contact eg standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of the classroom

### **What is meant by restraint?**

**23.** This means to hold back physically or to bring a pupil under control.  
**Note:** School staff should always try to avoid acting in a way that might cause injury but in extreme cases it might not always be possible to avoid injuring the pupil.

### **When can reasonable force be used?**

- **24.** Removing disruptive children from the classroom where they have refused to follow an instruction to do so; Behaviour and discipline in schools – February 2014
- preventing a pupil from behaving in a way that disrupts a school event or a school trip or visit;
- preventing a pupil from leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- preventing a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground; and
- restraining a pupil at risk of harming themselves through physical outbursts

**Note:** the DfE does not advocate a non-contact policy.

**25.** Schools do not require parental consent to use force. However, Pens Meadow staff will speak to parents about serious incidents involving the use of force and will follow the school agreed formats for recording such serious incidents.

**26.** The school has a legal duty to make reasonable adjustments for disabled children and pupils with special educational needs.

### **What is time-out?**

**27.** This applies to the restriction of access to all positive reinforcements as part of a planned and structured behavioural programme.

### **What is withdrawal?**

**28.** This applies to the removal from a situation which causes anxiety or distress to a location where the pupil can be continuously observed and supported until ready to resume usual activities. The location may also be called a relaxation room.

## **What is internal exclusion?**

**29.** The most common use in schools is to describe the removing of a pupil from normal timetabled lessons and their placement in supervised education in a separate room sometimes with a small number of other pupils. It can be an alternative to fixed term exclusion.

## **Isolation rooms**

**30.** The DfE states that schools can adopt a policy which allows disruptive pupils to be placed in an area away from other pupils for a limited period. Pens Meadow have three such rooms, two at pre 16, one at post 16 known as calm rooms. (Communicate, Acknowledge, Listen, Monitor)

We act reasonably in all circumstances when using these rooms. Pens Meadow also ensures the health and safety of pupils and any requirements in relation to safeguarding and pupil welfare.

The calm rooms are available for use by pupils who may require a safe, calm environment as a means of safe management of inappropriate, unsafe behaviour. Pupils are able to take themselves to the room or can be directed by a member of staff where appropriate. Where the use of calm rooms is required, it forms part of a BMS which is shared and agreed with parents. There are graduated strategies, leading up to the use of the calm room if there is significant risk of immediate harm. Staff will use the calm room if it is deemed necessary for the safety of the pupil themselves, other pupils, or staff. All use of the calm room will be reported to parents. The door is open when possible, only being closed when there is a risk of immediate harm.

Access and use of the calm room is carefully monitored and documented by staff and pupils remain in the room only until they are calm and ready to return to their class. A member of staff remains vigilant outside the room, communicating with the child in a suitable manner.

The DfE suggests that it is for individual schools to decide how long a pupil should be kept in a separate environment, and for the staff member in charge to determine what pupils may and may not do during the time they are there. Pens Meadow ensures that pupils are kept in a separate location no longer than is necessary and that their time spent there is used as constructively as possible. We also allow pupils to eat, drink and use the toilet. If the room is being used regularly, this is discussed at weekly team around the child and CRISES meetings, with alternatives being sought. It is not desirable for children to be using these rooms frequently.

**31.** As Pens Meadow School has pupils up to the age of 19 due regard is taken of the Mental Capacity Act 2005 and Mental Health Act 2007 in relation to pupils over 16. The Deprivation of Liberty Safeguards inform decisions made. The key principles applied are those of best interests; anything done for or on behalf of people without capacity must be in their best interests and least restrictive intervention; anything done for or on behalf of people without capacity should be the least restrictive of their basic rights and freedoms.

In addition, the person should be regularly monitored and the reasons and duration should be recorded.

**References:**

Health and Safety Executive 5 steps to risk assessment DfE behaviour and discipline in schools:

February 2014 Ofsted guidance for HMI inspectors: 2013 BILD physical interventions accredited scheme

**Legislation** Education Act 1996 School Standards and Framework Act 1998 Education Act 2002 Education and Inspections Act 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 Mental Capacity Act 2005 Mental Health Act 2007

**DfE associated resources** Home school agreements Use of reasonable Force – advice for head teachers staff and governing bodies Screening, searching and confiscation – advice for head teachers, staff and governing bodies Exclusions guidance Safeguarding SEN code of practice Checklist on the basics of classroom management (Charlie Taylor)

Behaviour and Discipline in Schools January 2016