



# Wadebridge School

## Behaviour for Learning Policy

### Principles

The Behaviour Policy of Wadebridge School is underpinned by three main principles: Creating Opportunity; Promoting Achievement; Encouraging responsibility. This policy applies in school, when students are travelling to and from school, when students are in uniform, and on any educational visits. The aims of the policy are:

- To support effective Teaching and Learning
- To develop a moral framework within which initiative, responsibility and sound relationships can flourish
- To enable students to develop a sense of self-worth, respect and tolerance for others
- To produce an environment in which students and adults feel safe, secure and respected.

### Practice

All students are expected to fully uphold the school expectations with regards to behaviour. Staff will endeavour to be consistent in reinforcing these expectations and in responding to students whose behaviour does not meet the standards that we expect.

We are an inclusive school for students and parents/carers who agree to meet and actively support the behaviour and learning expectations of the school. The school will also take into account and have due regard to the Equality Act 2010 in carrying out its functions in relation to managing poor behaviour and will ensure equality between students who share a protected characteristic and those who do not share it. The school will not discriminate against students because of their: sex, race, disability, religion or belief, sexual orientation, because of pregnancy/maternity, or because of gender reassignment. See Single Equality Scheme for further information.

### Aims & Objectives

This policy will set the boundaries for the detailed operating procedures for a system that

- rewards and reinforces the right behaviours;
- delivers consistent consequences for the wrong behaviours;
- outlines a system where the roles and responsibilities are clear and staff take responsibility for students' learning;
- seek to ensure that all students are treated equally and fairly in the implementation of rewards and sanctions;
- enables staff to teach effectively by removing disturbances to learning and promoting respect and positive attitudes to learning;
- supports and promotes the Teaching and Learning Policy, Anti-Bullying Policy, the SEND Policy, Drug Policy, Exclusion Policy and the Single Equality Scheme.

Through our Behaviour for learning Policy we commit to:

- Protect the right to learn, the right to teach and the right to feel safe and be safe
- Accept and value people as they are
- Promote equality and celebrate difference – “all different, all equal”
- Listen, communicate and operate fairly

- Encourage openness and honesty
- Respect life, people, property and ideas
- Reject violence and aggression
- Actively promote cooperation with others
- Protect and enhance self-esteem and dignity
- Promote Section 61 of the Schools' Standards and Framework Act 1998 which requires a Governing Board to ensure that its school pursues policies to promote positive behaviour.

Students will meet the expectations of the Home-School Partnership Agreement (Appendix 1), the Essential items and Uniform Code (Appendix 2), and the Health and Safety regulations (Appendix 5).

## Rewards

We understand that students need to feel motivated to achieve well and that positive behaviour should be noted as equally as poor behaviour. Our reward system focuses on rewards that are earned and are equally accessible to all learners. Staff use Class Charts to communicate to both pupils and their parent/carers and recognises good behaviour, attitude to learning, achievement and attendance through giving out specific class teacher praise/commendations to pupils. Student achievements are also recognised through Certificates, postcards, letters home, year specific rewards and formal presentation evenings for Key Stages 3 and 4.

## Sanctions

Consequences and sanctions are applied for students who do not meet baseline expectations in behaviour. A class teacher will use Class Charts to communicate to both pupil and their parent/carers behaviours that are preventing effective learning taking place within the classroom. Specific sanctions range from detentions, behaviour reports, withdrawal from lessons, isolation, fixed-term exclusion to permanent exclusion depending on the seriousness of the offence (See Exclusion Policy for further information). Students who fail to meet baseline expectations in behaviour within the classroom will be monitored on a Yellow Card in the first instance by their subject teacher. If improvements are not made, the student will be monitored by a Curriculum Area Leader on a Red Card (see Appendix 4 for examples) The purpose of the card system is to document precise breaches that are undermining teaching and learning or the right to be treated respectfully and also to record support that has been put in place to address the difficulties. Parents are informed of significant behaviour issues and their support is critical to upholding the behavioural expectations of the school.

## Stages of Exclusion

The Stages of Exclusion have been introduced to support the use of sanctions and to ensure greater clarity with regard to precisely how a student might be compromising their place at Wadebridge School. We believe that the consequences of poor behaviour should be transparent to parents and students. In order to facilitate such transparency we operate a 'Stages of Exclusion' protocol, within which there are three stages, where Stage 3 may be the final stage before permanent exclusion or alternative arrangements are made and the students no longer attends Wadebridge School.

Following any fixed term exclusion, a student will either be placed on Stage 1 of the protocol or will have their current stage reviewed which may result in that stage being increased. Students may also be placed on a 'Stage of Exclusion' if they have been identified by the Key Stage Team as persistently failing to meet baseline expectations of behaviour. The 'Stages of Exclusion' for each student are reviewed a minimum of once each term and dependent on a students' behaviour (irrespective of whether an external exclusion has occurred or not) the 'Stage of Exclusion' will be reduced, increased or remain the same.

The Stages of Exclusion provide an understandable framework that underpins the hierarchical nature of disciplinary stages and fixed-term exclusions:

### **Stage 1** - Fixed Term Exclusion; reintegration meeting + 1 day in Isolation (if appropriate)

- Parents asked into school to meet with a Senior member of staff. The student will be required to attend either all or part of the meeting at the discretion of the Senior member of staff.
- Behaviour Targets to be set up and monitored by the Key Stage Team.

- Student Action Plan/Report system set up.

#### **Stage 2a** - reintegration meeting + 1 day in Isolation

- Parents asked into school to meet with Senior Staff. The student will be required to attend either all or part of the meeting at the discretion of the Senior member of staff .
- Pastoral Support Programme (PSP) set up to include specific targets for the student and details of how the parent/carer will support their child and the school to secure positive change. PSP will be monitored by a member of the Senior Leadership Team and the Key Stage Team.

#### **Stage 2b** - reintegration meeting + 1 day in Isolation

- Parents asked into school to meet with a member of the Senior Leadership Team or Key Stage Leader and the Headteacher
- PSP reviewed and outside agencies identified as necessary.
- Managed move considered through the Behaviour for Learning Partnership (B4LP).

#### **Stage 3 – repeat offence following being placed on Stage 2b – student may leave Wadebridge School**

- Fixed Term exclusion for 3-5 days whilst their future at Wadebridge School is decided.
- Parents notified of the options of a Managed Move through the B4LP to another secondary school (if appropriate), Alternative Provision arrangements or Permanent Exclusion.
- If a managed move is agreed, parents are invited into the school for the paperwork to be fully completed and signed.
- Student will continue their education in the Isolation room until the B4LP decides the future destination (no more than 3-4 weeks).
- If Permanent Exclusion, parents invited into the school for the permanent exclusion meeting with representatives from SLT, 3 Governors and a LA representative. See Exclusion Policy for details.
- Permanent Exclusion paperwork submitted fully documenting issues and actions taken.

#### **Out of Classroom or Off-site Behaviour**

Staff have a responsibility to maintain a calm environment around the school at all times regardless of duty allocations.

At Wadebridge School we believe that everyone has a right to learn in a safe and secure environment and in a community where people feel free to be themselves. Behaviour which challenges this community will result in consequences.

*DFE guidance states –*

*'A teacher may discipline a student misbehaviour when the child 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 student at the school*

*or misbehaviour at any time, whether or not conditions above apply that –*

- *could have repercussions for the orderly running of the school or*

- *poses a threat to another student or member of the public or*
- *could adversely affect the reputation of the school*

## **Support Systems for Students**

Where a student finds themselves in receipt of sanctions, they will be supported by a number of means to ensure that they can make the necessary improvements to be able to access their learning. These may include:

- Form Tutor Support
- Referral to the Student Support Team
- Referral to the School Counsellor
- Referral to the School Nurse
- Referral for Mentoring
- Yellow card report
- Red card report
- Key Stage Report
- Behaviour Contract
- Prescription for Learning
- Pastoral Support Programme
- Referral to other Agencies

## **Responsibilities**

All staff, students and parents are responsible for supporting and upholding the Behaviour for Learning Policy and the values upon which it is based.

Students have responsibility to adopt the 'How You Can Be Successful' requirements (Appendix 3) and for their own behaviour. Students are also responsible for the consequences of their behaviour if they behave in a way which undermines the rights of others to teach and to learn and/or endangers the rights of others to a productive and safe learning environment.

The partnership between home and school is critical in supporting students to make the best decisions about their behaviour (Appendix 1). It is essential that parents actively support and trust the school and its staff in delivering our Behaviour for Learning Policy.

The policy relies on the following appendices describing the procedures and conditions for success:

- Essential Items and Uniform Code
- Health and Safety Regulations
- How You Can Be Successful

*Further guidance for staff includes categories and consequences of positive behaviour and misbehaviour, and proformas for reporting incidents and follow-up.*

The Behaviour for Learning Policy and the appendices and guidance sheets will be reviewed by the staff and Governors of Wadebridge School annually.

## **References:**

Appendix 1 – Home/School Learning Partnership Agreement

Appendix 2 – Essential Items and Uniform

Appendix 3 – How You Can Be Successful Poster

Appendix 4 – Yellow/Red Card Examples

Appendix 5 – Health, Safety and Security Regulations

Appendix 6 – What the law allows



# Wadebridge School

## Home-School Learning Partnership Agreement

If you have been given this document it is because your child is now enrolled at Wadebridge School: Welcome!

Being a successful individual in any community requires mutually respectful relationships and an understanding of 'how things work'. Being a successful member of the Wadebridge School Learning Community is no different. In order that teaching and learning can take place in a way that will enable everyone to gain the most from it, we need to establish mutual respect, expectations and boundaries.

Set out below are the baseline expectations that lead to the best outcomes for the students and all stakeholders at Wadebridge School.

**We will provide:**

- A safe and respectful, listening environment where parents/carers can be confident that any concerns will be genuinely heard and responded to.
- A motivating and challenging programme of study suitable for all individual students.
- Access to a wide range of educational resources to support individual student's learning.
- Data for students and parents regarding progress in the form of progress reports.
- Parent consultation opportunities and access to teachers and tutors via telephone and/or email.

Headteacher:

**I, ..... (name of pupil) will try hard to do my very best each day, and respect and value the working environment I will share as a valued member of a community of learners:**

- I will ensure that I attend school as often as I can.
- Take responsibility for the standard of my work, attendance, punctuality and wear correct uniform.
- I will follow expectations in behaviour and will behave in a way that shows respect for myself and for others. If some poor behaviour occurs I will take responsibility for my own behaviour and accept that there will be consequences for my actions.
- Bring correct equipment for all lessons and exams.
- Complete all class work and homework by the set deadlines.

Please print name: .....

Signed: .....

**I, .....(name of parent/guardian) will:**

- Ensure my son/daughter will attend school as often as possible.
- Encourage and support my child so that she/he makes the best progress they can.
- Reciprocate the ethos of respectful relationships that is an expectation at Wadebridge School.
- Attend meetings set up by the school for the benefit of my child.
- Provide a suitable environment in which my child can study at home and notify the School should the home environment be disrupted in any way that affects my child's learning.
- See that my child arrives at school on time, in correct uniform and properly equipped for learning.

Please print name: .....

Signed: .....

## Essential Items to be brought in to school every day:

School bag large enough to carry an A4 folder, containing:

- Appropriate equipment/resources for their timetabled lessons

### Uniform

- School Jumper, cardigan or tank top with embroidered school logo.
- White, collared shirt/blouse (long or short sleeved)
- School clip on tie
- Black trousers or skirt/shorts (with embroidered logo)
- Black shoes or trainers with black socks

**Full and correct uniform is expected at all times and should be worn in an appropriate manner. All items of uniform should ideally be clearly named.**

- Trousers must be plain black without decorative buttons, buckles or zips. Jeggings, leggings or jeans should not be worn in school.
- Skirts are to be of an appropriate length that reflects the high professional standards we expect and should be no shorter than just above the knee. Stretch mini-skirts are not permitted school uniform.
- All Black footwear (not boots) providing adequate support and protection
- Small plain studs in ears (one in each lower lobe or two in one).
- A watch is permitted, no other jewellery or decoration. Nose/facial and other studs must not be worn. No tattoos to be visible at any time.
- No extremes of hair style or colour.
- Outdoor coats, jackets, hoodies or scarves are not to be worn in classrooms.
- Discreet make up at the discretion of the school. Coloured nail varnish is not to be worn.
- Plain black belts may be worn through belt loops on trousers/skirts.
- All students in uniform are expected to reflect the highest professional standards for their appearance.

### PROHIBITED ITEMS

The Headteacher and staff authorised by them have a statutory power to search pupils or their possessions without consent where they have reasonable grounds for suspecting that the pupil may have a prohibited item. Prohibited items are:

- Knives or weapons of any kind
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco, cigarettes, cigarette papers, lighters, matches and vaping products
- Aerosols
- Fireworks
- Pornographic images
- Any article that the member of staff reasonably suspects has been, or is likely to be, used to commit and offence or
- To cause personal injury to, or damage to the property of any person (including the pupil)
- Any material that supports or promotes a supremacist or extremist ideology

# HOW YOU CAN BE **SUCCESSFUL**

**HAVE ALL THE  
EQUIPMENT  
YOU WILL NEED**

**TAKE PART IN ALL  
ACTIVITIES AND  
PARTICIPATE FULLY**

**IF YOU'RE  
STUCK  
USE YOUR  
INITIATIVE**

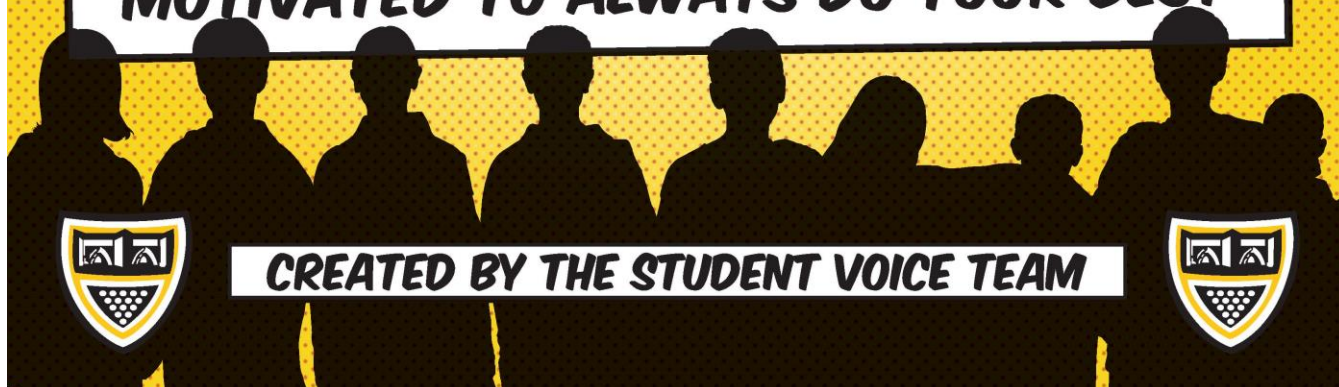
**TRY YOUR  
HARDEST AT  
ALL TIMES**

**RESPECT ALL  
THINGS**

**TRY AND MAKE A  
POSITIVE CONTRIBUTION  
IN EVERY LESSON**

**ARRIVE TO  
LESSONS ON TIME  
AND BE READY TO  
LEARN**

**BE ATTENTIVE, ENTHUSIASTIC AND  
MOTIVATED TO ALWAYS DO YOUR BEST**



**CREATED BY THE STUDENT VOICE TEAM**





Name of student: Joe Blogs

Tutor Group: 10 ABC

Curriculum area: EPR

Teacher: POY

**BEHAVIOUR AFFECTING LEARNING:**

Written work never completed

I understand that my behaviour, as written above, is preventing learning and will not work for me. This behaviour will not be allowed to continue. I understand what it is that I am doing wrong and what needs to change.

Date: 07/10/2015

Signed STUDENT: JB

My Behaviour will be monitored for the following number of lessons: .....6.....

DATE	STUDENT BEHAVIOUR	TEACHER ACTION
16/10/15	<ul style="list-style-type: none"> <li>Engaged well in discussion</li> <li>Written work not completed</li> </ul>	New seating plan organised for next lesson – sat with most able Kept at break – work completed just! – expectations discussed. JB said writing pointless – assigned writing task planned for next lesson
21/10/15	<ul style="list-style-type: none"> <li>More positive</li> <li>Completed assigned writing task</li> </ul>	Praise given plus positive red flag
06/11/15	<ul style="list-style-type: none"> <li>Passive throughout exam practice</li> </ul>	Kept at break– expectations reinforced – no improvements to exam practice – emailed JB's other teachers for advice/guidance
11/11/15	<ul style="list-style-type: none"> <li>DIRT</li> <li>Some improvements made to exam response</li> </ul>	TA asked <u>not</u> to 'actively' encourage based on comments from other staff Generous marking after DIRT but still not EP – EPR below EP letter sent.
20/11/15	<ul style="list-style-type: none"> <li>Positive attitude to new topic/discussion</li> <li>Improved effort in written work</li> </ul>	Praise given during discussion.
25/11/15	<ul style="list-style-type: none"> <li>Written work completed without prompting</li> </ul>	JB kept at break – told yellow card successful and letter would sent to parents

**Yellow card classroom teacher checklist**

Shared information with tutor via red flag  
(Info to include: Yellow Card/Behaviour affecting learning/Number of lessons)

Emailed Yellow Card@ to trigger letter home via admin team  
(Info to include: Name/Behaviour affecting learning/Number of lessons)

Support intervention successful and monitoring ended:

->Email Yellow Card@ to trigger praise letter: Name/Successful/Date

OR

Date: .....25/11/15.....

Commencement of red card:

->Now pass Yellow Card to CAL



**Name of student:** Jo Bloggs**Tutor Group:** 7 XYZ**Curriculum area:** EPR**Teacher:** POY**BEHAVIOUR AFFECTING LEARNING:** Calling out without permission

I understand that my behaviour, as written above, continues to prevent learning and I have chosen not to respond to support and to make the changes that I have been asked to make. This behaviour will not be allowed to continue. I understand what it is that I am doing wrong and what needs to change now. I understand that if this behaviour continues it may put me at risk of Exclusion from Wadebridge School and will affect where I am placed on the Stages of Exclusion system.

**Date:** 09/01/2016**Signed STUDENT:** JB refused to sign on  
09/01/2016

DATE	CAL ACTION
09/01/2016	<ul style="list-style-type: none"> <li>Made obligatory phone call home – mum quite supportive but keen to suggest JB not sufficiently challenged</li> </ul>
12/01/2016	<ul style="list-style-type: none"> <li>Feed comments back to POY who, despite some reluctance given JB's progress, agreed to move JB to most able table. POY also to ensure challenging extension activities provided. POY reported that JB 'made a fuss' when new seating plan introduced, calling out without permission an issue throughout. I spoke to JB and reinforced that seating was POY's decision and that JB needed to comply</li> </ul>
23/01/2016	<ul style="list-style-type: none"> <li>Quick observation of JB in POY's lesson – calling out without permission disruptive to learning and other students appear agitated</li> </ul>
26/01/2016	<ul style="list-style-type: none"> <li>Gave JB a lunchtime detention – failed to attend, extended to 20/01/2015 – failed to attend. Contacted JB's parents stating that whilst on red card her behaviour continued to be significantly detrimental to other students learning and that I now sanctioned a lunchtime detention – parents agreed, JB failed to attend</li> </ul>
06/02/2016	<ul style="list-style-type: none"> <li>POY reported that JB had been calling out without permission throughout the lesson including during other students' mini-teaches</li> </ul>
09/02/2016	<ul style="list-style-type: none"> <li>JB parked with me for 3 lessons – followed by compulsory mediation between POY and JB facilitated by me – minutes taken and attached</li> </ul>
13/02/2016	<ul style="list-style-type: none"> <li>JB back in lesson. POY reported JB 'AWOL' when she 'stormed out of the room' after calling out without permission challenged</li> </ul>
15/02/2016	<ul style="list-style-type: none"> <li>Raised issue with SLT link during meeting – SLT link to intervene</li> </ul>

If CAL sanction is parking then mediation must take place between class teacher and student before student is allowed back into lessons

**Red card CAL checklist**

CAL phoned home

Emailed Red Card@ to trigger letter home via admin team, cc'd in **tutor** only  
(Info to include: Name/Behaviour affecting learning)

Support intervention successful and  
monitoring ended:

Date: .....15/02/2016...

->**Email** Red Card@ to trigger praise  
letter: Name/Successful/Date

**OR**

Commencement of support by SLT link:

## HEALTH, SAFETY AND SECURITY REGULATIONS

Relating to the Behaviour for Learning Policy

For reasons of health and safety and hygiene:

- No chewing gum
- No smoking, vaping materials or illegal substances
- No piercings other than ears
- No solvents, including Tippex and aerosols
- No laser pens
- No alcohol
- Medicines and prescription drugs should be left deposited with the school First Aider and relevant forms completed
- No cycling, skateboarding or scooting within school grounds.
- Fire doors must be fully operable at all times and must not be tampered with
- No ball games on the playground areas
- No knives or any items that could be classified as a weapon that could cause injury or harm. Including replica weapons or articles deemed offensive or dangerous, (please refer to exclusions policy)

For reasons of safety keep away from out of bounds areas including:

- Roofs
- Car parks
- Labs/workshops unless teacher is present
- Shrubberies

**AREAS OUT OF SIGHT OF MEMBERS OF STAFF ARE OUT OF BOUNDS**

**STUDENTS MUST NOT LEAVE THE SCHOOL SITE WITHOUT PERMISSION**

For reasons of security:

- The area at the front of school is not to be used by students at break or lunch
- Students should not bring valuable personal property to school – including mobile devices such as MP4 players and mobile phones. Any valuable items are discouraged as the school cannot and will not be responsible for them. All personal property is the responsibility of students.
- If allocated a locker students must use them appropriately and with care.

## **DISCIPLINE IN SCHOOLS – TEACHERS**

### Key Points

- Teachers have statutory authority to discipline students whose behaviour is unacceptable, who break the school rules or who fail to follow a reasonable instruction.
- The power also applies to all paid staff (unless the head teacher says otherwise) with responsibility for students, such as teaching assistants.
- Teachers can discipline students at any time the student is in school or elsewhere under the charge of a teacher, including on school visits.
- Teachers can also discipline students for misbehaviour outside school.
- Teachers have a specific legal power to impose detention outside school hours.
- Teachers can confiscate students' property.

### **Punishing poor behaviour**

- Teachers can discipline students whose conduct falls below the standard which could reasonably be expected of them. This means that if a student misbehaves, breaks a school rule or fails to follow a reasonable instruction the teacher can impose a punishment on that student.
- To be lawful, the punishment (including detentions) must satisfy the following three conditions:

1) The decision to punish a student 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 student and the punishment itself must be made on the school premises or while the student 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.

- A punishment must be reasonable. In determining whether a punishment is reasonable, section 91 of the Education and Inspections Act 2006 says the penalty must be proportionate in the circumstances and that account must be taken of the student's age, any special educational needs or disability they may have, and any religious requirements affecting them.
- The head teacher 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.
- Corporal punishment is illegal in all circumstances.
- 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 school's safeguarding policy.

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<sup>1</sup> DFE (2014) Behaviour and Discipline in Schools – Advice for Headteachers and School Staff

## STUDENTS' CONDUCT OUTSIDE THE SCHOOL GATES – TEACHERS' POWERS

What the law allows:

a teacher may discipline a student for:

- any misbehaviour when the child 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 student 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 student or member of the public or could adversely affect the reputation of the school.

### DETENTION

What the law allows:

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

Schools must make clear to pupils and parents that they use detention (including detention outside of school hours) as a sanction.

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
- c. non-teaching days – usually referred to as 'training days', 'INSET days' or 'non-contact days'.

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

Parental consent is not required for detentions.

As with any disciplinary penalty a member of staff must act reasonably given all the circumstances, when imposing a detention.

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

### Detentions outside school hours

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.
- 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.

As with any disciplinary penalty a member of staff must act reasonably given all the circumstances when imposing a detention.

## **CONFISCATION OF INAPPROPRIATE ITEMS**

What the law allows-

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

- 1) The general power to discipline enables a member of staff to confiscate, retain or dispose of a student's property as a punishment and protects them from liability for damage to, or loss of, any confiscated items. The headteacher will keep confiscated items in their office unless obliged to hand them to the police.
- 2) Power to search without consent for weapons, knives, alcohol, illegal drugs and stolen items. The legislation sets out what must be done with prohibited items found as a result of a search and this is described in more detail in separate guidance in 'Screening, Searching and Confiscation – guidance for school leaders, staff and governing bodies'.

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

## **POWER TO USE REASONABLE FORCE**

The legal provisions on school discipline also provide members of staff with the power to use reasonable force to prevent students committing an offence, injuring themselves or others, or damaging property, and to maintain good order and discipline in the classroom.

### **KEY POINTS**

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

What is reasonable force?

(i) 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 students.

(ii) Force is usually used either to control or restrain. This can range from guiding a student 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.

(iii) 'Reasonable in the circumstances' means using no more force than is needed.

(iv) As mentioned above, schools generally use force to control students and to restrain them. Control means either passive physical contact, such as standing between students or blocking a student's path, or active physical contact such as leading a student by the arm out of a classroom.

(v) Restraint means to hold back physically or to bring a student under control. It is typically used in more extreme circumstances, for example when two students are fighting and refuse to separate without physical intervention.

(vi) 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 student.

Who can use reasonable force?

(i) All members of school staff have a legal power to use reasonable force

(ii) This power applies to any member of staff at the school. It can also apply to people whom the head teacher has temporarily put in charge of students such as unpaid volunteers or parents accompanying students on a school organised visit.

When can reasonable force be used?

(i) Reasonable force can be used to prevent students from hurting themselves or others, from damaging property, or from causing disorder.

(ii) In a school, force is used for two main purposes – to control students or to restrain them.

(iii) 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.

(iv) 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 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; and
- prevent a student from attacking a member of staff or another student, or to stop a fight in the playground

Schools cannot:

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

What about other physical contact with students?

(i) It is not illegal to touch a student. There are occasions when physical contact, other than reasonable force, with a student is proper and necessary.

(ii) Examples of where touching a student 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 student;
- When a student is being congratulated or praised;
- To demonstrate how to use a musical instrument;
- To demonstrate exercises or techniques during PE lessons or sports coaching;
- To give first aid.

## SEARCHING AND CONFISCATION

### Key Points

School staff can search a student for any item banned under the school rules, if the student agrees

Head teachers and staff authorised by them have a statutory power to search students or their possessions without consent, where they suspect the student has certain prohibited items. The items that can be searched for under this power are knives or weapons, alcohol, illegal drugs and stolen items

School staff can seize any banned or prohibited item found as a result of a search or which they consider harmful or detrimental to school discipline.

### Searching with Consent

Schools' common law powers to search:

- School staff can search students with their consent for any item which is banned by the school rules.
  1. Schools are not required to have formal written consent from the student for this sort of search – it is enough for the teacher to ask the student to turn out his or her pockets or if the teacher can look in the student's bag or locker and for the student to agree.
  2. Schools should make clear in their school behaviour policy and in communications to parents and students what items are banned.
  3. If a member of staff suspects a student has a banned item in his/her possession, they can instruct the student to turn out his or her pockets or bag and if the student refuses, the teacher can apply an appropriate punishment as set out in the school's behaviour policy.
  4. A student refusing to co-operate with such a search raises the same kind of issues as where a student refuses to stay in a detention or refuses to stop any other unacceptable behaviour when instructed by a member of staff – in such circumstances, schools can apply an appropriate disciplinary penalty.

### Searching without Consent

What the law says:

What can be searched for?

Knives or weapons, alcohol, illegal drugs and stolen items (referred to in the legislation as 'prohibited items').

Who can Search?

The Headteacher, or a member of school staff who is authorised by the Headteacher

- a) You must be the same sex as the student being searched; and authorised by the head teacher. But:
- b) There must be a witness (also a staff member) and, if at all possible, they should be the same gender as the student being searched.

School staff here means a teacher or someone who has lawful control or charge of the child.

The ability to give consent may be influenced by the child's age or other factors

Member of school staff means 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 students for whom education is being provided at the school.