



# Roberts Primary School

## Behaviour and Discipline Policy



Revised: Autumn Term 2023  
Consultation Period: ended October 2023  
Approved by Governors: October 2023

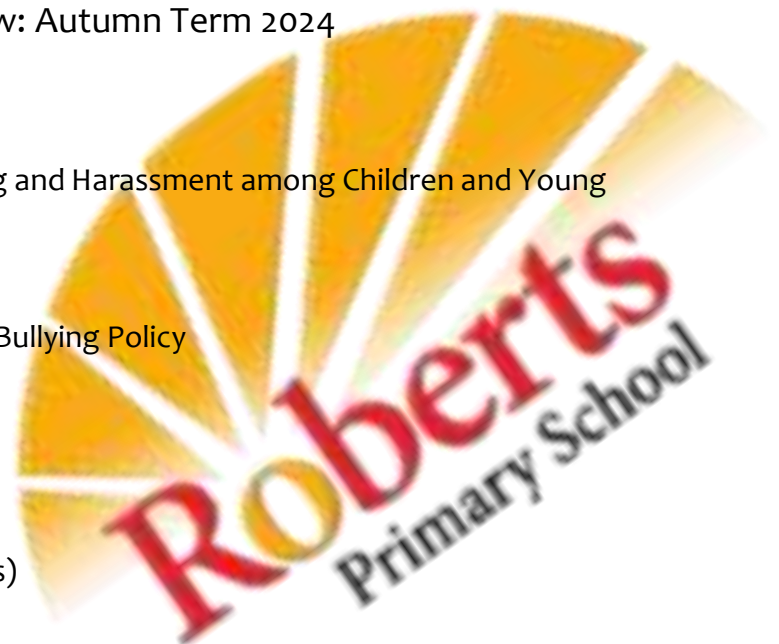
Date of Next review: Autumn Term 2024

**To be read in conjunction with:**

Attendance Policy  
Dudley Children's Trust: Eliminating Bullying and Harassment among Children and Young People Policy  
Safeguarding Policy  
Bullying Safeguarding Practice Guidance  
Roberts Primary School Child Friendly Anti-Bullying Policy  
Roberts Primary School Prospectus  
Data Protection Policy  
Keeping Children Safe in Education

**Approved by:**

Senior Leader - Mrs D Hunt (Headteacher)  
Governor – Mrs S Smith (Chair of Governors)



*(DFE – Behaviour and Discipline in Schools – February 2014.*

At Roberts Primary School we expect and encourage good behaviour and self-discipline from all pupils in order to provide a happy and safe environment in which children and staff are encouraged to develop to their full potential. Good behaviour and discipline are essential to successful teaching and learning. They are also important pre-requisites for maintaining the friendly atmosphere which is remarked upon by all visitors to the school.

We acknowledge our legal duties under the Equality Act 2010, in respect of Safeguarding, and in respect of pupils with Special Educational Needs.

#### **Aims of the policy**

- To develop a moral framework within which children can mature emotionally and in which sound relationships can flourish.
- To enable children to develop a sense of self-worth, respect and tolerance for others.
- To produce an environment in which children feel safe, secure and respected.

We also believe that in order for them to be successful learners children also need to be able:

- to work in partnership with others;
- to solve problems;
- to become a good role model in society;
- to think for myself and make my own decisions.

#### **Objectives**

In order to be able to do these things successfully, children at Roberts need to live and learn 7 behaviours:

- Respect; looking out for each other and our environment.
- Cooperation; working together.
- Reasoning; being able to work things out.
- Communication; explain their thinking to others.
- Resilience; not giving up when the going gets tough.
- Curious; asking questions and investigating further.
- Reflect; thinking about and learning from successes and failures.

The underlying principles are common sense, safety, honesty and good order so that effective teaching and learning can take place. All pupils are expected to behave themselves in a responsible manner both to themselves and others, showing consideration, courtesy and respect for other people and their belongings at all times. They are expected always to do their best in whatever aspect of work they are engaged and work below standard should not be accepted. In this way we hope that they will develop positive attitudes towards learning, pride in achievement of a job well done and confidence in their own ability to succeed. Pupils and parents need to have a clear understanding of the standards of behaviour expected within the school and to know that they are **consistently and fairly** upheld by all staff. Good relationships and mutual respect between staff and between staff and pupils help foster good behaviour, as do staff's high expectations of their pupil's academic and social abilities. Good behaviour should be encouraged by example and by creating a happy, caring and pleasant environment. Praise and reward are often more effective in developing good behaviour than punishment. Where sanctions do prove necessary they should be appropriate to the offence. The active involvement of parents is important in fostering good behaviour.

The school has a Code of Behaviour and Roberts Charter of which children should be regularly reminded.

### **School Code of Behaviour**

We all need to play our part in making our school happy, safe and successful. This means that we must:

- Treat others as we would like them to treat us
- Be polite and respect others and their belongings
- Listen when teachers are talking
- Work well with others and make the most of your time and opportunities to learn everyday
- You are responsible for your own actions
- Look after the school environment and equipment
- Tell a teacher if someone is making you unhappy
- Move gently and quietly about the school
- Be truthful and honest

A separate 'Playground Code' has been developed by the School Council and is reviewed annually:

- Treat others the way you want to be treated
- Play safe games
- Play carefully with any equipment
- Share games and respect other people's space
- Be patient while waiting your turn
- Please keep the playground tidy: put litter in the bins

A variety of methods are used to encourage and support pupils to behave appropriately:

- PSHE/Citizenship/Assemblies
- School Council
- Roberts Charter
- Sanctions
- Rewards
- Areas of Responsibility/good role models
- Mutual respect expected of all adults and children
- Anti-Bullying policy
- Well-Being Ambassadors
- A range of visitors into school and a variety of visits offsite

### **School Council.**

The purpose of the School Council is to encourage mutual respect between members of the school community, to help develop strong values and attitudes and to enable all pupils to feel that their views and opinions are important within the context of the whole school.

Classes from Year 3 to Year 6, elect one person to represent them on the council. Children from Years 5 and 6 also represent KS1 classes. This representative is presented with a red and gold badge to show that they are on the School Council. Badges are expected to be worn at all times. The communication from each year group, via their representative, leads to discussions which reflect group feelings and opinions. Meetings are held at least half termly and minutes are distributed to year groups for reflection and discussion.

The School Council are responsible for making decisions about certain aspects of school life which affect all pupils - e.g. The Roberts Charter. Having contributed to the decision making process through their representative, each pupil has some degree of possession of the outcome.

The discussions, feedback and decision making contribute to pupils own awareness of the need for individual and group discipline. This in turn contributes to improving behaviour, helps to prevent bullying and encourages trust, caring and teamwork.

## **Bullying**

The school sees bullying as an extremely serious form of anti-social behaviour and operates a continuous anti-bullying campaign through teachers, support staff, PSHE lessons and assemblies. All pupils/students are thus clearly aware that such anti-social behaviour must not be instigated or tolerated. If incidents do occur they must be reported; they will be dealt with immediately, following the policy implementation measures.

Separate 'Bullying Safeguarding Practice Guidance' and a 'Child -Friendly Anti Bullying Policy' is in place to deal with such concerns.

## **Well-Being Ambassadors**

The school has representatives from across KS1 and KS2 who are our Well-Being Ambassadors. Their role is to look after the well-being of pupils at the school through listening to their peers and providing them with a voice. Well-Being Ambassadors also organise Anti-Bullying week each year, and are a visible presence on the playground each day. They are easily recognisable by their yellow Hi-Viz jackets. The Well-Being Ambassadors apply for their role each year and are chosen by SLT and current Well-Being Ambassadors.

## **Anti-Bullying Week (November)**

Roberts Primary School takes part in the national anti-bullying week. This is done through our classroom work, assemblies and discussions/debates in classrooms.

## **When Things Go Right:**

### **Rewards**

Teachers and Teaching Assistants welcome opportunities to praise individuals for good work, attitude or good behaviour, and show recognition, if these are brought to their attention. This can be recognised on the class behaviour charts. Above all praise and encouragement should be used as much as possible.

Walking through school to show their work to the Headteacher or other adult for acknowledgement and praise during this time will not be permitted.

Opportunities for praise and reward should be sought whenever possible as a means of encouraging good behaviour, good work, helpfulness etc. Rewards are used throughout the school. They range from awards to the whole class, to groups, to individuals and are given by all adults in the school:

- Encouragement stickers which are available in all classes
- Congratulations letters and postcards are available from the Headteacher/Deputy so that parents can be aware of their child's efforts and progress
- The sending of children for praise to other staff as appropriate (parallel year teacher, year leader, Deputy Headteacher, Headteacher)
- Children are rewarded through our Roberts Charter.
- Individual teachers may devise rewards systems as part of their class management techniques.
- Class points may be awarded for good effort, excellent work, helpfulness, showing kindness, etc. Prizes or incentives are awarded when children have achieved a target amount of class points. These are available from the Headteacher or Deputy Headteacher.

## **Roberts Charter**

Children are rewarded for showing positive examples of the 7 behaviours:

- Respect; looking out for each other and our environment.
- Cooperation; working together.
- Reasoning; being able to work things out.
- Communication; explain their thinking to others.
- Resilience; not giving up when the going gets tough.
- Curious; asking questions and investigating further.
- Reflect; thinking about and learning from successes and failures.

If your child is seen showing one of these behaviours, they will be rewarded with a star on their Roberts Charter card. They need to collect 5 stars for each of the behaviours. Each half term has a different focus. Each

child will work towards completing their bronze award first before moving onto their silver award and then their gold award.

### **Gold Book Awards**

A 'Gold Book' is kept outside the Headteacher's room. Children whose work or behaviour deserves special recognition for achievement or effort should be sent to have their names recorded. An achievement certificate is awarded which is presented in assembly. Staff should keep a record of children awarded certificates so that repetitions are avoided.

### **Class Points**

Each year group uses a wide range of rewards. Teachers discuss with children what the rewards will be within the class and how children can achieve them. The rewards may alter and be adapted due to the needs and maturity of a particular cohort.

### **Attendance**

There is a weekly trophy for Reception, KS1 & KS2, which will be handed out to the class with the highest attendance. The class with the best attendance also has a sign on their door celebrating this. Each Reception, KS1 and KS2 class has a weekly attendance sign on their doors in the form of a traffic light, explaining if there is good (96% and above), nearly there (91% - 95%) or if they need to work on their attendance (90% and below).

Weekly individualised pupil attendance reports are given to class teachers to celebrate those children with good attendance and improving attendance.

Half termly certificates are given out to children to promote attendance:

- bronze certificates out to all children with 90-95% attendance
- silver certificates out to all children with 96-99% attendance
- gold certificates out to all children with 100% attendance

### **Areas of Responsibility**

Pupils throughout the school are offered opportunities to take responsibility, to show initiative and to extend their social and cultural experiences. These roles include:

- Classroom Monitors
- School Council Representatives
- Eco School Council Representatives
- Maths School Council Representatives
- Well-Being Ambassadors
- Curriculum Ambassadors
- Digital Leaders (online safety)

### **Mutual Respect**

At Roberts Primary School we believe that in order to implement a policy of behaviour management effectively, it is essential that there is an ethos of mutual respect. Everyone has the right to their own opinion and to express that opinion but consideration must be given to how and when that opinion is expressed to show sensitivity and regard for others. Children need to be encouraged to do this by being reminded and prompted, by discussion in circle time, by role play and by good role modelling. Respect needs to be apparent between adults, between children and adults and between children. In this way every member of the school is valued and feels valued.

The adults encountered by the pupils at school must model high standards of behaviour in their dealings with the pupils and with each other and should aim to:

- create a positive climate with realistic expectations;
- emphasise the importance of being valued as an individual within the group;
- promote, through example, honesty and courtesy;
- provide a caring and effective learning environment;
- encourage relationships based on kindness, respect and understanding of the needs of others;
- ensure fair treatment for all regardless of age, gender, race, ability and disability;

- show appreciation of the efforts and contribution of all.

## **Implementation**

### **1. Parents**

At the start of their child's education at Roberts, parents are asked to sign a home-school agreement that outlines the responsibilities of the parent and school with regards to behaviour and attendance. Parents have a clear role in making sure that their child is well behaved at school.

Parents have a vital role in promoting good behaviour in school and so effective home/school liaison is very important.

It is important that teachers can depend on parents giving their full support to teachers in dealing with their child's behaviour.

We expect Parents:

- to keep us informed of behaviour difficulties they may be experiencing at home;
- inform us of any trauma which may affect their child's performance or behaviour at school e.g. a death in the family, changes within the family;
- inform us about their child's ill health and any absences connected with it.
- To support the school behaviour policy and the teachers

To support parents the school will endeavour to achieve good home/school liaison by:

- promoting a welcoming environment within the school;
- giving parents regular constructive and positive comments on their child's work and behaviour;
- communicating regular information about school events, achievements and issues of concern.
- encouraging parents to come into school on occasions other than parents' evenings;
- keeping parents informed of school activities by letter, newsletter etc.;
- involving parents at an early stage in any disciplinary problems.

### **2. Staff**

- Treat all children equally, irrespective of gender, sexuality, race, religion or disability.
- Be alert to signs of all forms of bullying and racial harassment and deal firmly with it in line with school policy.
- Model the type of behaviour felt to be acceptable.
- Play an active part in building a sense of community.
- Deal sensitively with children in distress.
- Support each other in maintaining good classroom management and be sensitive to each other's needs.
- Apply the agreed standards of behaviour consistently.

### **3. Children**

- Should treat others as they would like to be treated, i.e. with tolerance and respect for other's views and rights.
- Treat all children equally, irrespective of gender, sexuality, race, religion or disability.
- Should accept responsibility for their own choices and actions.
- Should dress appropriately in the agreed school uniform.
- Haircuts and the wearing of jewellery should also be in line with school policy.
- Respond appropriately and immediately to any reasonable request or instruction made to them by any adult in school.
- Complete all assigned work within an agreed timescale.

### **When Things go Wrong:**

In our policy, if a child's behaviour is inappropriate, they are given a verbal positive/reminder and the behaviour zone chart will be used for positive and negative recognition. This will continue, as will time out in the classroom (Think for Pink).

If a child continues to exhibit negative behaviour and moves into the Orange and/or Red zones, this would usually lead to time out with their year group leader or the relevant Assistant Headteacher.

If a child's behaviour is deemed high risk, for example, refusing to adhere to safety measures, such as, hand washing, social distancing, remaining in their classroom or deliberate behaviours that put themselves or others at risk, such as spitting or deliberately coughing at people. The following sanctions and disciplinary procedures could be used:

- Referral to Headteacher.
- Parents/Carers called to collect child from school immediately.
- Immediate swap from onsite education offer to online/virtual education offer.
- Fixed term exclusion.
- Permanent exclusion.

Please note that the following list is not exhaustive. Behaviour considered 'unacceptable' may be determined by the Governing Body where the Headteacher feels it necessary to bring to their attention any behaviour that does not fit into an already listed category.

- Disobedience to a reasonable instruction.
- Non-completion of school work that could be reasonably expected.
- Inappropriate dress (e.g. non-plain black trainers) extreme hair styles (e.g. Mohican, tram lines, 'extreme' will be determined by the Headteacher) body piercing (e.g. navel, more than one piercing to the ear, other piercings), wearing nail varnish).
- Biting, spitting, hitting and/or kicking.
- Bad language and swearing.
- Making unkind remarks.
- Damaging property, including defacing property e.g. graffiti
- Answering back, rudeness or aggression to adults or others.
- Stealing, including hiding another person's property.
- Carrying knives, drugs, alcohol or any offensive weapon into school.
- Truancy, including non or poor attendance, and a regular pattern of late attendance
- Racist or derogatory comments e.g. use of the word 'gay' or behaviour that causes offence e.g. all forms of bullying (see Anti-Bullying Policy)
- Fighting or encouraging others to fight.
- Forming gangs for the purpose of intimidating others.
- Bullying, in any form, e.g. cyberbullying (including from home), homophobic bullying.
- Wearing of any symbols that could cause offence to individuals and or groups, either by gender, sexuality, race, colour, culture, disability or religion.
- Putting themselves, other children or adults at risk.
- Moving around school in a way that falls below the expected standards of general behaviour, e.g. running, shouting, pushing.
- Creating or spreading malicious 'gossip' about adults who work or volunteer in school, about other children and families, and including the use of social media.
- Stealing or damaging property
- Unkind or racist remarks
- Sexual harassment and/or violence

This list is not exhaustive.

### **Employed Staff Powers to Discipline Pupils**

Teachers, and all paid employees, have the statutory authority to discipline pupils whose behaviour is unacceptable; who break school rules or who fail to follow a reasonable instruction (Section 90 and 91 of the Education and Inspection Act 2006).

- The power applies to all paid staff with responsibility for pupils, e.g. including Teaching Assistants.
- Staff can discipline pupils at any time that the pupil is in school or offsite e.g. visits and residential visits.
- Staff can also discipline pupils when a pupil's misbehaviour occurs off school premises.
- Staff can confiscate pupils' property.
- Staff can impose an agreed sanction (see this policy)
- Staff have the power to impose a detention; during the school day e.g. lunchtimes and playtimes (allowing for reasonable access for the child to be able to eat, drink and use the toilet), or preventing a child from taking part in an activity afterschool e.g. representing the school, or whilst on a residential visit.
- The power to discipline pupils applies to behaviour both in school, and out (in certain circumstances – e.g. bringing the school's reputation into disrepute or incidents of bullying or harassment that affect children in school.)
- The Headteacher should consider whether a child's behaviour gives cause to suspect that the child may be suffering, or is likely to suffer significant harm. Where this may be the case, staff should be directed to follow the school's safeguarding procedure.
- Schools should also consider whether continuing disruptive behaviour, might be as the result of unmet educational or other needs, and whether a CAF would be suitable.

### **Sanctions**

Obviously, there may be times when sanctions are necessary. These must be appropriate to the offence e.g. picking up litter for those who drop it, repeating work where it is poorly presented or well below the child's capabilities, etc.

One of the most powerful sanctions is the disapproval of the child's peers or teacher but only when it is sparingly used. When operated in conjunction with much praise it will have its greatest effect.

Sanctions should be proportionate and increase gradually, not in large steps which quickly mean that all sanctions have been used.

A class record book should be kept recording all significant incidents (including going into pink and punishments) and the action taken, so that parents can be informed in due course.

Children are made aware of the sequence of sanctions so that they are aware of the consequences of inappropriate behaviour through RHSE lessons and Circle Time.

### **Going for Gold Behaviour Board and Sequence:**

All children's names/pictures are kept on a board. These will be used according to age with Foundation Stage and Key Stage 1 staff moving children around the board depending on behaviours but not applying dots as detailed below for KS2.

All children start each session in the Green Zone – 'It's good to be green'.

- **Green Behaviour** = following the school rules.
- **Silver Behaviour** = following the school rules and behaving in a mature manner (age appropriate), 'Super Silver'.
- **Gold Behaviour** = following the school rules, in an exemplary manner, 'Going for Gold'.
- **Think Pink Behaviour** = reflection time.
- **Amber Behaviour** = not following one or more of the school rules
- **Red Behaviour** = not following one or more of the school rules



- If a child's behaviour is inappropriate, they are given a verbal positive/reminder.
- If a child then continues with their negative behaviour, they are given a **positive** statement to **correct their behaviour** and a dot on their name or picture.
- A child should then be recognised as having made the right choice as soon as possible e.g. within half of their concentration time. The dot is then wiped off.
- However, children need to have time to reset their behaviour before being given another dot.
- If a child continues to misbehave, a reminder is given each time.
- If this does not have the desired effect and the child continues to exhibit inappropriate behaviour, their picture/name moves down the zone board.
- If a child's behaviour becomes Pink they are given time for reflection.
- Children need to be moved out of Pink quickly by picking up on their **good behaviour**.
- If the child does not use positive behaviour whilst in Pink for Think then they will continue to be reminded and dotted.
- If a child moves into the Orange zone, this then leads to time out with their year group leader.
- If a child repeatedly spends time out with their year group leader or have missed 4 Golden Times, parents will be informed.
- If the child continues not using positive behaviour whilst in **Orange** then they will continue to be reminded and moved into **Red**.
- At this point, they will need to be taken to the relevant Assistant Headteacher (Mr Collier-Dart in FS, Miss Gregory in KS1 and Year 3 and Mrs. Baxter in Years 4, 5 and 6). Further contact with parents will then be made to discuss behaviour.
- **At the end of the day**, children are rewarded depending on their position on the zone board.
- Rewards for Gold are 10 points, for Silver 5 points and Green 2 points. If a child has a dot or has been in pink they achieve 1 point only. All children who receive 15 points over the week have the full 20 minutes golden time. Rewards should be recorded at the end of the day.
- If a child has been in the Orange or Red zone, these are recorded in the "Good to be Green" books straight away.
- If a child has been in the Pink, Orange or Red zone but has turned their behaviour around, they need to be rewarded according to the colour they are at the end of the day.

#### **Physical Restraint of a Pupil:**

In very rare situations, where a child is refusing to follow a reasonable instruction to stop their behaviour, which may;

- be causing harm to themselves or another person
- involve damaging property

#### **Positive Handling & Restraint**

There can be times when a pupil's behaviour requires staff physical support to ensure the pupils' own safety, the safety of other pupils and staff, or that property is not seriously damaged. Initially, staff will attempt to diffuse the situation, however if this does not work it can require the use of physical interventions. At Roberts Primary School we use Positive Handling and De-Escalation, to apply reasonable and justifiable holds and techniques.

#### **Lunchtime**

Lunchtime is potentially the time when most problems can occur because the children are together for the longest period. Although teaching staff are not on duty, cases of observed good or bad behaviour should not be ignored and staff are requested to intervene if they feel it is appropriate. This enforces the consistency of approach outlined in the "General Principles".

Dinner supervisors have a list of rewards and sanctions specific to their role but which are complementary to those used by teaching staff. Guidelines for dealing with behaviour issues are issued to dinner time staff.

## **Rewards**

Encouragement stickers for helpfulness, good behaviour etc.

Mention to class teacher at end of break.

Referral to Headteacher/Deputy Headteacher in appropriate circumstances for inclusion in "Gold Book".

## **Sanctions**

- Verbal warning from supervisor
- Withdrawal of permission to use play equipment
- Short period of 'cooling down' time (e.g. by playground wall)
- referral to mid-day superintendent
- name recorded in Superintendent's book
- referral to class teacher at end of lunch
- referral to deputy, then Head
- loss of dinner time/behaviour report sequence
- exclusion for a set period at lunchtime (i.e. pm session)

### **Pupil's Conduct Outside the School Gates**

Staff have the power to discipline pupils for misbehaving outside the school gates, "to such an extent as is reasonable." This includes behaviour witnessed by a member of staff or reported to the school by another person. This could include misbehaviour when:

- Taking part in school organised activities, e.g. offsite visits, residential visits, when representing the school
- Travelling to and from school,
- Misbehaviour when wearing school uniform

Or any misbehaviour at any time that could have repercussions for the orderly running of the school, poses a threat to another pupil or member of the public, could adversely affect the reputation of the school and includes misbehaviour online.

In all cases, the child will be disciplined when they are on school premises or when the pupil is under the lawful control of a member of staff (offsite visits and residential visits).

### **Sanctions/Punishments**

When children's behaviour does fall below the acceptable standards (see above), the Headteacher, or delegated person is likely to carry out an investigation into the incident.

Any investigation will be recorded in the Good to be Green book, the extent and details of which will vary with the appropriateness of the investigation.

During the investigation the Headteacher, or delegated person can:

Speak to a child or group of children without the parents' consent

Speak to the child or group of children without parents being present

The outcome of the investigation is to determine what is likely to have happened. The

Headteacher, or delegated person can use their previous knowledge of the children involved in order to come to their final conclusions. The Headteacher, or delegated person will then determine the sanction to be used.

The punishment used must be reasonable and must not breach any other legislation (disability, SEN, race and other equality acts).

A firm reprimand from a member of staff is expected to be sufficient to correct most misbehaviour. However, if this fails, then the following procedures are likely to be adopted:

- Behaviour reflector
- Time out
- Completing extra work or repeating work until it meets the expected standard.
- Short term loss of privileges e.g. withdrawal from a visit or to represent the school - used once
- Loss of free/ play time
- During play time a pupil may be taken indoors for a five minute cooling off period.
- Removing graffiti or tidying an area disrupted by the child, including picking up litter (age appropriate).

**If the above sanctions do not lead to an immediate modification of behaviour, the following actions are likely to be considered.**

- Exclusion from a favoured activity – long term or permanently; not including mandatory curriculum sessions but for non-mandatory curriculum activities e.g. after-school clubs and may also be used on residential visits.
- Exclusion from the right to represent the school.
- The establishment of a behaviour record/log or home school report book.
- A verbal disciplining from a senior member of staff.
- A requirement for a written apology.
- A regular behaviour report/log to be given to the Headteacher.
- A letter/telephone call to a parent from the Headteacher or Deputy.
- A meeting with parents.
- Other sanctions following discussion between parents, class teacher and headteacher.
- Pastoral support programme.
- Exclusion from school [LA guidelines to be followed for either temporary or fixed term, or permanent exclusions].

This school will not use detentions imposed outside the normal school hours as a sanction or punishment.

#### **Searching pupils and Confiscation:**

Keeping Children Safe in Education (KCSIE) sets out the statutory duty of all staff to make sure that they make decisions in the best interests of the child. This applies to decisions to search pupils and confiscate items. Staff members have the power to search pupils for any item if the pupil agrees, under the common law. Only the headteacher and members of staff authorised by the headteacher have the power to search a pupil for a prohibited or banned item, regardless of whether the pupil agrees.

Headteachers and authorised staff members can search a pupil for:

- Any items with the pupil's informed consent
- Prohibited or banned items, with or without the pupil's consent

Prohibited items are:

- Knives or weapons
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco and cigarette papers
- Fireworks
- Pornographic images
- Any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence or cause personal injury (including the pupil) or damage to property

This list is set out in The Education Act 1996 and paragraph 3 of the DfE's guidance on searching, screening and confiscation.

The headteacher or authorised staff member should:

- Make an assessment of how urgent the search is, and consider the risk to other pupils and staff
- Explain to the pupil why they are being searched, how and where the search will happen, and give them the opportunity to ask questions about it
- Always seek the pupil's cooperation

If a pupil refuses to cooperate, the authorised member of staff should first consider why this is, and act proportionally. It may be that the pupil:

- Is in possession of a prohibited or banned item
- Doesn't understand your instructions or what a search will involve
- Has had a previous distressing experience of being searched

If the pupil still refuses to cooperate:

- Roberts Primary School may sanction the pupil in line with our behaviour policy.
- If a search is not needed urgently, advice will be sought from the headteacher or DSL. During this time, the pupil will be supervised somewhere away from other pupils
- An assessment will be made whether it's necessary to use reasonable force to conduct the search. Reasons for this would consider whether this would prevent the pupil from harming themselves or others, damaging property or causing disorder.

Reasonable force can be used to search for prohibited items but not other items banned in our school. If a search is to take place, this will happen in an appropriate location that offers privacy from other pupils. Authorised staff are able to search a pupil's pockets and require pupils to remove outer clothing, meaning clothes that are not worn directly next to the skin or over underwear. Outer clothing also includes:

- Hats
- Scarves
- Shoes or boots

We will not ask pupils to take off any further items of clothing.

Authorised staff can search lockers, desks and bags in the presence of the pupil and another member of staff (except in cases where there's a risk of harm and where it's not reasonably practicable to summon another member of staff).

School staff are not allowed to carry out strip searches, including the headteacher and authorised staff. Only police who have been asked to come to the school may decide whether a search is necessary and carry it out. The police can only carry out a search if they:

- Think this is necessary to remove an item related to a criminal offence, and
- Reasonably consider the pupil might have concealed such an item

Where reasonably possible, parent will be informed that a strip search will happen (and will always be informed after it's been carried out).

Roberts Primary School will make sure that an 'appropriate adult' - a person whose role is to safeguard the rights and welfare of children who are suspected of a criminal offence, by ensuring they're treated fairly and are able to participate effectively - is present during the search.

Records will be made in our safeguarding reporting system of:

- Any searches for prohibited items
- Any search conducted by police officers

Authorised staff members may examine any data or files on an electronic device that they have confiscated, if they have good reason to do so. You should reasonably suspect that the device has (or could be used to):

- Cause harm
- Undermine the safe environment of the school or disrupt teaching
- Commit an offence

If inappropriate images are discovered, video, or other material, school can dispose of them. However, if we have reasonable grounds to suspect that their possession is related to a specific illegal offense, the material, or device containing the material, will be handed over to the police as soon as possible.

If school suspects we may find an indecent image or video of a child on a device, we will avoid viewing it and never copy, share, or save it. These incidents will be referred to the DSL and the DfE's guidance on responding to pornographic image-sharing in education settings will be followed.

#### **Confiscation of Inappropriate Items:**

The general power to discipline, enables a member of staff to confiscate, retain or dispose of a pupils' property as a punishment, so long as it is reasonable in the circumstances. The law protects staff from liability of damage to, or loss of confiscated items, provided they acted lawfully.

Once an item is confiscated, the member of staff must make an effort to keep the property safe. If appropriate, the confiscated item must then be returned to the child's parent, at which time, the member of staff will explain to the parent why the property was confiscated.

Staff also have the power to search without consent for prohibited items. Where appropriate, items may be handed to the police. The Headteacher will decide whether it is appropriate to involve other outside agencies e.g. Police, social care team, etc.

#### **Racist Remarks**

Any words or actions that cause offence to another person and are considered racist by the offended person will be deemed as a racist remark. In this case;

The pupil will be reprimanded, the Headteacher is informed and a record of the incident is kept.

Governors and parents are informed. In persistent cases, parents may be asked to discuss the matter with the headteacher and a referral made to the LA and/or police in line with the school Equality Policy.

#### **Sexual Harassment**

Any words or actions that cause offence to another person and are considered sexual by the offended person may be deemed as sexual harassment. In this case;

The pupil will be reprimanded, the Headteacher is informed and a record of the incident is kept.

The LA, governors and parents are informed.

In persistent cases, parents may be asked to discuss the matter with the headteacher and a referral made to police in line with the school Equality Policy.

Please see the school's safeguarding policy for more details.

#### **Allegations of Abuse against Staff/ Malicious Accusations against Staff**

All allegations of abuse will be taken seriously; the Chair of the Governing Body will be informed and the allegation will be fully investigated as soon as possible in a fair and consistent way that provides effective protection for the child and supports the person who is the subject of the allegation. The suspension of the member of staff involved must not be used as an automatic response when the allegation has been reported. The school and Local Authority disciplinary measures will be followed where the allegation is found by the Governing Body to be true.

Where the allegation made by a child or parents is found to be false, the Chair of the Governing Body will:

- Write to the parent/parent of child to explain the outcome of the investigation and to make clear the seriousness of the false allegation. The parent will be informed that the incident will be formally recorded and subject to data protection and that it may be shared with other appropriate parties. (E.g. Police if the child is 10yrs old and above)
- Meet with the parent/parent and child to discuss the matter and possible consequences; in the case of a child, the parent will be asked to support the school with an appropriate sanction being applied. In the case of a parent, the governing body will seek a written apology in the first instance.
- Consider the exclusion of a child who continues to make false allegations about staff.
- In more serious cases, or where a member of staff feels aggrieved, it is their right to contact their union for further support and advice.

### **Permanent Exclusion and Suspension**

A permanent exclusion is when a pupil is no longer allowed to attend a school. The decision to exclude a pupil permanently should only be taken:

- in response to a serious breach or persistent breaches of the school's behaviour policy; and
- where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as staff or pupils in the school.

A suspension is where a pupil is temporarily removed from the school. A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year). A suspension does not have to be for a continuous period. A suspension can also be for parts of the school day. For example, if a pupil's behaviour at lunchtime is disruptive, they may be suspended from the school premises for the duration of the lunchtime period.

The government trusts headteachers to use their professional judgement based on the individual circumstances of the case when considering whether to exclude a pupil. The reasons below are examples of the types of circumstances that may warrant a suspension or permanent exclusion.

- Physical assault against a pupil
- Physical assault against an adult
- Verbal abuse or threatening behaviour against a pupil
- Verbal abuse or threatening behaviour against an adult
- Use, or threat of use, of an offensive weapon or prohibited item that has been prohibited by a school's behaviour policy
- Bullying
- Racist abuse
- Abuse against sexual orientation or gender reassignment
- Abuse relating to disability

This list is not exhaustive and is intended to offer examples rather than be complete or definitive.

The Headteacher may consider the following questions:

1. Is the behaviour in breach of the school Behaviour Policy? If so, have any other sanctions described in the policy been used and to what effect? Could any other sanctions be used as an alternative with the parents' agreement?
2. Has the school previously supported the child (what/when/what level of impact did this have?)
3. Does the child have any recognised behaviour problems? Have reasonable adjustments already been made or could they now be made? (Evidence could be SEN documentation e.g. Statement, IEP, Risk Assessments) Even if the child does have a recognised behaviour problem the Headteacher has a duty of care to **all** children. If the risk to others cannot be controlled, then exclusion should be considered.
4. Would allowing the child to remain in school seriously harm the education or welfare of other children or adults?
5. Once all other considerations have been made, and the answer to this final question is 'yes' then an exclusion must be applied. In this case, the school will follow Local Authority guidelines.

Whenever a headteacher suspends or permanently excludes a pupil they must, without delay, notify parents of the period of the suspension or permanent exclusion and the reason(s) for it.

For a suspension of more than five school days, the governing board must arrange suitable full-time education for any pupil of compulsory school age. This provision is commonly called alternative provision and must begin no later than the sixth school day of the suspension. Where a child receives consecutive suspensions, these are regarded as a cumulative period of suspension for the purposes of this duty. This means that if a child has more than five consecutive school days of suspension, then education must be arranged for the sixth school day of suspension, regardless of whether this is because of one decision to suspend the pupil for the full period or multiple decisions to suspend the pupil for several periods in a row.

The governing board must convene a meeting to consider reinstatement within 15 school days of receiving notice of the suspension or permanent exclusion.

## **Dealing with Inappropriate behaviour of parents, visitors and other adults in school: Legal Duty (DMBC Law and Governance Department)**

The school has a legal obligation to ensure that its premises are a safe place to work and visit and must therefore deal effectively with any rude or aggressive visitors to the school, including parents.

Schools sit on land that belongs to the Local Authority, so only persons with the 'right' to be there, are allowed on the school premises. That 'right' is determined by the Headteacher and Governing Body. This can be extended to pupils, parents, staff, contractors and other workers and visitors, however, all persons on site are expected to behave appropriately and, if they do not, the school must take action that it considers necessary to prevent a repeat of that behaviour.

### **Inappropriate behaviour**

This includes causing any kind of nuisance or disturbance, such as:

- Refusing to follow the reasonable instructions of staff; e.g. refusing to move from a specified location, to cease behaving in a certain manner, refusing to leave the site when reasonably asked to do so, causing an obstruction or health and safety hazard.
- Being verbally aggressive, e.g. swearing, threatening or shouting at others on the premises, including other visitors to the site
- Being physically abusive, e.g. taking an aggressive stance, threatening to strike someone or assaulting another person, including other visitors.
- Causing any child to feel vulnerable in the school.

### **How the school can respond:**

1. Verbal warning – a senior member of the school staff can ask the person to stop behaving inappropriately or to leave the premises. Though this warning is given verbally, the information will be recorded.
2. The Police – can be asked to attend school to ask the person to leave, to remove them from the premises or, if their behaviour warrants it, to arrest them.
3. Warning letter – serious incidents should be followed by a letter from the school advising the perpetrator of the consequences of any repetition of the behaviour previously displayed.
4. Banning letter – if the incident is sufficiently serious or it is one of a series of incidents, the Headteacher can ban the person from the premises.
5. Legal proceedings:
  - a. Civil proceedings, compensation claims can be made by the school for compensation against any individual who has caused damage to the premises or any items owned by the school.
  - b. Injunction; if a person persistently enters the school premises without permission or authority, the school may seek an injunction from the courts prohibiting them from coming onto the premises.
  - c. Criminal proceedings via the Crown Prosecution Service.

### **Equal Opportunities and Behaviour**

The same high standards of behaviour and consideration for others are expected of all pupils regardless of ability, gender, disability or special need.

Consideration must be given to pupils whose special need may lead them to inappropriate behaviour and staff should be aware of this when using sanctions. But SEN does not automatically excuse bad behaviour and children should be treated appropriately.

The school's procedures for disciplining pupils and managing behaviour are fair and applied equally to all. It is recognised that cultural background may affect behaviour. The school takes this into account when dealing with incidents of unacceptable behaviour.

All staff operate consistent systems of rewards and discipline.

Exclusions and attendance are monitored and action is taken in order to reduce gaps between different groups of pupils.

Pupils, staff and parents are aware of procedures for dealing with harassment. They know that any language or behaviour which is racist, sexist, or derogatory to any minority group is always unacceptable.