

# Behaviour Principles Statement



## Stockham Primary School Behaviour Principles Statement 2022

Issue Date:	July 2022
Reviewed by:	Governing Body
Date of the last Review:	May 2022
Next Review Date:	May 2024

# Behaviour Principles Statement

This policy will be reviewed as required. We aim to consider it annually in tandem when the behaviour policy is evaluated by staff in light of its use in the previous school year, or if statutory guidance changes.

## Behaviour Principles Statement

### Aim of behaviour principles statement

This document lays out the statutory framework and principles which should be taken into account by the head teacher when creating behaviour policies at Stockham School. The resulting behaviour policies contain a greater level of detail on how behaviour is managed in practice. These resulting policies will be reviewed regularly and made available on the school website.

### Roles and Responsibilities

The Governing Body is responsible for writing the behaviour principles statement in line with current statutory guidance and for approving and reviewing the resulting behaviour policies. The Governing Body will monitor the effectiveness of the behaviour policy and hold the headteacher to account for its implementation.

The headteacher has the day-to-day authority to create and implement the school behaviour and discipline policies based on this statement. The headteacher is responsible for publicising the behaviour policy to all relevant parties (including new starters as appropriate and annually to all members of the school<sup>1</sup>) and for monitoring its effective use across the school. Behaviour incidents must be recorded to allow effective monitoring to take place.

### Relevant Legislation and Statutory Requirements:

This statement has been prepared in accordance with the following:

Behaviour and discipline in schools  
The Equality Act 2010: Advice for Schools  
Searching, screening and confiscation at school  
Supporting pupils with medical conditions at school  
Special educational needs and disability (SEND) code of practice.  
Use of reasonable force in schools  
Positive Environments where children can flourish'

### Associated Policies

These policies can be found on the school website or through the school office  
Allegations of Abuse Against Staff Policy  
Anti-Bullying Policy

# Behaviour Principles Statement

Attendance Policy  
Behaviour Policy  
Exclusions Policy  
Equality Policy  
Safeguarding and Child Protection Policy  
Special Educational Needs and Disabilities (SEND) Policy  
Supporting Pupils with Medical Conditions Policy  
Parental code of conduct  
Staff code of conduct

## Behaviour Principles

At Stockham School we welcome you into a positive, polite, **safe** and **respectful** environment in which all children can 'Soar high' through a calm and consistent whole school approach. We have high expectations for behaviour that support the development of our pupils as effective and responsible citizens.

Stockham School's behaviour policies ensure a safe and nurturing environment for all the school community. We value everyone as an individual, capable of growth, change and development. We ensure all pupils are **ready to learn** by encouraging positive, respectful interactions based on equality, trust and mutual respect. Our behaviour policies support our approaches to good behaviour, self-discipline, respect, anti-bullying and good conduct of pupils and are directly linked to our vision for the school.

Our approach is always to assume 'it could happen here' and our Behaviour Policy, curriculum and staff training and development, support that approach. Bullying, in any form, will not be tolerated and our Behaviour Policy and systems and processes for identifying, recording and sanctioning acts of bullying are rigorous and robust which includes methods for children to self-report bullying and/or child on child abuse.

Stockham is a highly inclusive school, with a focus on modelling and rewarding positive behaviour and the use of restorative practice. This behaviour principles statement acknowledges the school's legal duties of care in relation to the Equality Act 2010, Safeguarding and in respect of pupils with special educational needs and disabilities (SEND). Pupils will be treated with respect as individuals with particular needs. However, schools have the legal right to manage any misbehaviour at any time that could have repercussions for the orderly running of the school or poses a threat to another pupil or member of the public or could adversely affect the reputation of the school. Further, the Governing Body must have regard to any guidance or statute provided by the DfE or other responsible bodies which include the following:

- screening and searching pupils;
- the power to use reasonable force and other physical contact;
- the power to discipline beyond the school gate;

# Behaviour Principles Statement

- when to work with other local agencies to assess the needs of pupils who display continuous disruptive behaviour; and
- pastoral care for staff accused of misconduct.

## Discipline in schools – teachers' powers 2

Whilst fully supporting the school's positive approach to behaviour, Stockham School's Governing body also expects the behaviour policies to take into account the following statutory guidance and expectations in relation to discipline:

- Teachers have statutory authority to discipline pupils 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 headteacher says otherwise) with responsibility for pupils, such as teaching assistants.
- Teachers can discipline pupils at any time the pupil is in school or elsewhere under the charge of a teacher, including on school visits.
- Teachers can also discipline pupils in certain circumstances when a pupil's misbehaviour occurs outside of school.
- Teachers can confiscate pupils' property.

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 sanction on that pupil. To be lawful, the sanction (including detentions) must satisfy the following three conditions:

The decision to sanction a pupil must be made by a paid member of school staff or a member of staff authorised by the headteacher; (Section 90 and 91 of the Education and Inspections Act 2006).

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

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.

In addition, a sanction must be proportionate. In determining whether a sanction is reasonable account must be taken of the pupil's age, any special educational needs or disability they may have, and any religious requirements affecting them. The headteacher may limit the power to apply particular sanctions 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 sanction is illegal in all circumstances.

# Behaviour Principles Statement

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

## Specific guidance relating to teacher's powers:

### Confiscation of inappropriate items

The Governing Body is aware of two sets of legal provisions which enable school staff to confiscate items from pupils: The general power to discipline (as described in the bullets under the heading "Discipline in Schools – Teachers' Powers" above) enables a member of staff to confiscate, retain or dispose of a pupil's property as a sanction, so long as it is reasonable in the circumstances. The law protects them from liability for damage to, or loss of, any confiscated items provided they have acted lawfully. The legislation does not describe what must be done with the confiscated item and the Governing Body would expect this to be set out in its behaviour policies; and power to search without consent for "prohibited items", including:

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property; and
- any item banned by the school rules which has been identified in the rules as an item which may be searched for.

The legislation does set out what must be done with prohibited items found as a result of a search: Weapons and knives and extreme or child pornography must always be handed over to the police, otherwise it is for the teacher to decide if and when to return a confiscated item. More detailed advice on confiscation and what must be done with prohibited items found as a result of a search is provided in guidance.<sup>3</sup>

### Exclusions

In extremely rare circumstances, Stockham School may look at using temporary reduced timetables as a supportive measure (Working Together to Improve School Attendance p18 para 43 says: 'A part-time timetable should not be used to manage a pupil's behaviour'), alternative provision and the use of suspensions. Under current

# Behaviour Principles Statement

legislation, headteachers have the power to exclude pupils on disciplinary grounds for one or more fixed-term periods or permanently. The behaviour of a pupil outside school can also be considered as grounds for exclusion. In line with advice from the Department for Education, permanent exclusion will only ever be considered as a 'last resort in response to a serious breach or persistent breaches of the school's behaviour policy'; and where allowing the pupils to remain in school would seriously harm the education or welfare of the pupil or others in the school'.

In all decisions relating to any form of exclusion, DfE and LA advice – including that related to notification of parents – will be followed. This decision will be made by the Headteacher or, in his/her absence, a member of staff carrying out this function. Governors are fully informed of all exclusions and will be involved in any appeals where appropriate. (See Exclusions policy).

## Misbehaviour outside the school premises

Disciplining beyond the school gate covers the school's response to all noncriminal bad behaviour and bullying which occurs anywhere off the school premises and which is witnessed by a member of staff or reported to the school. Teachers have the power to discipline pupils for misbehaving outside of the school premises "to such an extent as is reasonable". Subject to the behaviour policy, teachers may discipline pupils for misbehaviour when the pupil is:

- taking part in any school-organised or school-related activity or
- travelling to or from school or
- wearing school uniform or in some other way identifiable as a pupil at the school, e.g. football kit.

or misbehaviour at any time, whether or not the conditions above apply, that:

- could have repercussions for the orderly running of the school or
- poses a threat to another pupil or member of the public or
- could adversely affect the reputation of the school.

In all cases of misbehaviour, the teacher can only discipline the pupil on school premises or elsewhere when the pupil is under the lawful control of the staff member.

## Power to use reasonable force

Stockham School Governing Body recommends that staff should be trained in the use of reasonable force, as well as in de-escalation strategies. In addition we recognise that:

- All members of school staff have the legal 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.
- Head teachers and authorised school staff may also use such force as is reasonable given the circumstances when conducting a search without consent for the prohibited items listed in the confiscation section above.

# Behaviour Principles Statement

- Schools can also identify additional items in their school rules which may be searched for without consent. Force cannot be used to search for these items.
- Separate advice is available on the use of reasonable force.<sup>4</sup>

## Seclusion and isolation rooms

Seclusion and isolation rooms are not used at Stockham School; however, on occasions children may be re-directed from their classroom to a quieter and calmer space in order to respond and reflect on their behaviour and choices.

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### Version History

Version	Date	Description of Changes -
1.0	May 2022	Issuance of the policy
2.0	May 2024	