



**Worlingham CEVC Primary School**

## **BEHAVIOUR MANAGEMENT AND POSITIVE HANDLING POLICY**

Due consideration has been given to all children/adults/stakeholders with regard to the protected characteristics under the Equality Act 2010.

Headteacher: Mrs Holly Marchand

School No. 935 3111

Date Approved	Approved by	Chair of Committee	Chair Signature
4.10.22	Curriculum & Ehtos Committee	Mr Peter Hobbs	



Community, Responsibility, Endeavour, Confidence, Curiosity, Grace  
**Massive Minds, Huge Hearts, Guided by God**  
*"Like a tree, planted by streams of water, in all that we do, we will prosper"*



# Worlingham CEVC Primary School

## **BEHAVIOUR MANAGEMENT AND POSITIVE HANDLING POLICY**

### **Introduction**

In all areas of school policy, it is necessary for parents, teachers and governors to work together to enable pupils to develop as fully as possible. Children need to develop socially, academically, and personally.

We believe that children develop positive behaviours when they experience

- clear and high expectations
- good role models in both children and adults
- clear and consistent boundaries

At Worlingham we build on our Christian values. We understand that for the behaviour and safety of pupils at the school to be outstanding we aim to ensure that:

- Pupils' attitudes to learning are exemplary
- Parents, staff and pupils are positive about behaviour and safety
- Pupils' behaviour outside lessons is almost always impeccable. Pupils' pride in the school is shown by their excellent conduct, manners and punctuality
- Pupils are aware of different forms of bullying, including cyber bullying and prejudice-based bullying, and actively try to prevent it from occurring. Bullying in all its forms is rare and dealt with highly effectively. Pupils are aware that we are all valued.
- Skilled and consistent behaviour management by all staff makes a strong contribution to an exceptionally positive climate for learning.
- All groups of pupils feel safe at school at all times. They understand very clearly what constitutes unsafe situations and are highly aware of how to keep themselves and others safe, including in relation to e-safety.

Our philosophy at Worlingham is that Teachers have a right to teach and children have a right to learn in a classroom that is free from disruptive behaviour. However, we also acknowledge that 'behaviour is another form of communication', and it is important to unpick what is driving certain behaviours in children.

### **Support Systems for staff**

School will support all adults working with pupils to ensure they are achieving. It is school practice to discuss behavioural issues in order that the staff feel supported and the school is working together to provide a cohesive approach to supporting individual needs. This will be achieved following the school's Safeguarding policy. All staff have access to this policy in classes in order that behaviour management is consistent throughout the school.

## **How do we ensure excellent behaviour?**

### **We make sure that everyone knows about and understands the ‘Worlingham Way’:**

At Worlingham we build on the positive patterns of behaviour the pupils have already learnt and we talk to the children about what is ‘the Worlingham Way’:

Children at Worlingham:

- show respect and gains respect from others
- are kind and caring to others
- consider and celebrate difference
- take care of other people’s property
- listen to others
- try their best
- are proud to be children who come to Worlingham CEVC Primary, and wear our badge with pride.

### **We ensure a whole school consistent approach through:**

- established, agreed and understood codes of behaviour
- established rewards
- established sanctions
- children’s understanding that they are responsible for their own behaviour

The following table outlines the expectations of all members of the school community:

<b>Staff and Governors</b>	<b>Pupils</b>	<b>Parents</b>
To lead by example	To respect, support and care for each other both in school and the wider community	To be aware of and support the school’s values and expectations
To be consistent in dealing with pupils – deal with the behaviour, not the pupil	To listen to others and respect their opinions	To ensure that pupils come to school regularly, on time and with the appropriate equipment
To encourage the aims and values of the school and local community among the pupils	To attend school regularly, on time, ready and equipped to learn and take part in school activities	To keep pupils at home when they are ill and to provide the school with a written or telephone explanation of the reasons for any absence
To have high expectations of the	To take responsibility for their own actions	To take an active and supportive interest in

pupils	and behaviour	your child's work and progress
To meet the educational, social and behavioural needs of the pupils through an appropriate curriculum and individual support	To do as instructed by all members of staff (teaching and non-teaching) throughout the school day	To provide the school with an emergency contact number and an alternative so that there are two points of contact where possible
To encourage regular communication between home and school	To be tolerant of others, irrespective of race, gender, religion and age	

### **We will encourage positive behaviour through whole school strategies:**

- Our PSHE curriculum and THRIVE
- Achievement assemblies - where individual children celebrate their successes
- Special Awards - where children's achievements in school are recognised in our celebration assembly
- Positive reinforcement of good behaviour
- Working closely with parents. Class teachers will share any concerns with parents to encourage consistency of approach, agreed understanding and support for the child. Systems for regular communication may be put in place, which will also involve the child.
- In case of dispute between pupils, all pupils involved will be supported and encouraged to find solutions and reach resolution through negotiation and compromise. This is supported by the Peer Mediation programme.

### **We also employ a range of in-class, group and individual strategies:**

- Verbal praise or written praise (important that this is specific and worthwhile – not just praise for in effect turning up)
- Annotated stickers referring to specific achievement
- Head teacher stickers and Gold Reward Cards
- Allocation of responsible tasks
- Class reward systems, e.g. table points, marble jar – these can and should vary from class to class or year group to year group so children do not get 'bored' of the same approach every year.
- Behaviour Plans
- Report Card
- Individual reward charts
- Time out to regroup thoughts and return when able to 'conform'.

- Verbal disapproval/disappointment expressed in a calm manner, reinforced through the expectations of 'the Worlingham Way'. The behaviour is discussed. The child is not labelled.
- Discussions with all children concerned, facilitated by an adult, to find solutions through negotiation and compromise.

### **We have a staged approach to Sanctions:**

- Stage 1: General disturbance: look - proximity, periphery praise,
- Stage 2: Polite reminder: 'listen, thank you', reinforce: give choice,
- Stage 3: Direct reminder; reference to 'Good to be Green' chart Yellow.
- Stage 4: Move child to an alternative part of the classroom. (Good to be Green Amber).
- Stage 4: Move a child to KS Lead classroom (Reflection time) (Amber)
- Stage 5: Sent to Deputy Head. Recorded on behaviour log on CPOMS. Parent informed by DH. Report Card considered. (Red)
- Stage 6: DH will monitor behaviour and liaise with Head to decide at which point it will be escalated to HT involvement. Recorded on behaviour log on CPOMS. Parent meeting.

**Appendix D** shows how these sanctions and rewards are shared in the classroom through the 'Good to be Green' chart.

We will ensure that there are suitable learning consequences if a child reaches Stage 4 or earlier if deemed necessary by staff. These will be based upon restorative principles and 'learning' consequences.

### **We acknowledge that some children need more support:**

Some children, where appropriate, will have individual behaviour plans. These will be shared with parents and all staff working with the child. Furthermore, as part of a child's special educational need, class teachers should liaise with the SENCo to establish what reasonable adjustments could be made for a child to help improve their behaviour – the aim would be stop any child with eg ADHD constantly having sanctions and consequences. This may or may not result in a formal behaviour plan. The behaviour plan will replace the normal Staged 'Good to be Green' approach.

### **We encourage positive break and lunchtimes:**

We recognise that most behavioural issues can occur in the less structured times outside of the classroom. We make these times as positive as we can for children through:

- Clear positive lunchtime training and expectations for MSAs
- Named Senior MSA to oversee lunchtimes and encourage the positive ethos
- Well-resourced environment – one member of the lunch time staff leads in the setting up and playing of games.

- Trained Peer Mediators which support low-level disputes
- 'Time Out' area which is manned by our THRIVE-trained member of staff. This area can be self-chosen by children or they can be instructed to spend time in there as a consequence

## **We recognise some behaviours are very serious -The Severe Clause:**

The Severe Clause will come into effect when there is:

- Swearing
- Vandalism
- The premeditated act of hurting someone (that is not a game, for example, that has got out of hand – these incidents such as 'fights' should be sent to the Deputy Head first to investigate, who may then decide to escalate it)
- Other serious discriminatory behaviour such as racism
- Spitting
- Bullying

**The head reserves the right, dependent on the seriousness of the incident, to implement any stage of the Severe Clause at any time.**

All incidents of bullying or racist or sexual discrimination must be reported to the Headteacher immediately, and appropriate forms completed. Forms are available from the finance office. Relevant parents/carers will be informed of any such incidents. A Severe Clause Record Log will be kept by the Head teacher.

<b>STEP</b>	<b>ACTION</b>	<b>NOTES</b>
<b>ONE</b>	Discussion with Head Teacher	Head discusses incident with child and outlines the full range of Severe Clause. Records behaviour in SC journal. Head keeps child for the rest of the session with work to complete. Parents contacted.
<b>TWO</b>	Child misses break	Child misses morning break time or 30 minutes of lunch time. They will be given a reflective activity to complete such as a general reflective sheet (see Appendix) or letter of apology. Recorded in SC journal. Parents contacted.
<b>THREE</b>	Child misses two breaks	Child misses two break times. Recorded in SC journal. ( As above) Parents contacted.
<b>FOUR</b>	Parents invited to school.	Parents, child, class teacher and head teacher discuss the behavioural difficulties. Actions put in place (ie report card; home/school communication book).

<b>FIVE</b>	Internal Withdrawal.	If there is no improvement seen over an agreed period of time, the Head informs parents that child will be given an internal withdrawal, where they will be given work to do on their own supervised by a member of staff. The child will have break and lunch separately from their peers.
<b>SIX</b>	Pastoral Support Programme (PSP)	A PSP will be written and discussed with Parents/Carers and the child. (This may be discussed with outside agencies). If there is a persistent problem the head teacher, the SENCO and class teacher will draw up a Pastoral Support Programme to support the pupil in partnership with parents. All staff working with the pupil will be informed of this, including lunchtime supervisors. This will give a consistent approach throughout the school day. If the problem continues, together we will work with outside agencies to seek solutions to support the pupil. For pupils who are having these difficulties the school will provide targeted pastoral support or mentoring by adults or peers.
<b>SEVEN</b>	Temporary Exclusion	Any fixed term exclusion beyond 5 days means the LEA and Chair of Governors will be informed and a decision will be made whether to exclude the child for a further period of time. Parents will have the right to appeal.
<b>EIGHT</b>	Permanent Exclusion	

### **We adapt our approach for the Early Years Foundation Stage:**

The Early Years Foundation Stage shares the principles, ethos, expectations rules and rewards of the school. However, due to the organisation of the day in the Early Years Foundation Stage the consequences of inappropriate behaviour are different. There are 6 bands of consequences:

1. Inappropriate Behaviour
2. Warning
3. Redirection
4. Time Out
5. Talk to Parents
6. SENCO/DH/Headteacher involvement

## **We are trained in De-escalation strategies and Positive Handling:**

All staff have been trained in the 'Managing Challenging Behaviour' led by IKON training.

As a result, we recognise and fully understand that not all children choose to behave the way they do 'consciously'. Some children, as a result of their experiences, have developed subconscious behaviours.

With such children, *external* positive behaviour strategies may not always work – in fact it is often unlikely to, and when it does, only results in a short term change. Our aim as a school with such children is to empower them with *internal* positive behaviour strategies and recognition; supporting them to develop the tools and skills necessary to manage their emotions in a more proactive way.

In essence, subconscious behaviours are behaviours that choose us. These are based on anxiety, fear, frustration, confusion etc. These can also be medical, habitual, entrenched and learned behaviours.

With such behaviours, it is important to be sure of what happens before, during and after situations, or 'crises'.

We have an understanding of the triggers and causes of different behaviours that may be exhibited by children. Through the 'Managing Challenging Behaviour' training, staff deepen their understanding of the theory behind the training, recognising challenging behaviour and managing challenging behaviour.

Staff have learnt about 'Betari's Box' – a model which sets out the need to begin with a positive frame of mind. This positive behaviour will then have a positive impact on the potentially challenging situation which a member of staff may find themselves in. Coupled with LEAPS (Listen, Empathise, Ask, Paraphrase and Summarise), approaching a challenging scenario may help to establish some control within a situation.

This training will help to de-escalate challenging behaviours; good communication skills should be the overarching strategies to de-escalate and reduce stress.

The 'Roots and Fruits' image can help to identify positive and negative factors which can have an impact on a child's behaviour.



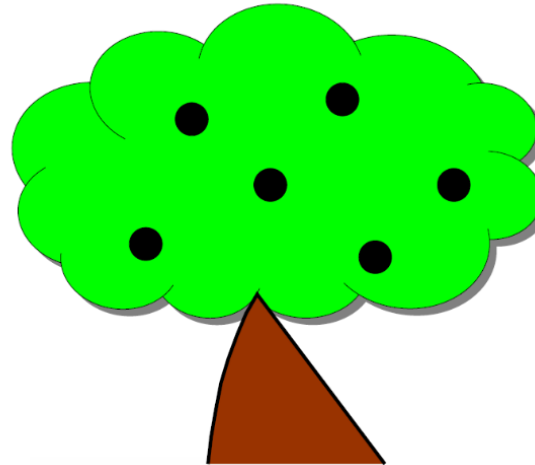
# Roots and Fruits



Behaviours

Feelings

Experiences



Behaviours

Feelings

Experiences



Behaviours

Feelings

Experiences



## 1. Before a crisis develops

With such behaviours, children are more likely to exert behaviours that could result in harm to themselves, other children, or property. As such, we at Worlingham CEVC Primary School will use de-escalation strategies with such children in order to prevent that from happening.

The sequence for such behaviours will be:

Positive Phrasing

'Come join us for a story'

Limited Choice

'Would you like to sit on the chair or bean bag for the story?'

Disempowering the behaviour

'You can listen to the story from there!'

Consequence

'I will talk to you about that after the lesson, and we'll discuss what the consequence will be for you.'

We will avoid negative phrasing such 'don't be silly' or 'get in here now'.

We will also be mindful of our body language in such situations.

*Escalating* body language includes being inside of an outstretched arm, too close, toe to toe, eye to eye, blocking the path, aggressive gestures, or being over bearing.

*De-escalating* body language includes being outside of an outstretched arm, sideways stance, leaving an open door, relaxed hands, managing height.

When staff see a child about to have a critical situation, they will use a de-escalation script that is as follows:

- **David**
- **I can see something has happened**
- **I am here to help**
- **Talk and I will listen**
- **Come with me and.....**

Children who are known to the school to require such intervention on a regular basis will have a Risk Reduction Plan (See Appendix)

## 2. During a crisis

Section 93 of the Education and Inspections Act 2006 - Harm prevented

This enables staff to use reasonable force to prevent a pupil from:

- Committing a criminal offence
- Causing personal injury or damage to property
- Prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school whether during a teaching session or otherwise.

A number of staff across all Key Stages have had further de-escalation training from IKON to manage situations where it may be necessary to intervene in a situation to prevent the child or another person being injured or school property being damaged.

**a. De-escalation stance**

- Outside personal space
- Sideways position
- Open hands
- Soft knees
- Feet shoulder width apart
- Repeat de-escalation script

**De-escalation Stance**



- Soft knees, ready to respond
- Hands low to de-escalate

**b. Guiding and Escorting**

**Open Mitten**

- Fingers together
- Thumb away from fingers
- Palms parallel to floor
- The hand should remain in a mitten to avoid the possibility of gripping. Gripping hands can result in bruising consistent with poor practice

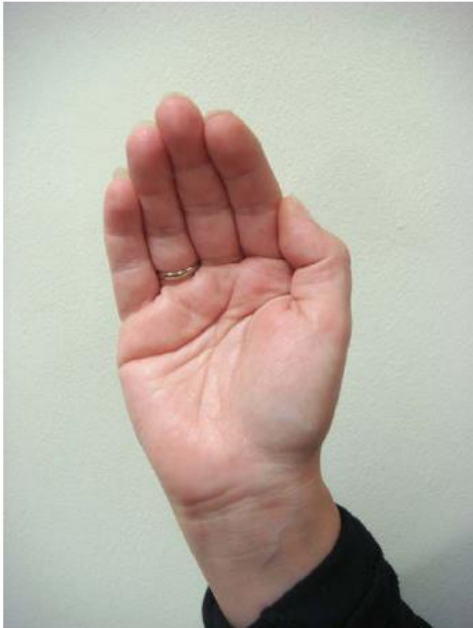
Open Mitten



### Closed Mitten

- Flat hand
- Fingers and thumb together
- The hand should remain in a mitten to avoid the possibility of gripping. Gripping hands can result in bruising consistent with poor practice.

### Closed Mitten



### Supportive Hug

- Hip in, head away
- Side to side stance
- Closed mittens
- Hand on each shoulder
- Use 'de-escalation script'

### Supportive Hug



### Supportive Arm

- Hip in, head away
- Closed mitten
- One hand on shoulder
- One hand cupped around arm between elbow and shoulder

### Supportive Arm



### Open Mitten Guide

- Open mitten hand
- Guiding just above the elbow
- Adult positioned slightly behind with extended straight arm

### Open Mitten Escort

- Open mitten hands
- Child's elbows close to the body
- Guiding above elbows
- Arm across upper back
- Hip in, head away
- The hand should remain in a mitten to avoid the possibility of gripping. Gripping hands can result in bruising consistent with poor practice.

### Escorting – Open Mitten



### **3. After a Crisis**

After such a crisis, children will be given the opportunity to reflect on their behaviour, repair any damage and restore any relationships.

A restorative approach focuses on the harm that has been done and how it can be repaired, and through discussion ensures conflict is not likely to happen again.

More simply, it involves asking

- What happened?
- What were people thinking and feeling at the time?
- Who has been affected and how?
- How can we put right the harm?
- What have we learnt so as to make different choices next time?

Restorative questions might include

- What would you like to happen next?
- How can we move forward?
- How are you going to be friends again?
- If everything was going to be alright again, what do we need to do?
- How can you put this right?
- What would your dream solution be?
- If it was your job to make this better what would you suggest?
- How can we all make it OK for you to go back to class?
- What do you think “.....” might need?

As such, children will still have a consequence to their behaviour, but through the reflect, repair, restore technique they will identify that themselves, and thus contribute to improving their *internal* discipline.

### **4. Where a physical intervention has been used**

When a member of staff is required to use a discrete physical intervention such as an Open Mitten Escort, or a more ‘serious’ use of force as described in Appendix E, the member of staff will be required to complete the form in Appendix C and give it to the Headteacher.

### **Screening and Searching**

The school follows the guidance outlined in *Screening, Searching and Confiscation: Advice for Head Teachers Staff and Governing Bodies* (DfE, 2011). The Head teacher authorises any member of the schools’ teaching staff to perform searches, and may authorise other members of staff if appropriate.

## Appendix A



### RISK REDUCTION PLAN – CHILD

<b>Child's Name</b>	
<b>Year</b>	
<b>Issue Date</b>	
<b>No. of Plans</b>	<i>Sheet of</i>

<b>Potential Harm</b>	
<b>Behaviour resulting in potential harm</b>	

<b>Risk Reduction Measures</b>	<b>Notes</b>
<b>Strategies BEFORE a crisis</b>	
<b>Strategies DURING a crisis</b>	
<b>Strategies AFTER a crisis</b>	

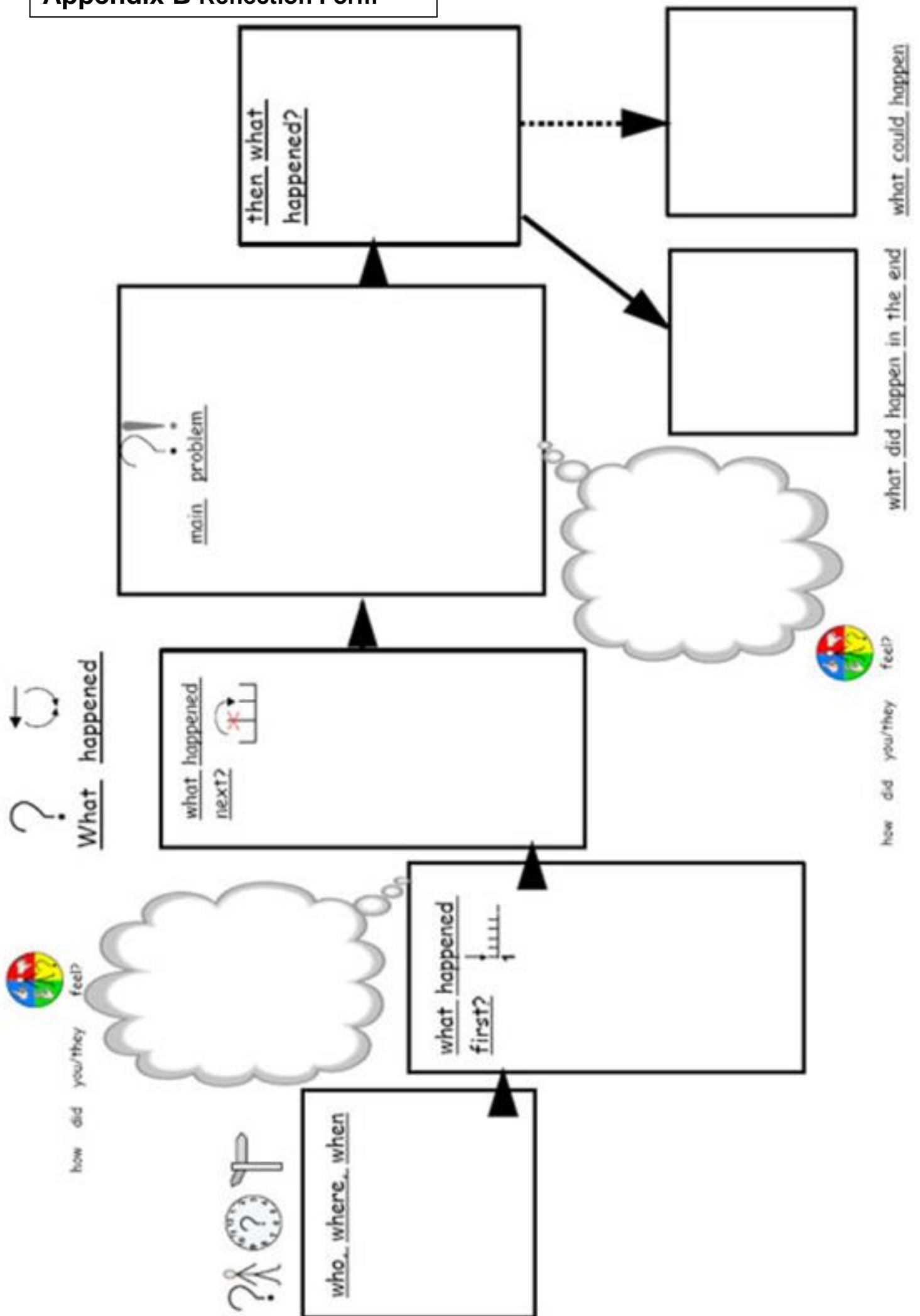
Signed..... (Class Teacher)

Signed..... (Head Teacher)

Date.....



## Appendix B Reflection Form





## Appendix C



### Use of Physical Intervention Record

<b>Name of Member of Staff</b>	
<b>Name of Child</b>	
<b>Date &amp; Time of crisis</b>	
<b>What happened before the crisis</b>	
<b>What happened during the crisis, including the type of intervention</b>	
<b>What happened after the crisis</b>	

**Signed..... Date.....**

## Appendix D – ‘Good to be Green’ Staged Approach

<b>GOLD</b>	You have shown over a long period of time that you make the right choices, set an example to others and make the classroom a great place for you, your classmates and the adults who work there. Your effort levels are exemplary. Your teacher is so impressed that they want you to go and see Mrs Marchand so she knows how well you have done.
<b>SILVER</b>	You are setting a great example to the rest of your class through your excellent behaviour. You are putting a lot of extra effort into your learning. Your teacher will give you extra praise because you are showing everyone the ‘Worlingham Way’.
<b>GREEN</b>	You are being sensible, concentrating and helping yourself learn. Your teacher will have noticed how well you are learning.
<b>YELLOW</b>	The teacher has had to remind you about the choices you are making.
<b>AMBER</b>	The teacher has had to remind you for a second or third time about the choices you are making. You have been moved and there will be a consequence which may mean missing some of your free time to complete the work you have missed or to talk with an adult about the choices you have made. You may need to go to Mrs Marchand or Mrs Warnes if your teacher thinks it is appropriate.
<b>RED</b>	You have continued to make the wrong choices. You need to go to Mr Brown to think about and discuss your choices. Your parents will be told. If you continue to make the wrong choice Mrs Marchand will be called.

## **Appendix E**

Use of Reasonable Force Advice for Headteacher, staff and governing bodies  
July 2013

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/444051/Use\\_of\\_reasonable\\_force\\_advice\\_Reviewed\\_July\\_2015.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/444051/Use_of_reasonable_force_advice_Reviewed_July_2015.pdf)

### **Summary About this departmental advice**

This is non-statutory advice from the Department for Education. It is intended to provide clarification on the use of force to help school staff feel more confident about using this power when they feel it is necessary and to make clear the responsibilities of Headteacher and governing bodies in respect of this power.

### **Expiry or review date**

This advice will be kept under review and updated as necessary.

### **Who is this advice for?**

School leaders and school staff in all schools in England.

### **Key points**

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

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

1. The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.
2. Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.
3. 'Reasonable in the circumstances' means using no more force than is needed.
4. As mentioned above, schools generally use force to control pupils and to restrain them. Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.
5. Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.
6. School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.

### **Who can use reasonable force?**

- All members of school staff have a legal power to use reasonable force

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

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

- Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.
- In a school, force is used for two main purposes – to control pupils or to restrain them.
- The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.
- The following list is not exhaustive but provides some examples of situations where reasonable force can and cannot be used.

### **Schools can use reasonable force to:**

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

Schools cannot use force as a punishment. It is always unlawful to use force as a punishment.

### **Power to search pupils without consent**

In addition to the general power to use reasonable force described above, Headteacher and authorised staff can use such force as is reasonable given the circumstances to conduct a search for the following “prohibited items”:

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

Force cannot be used to search for items banned under the school rules.

Separate guidance is available on the power to search without consent – see the ‘Further sources of information’ section for a link to this document.

### **Communicating the school's approach to the use of force**

- Every school is required to have a behaviour policy and to make this policy known to staff, parents and pupils. The governing body should notify the Headteacher that it expects the school behaviour policy to include the power to use reasonable force.
- There is no requirement to have a policy on the use of force but it is good practice to set out, in the behaviour policy, the circumstances in which force might be used. For example, it could say that teachers will physically separate pupils found fighting or that if a pupil refuses to leave a room when instructed to do so, they will be physically removed.
- Any policy on the use of reasonable force should acknowledge their legal duty to make reasonable adjustments for disabled children and children with special educational needs (SEN).
- Schools do not require parental consent to use force on a student.
- Schools should not have a 'no contact' policy. There is a real risk that such a policy might place a member of staff in breach of their duty of care towards a pupil, or prevent them taking action needed to prevent a pupil causing harm.
- By taking steps to ensure that staff, pupils and parents are clear about when force might be used, the school will reduce the likelihood of complaints being made when force has been used properly.

### **Using force**

- A panel of experts identified that certain restraint techniques presented an unacceptable risk when used on children and young people. The techniques in question are:
  - the 'seated double embrace' which involves two members of staff forcing a person into a sitting position and leaning them forward, while a third monitors breathing;
  - the 'double basket-hold' which involves holding a person's arms across their chest;
  - the 'nose distraction technique' which involves a sharp upward jab under the nose.

### **Staff training**

- Schools need to take their own decisions about staff training. The Headteacher should consider whether members of staff require any additional training to enable them to carry out their responsibilities and should consider the needs of pupils when doing so.
- Some local authorities provide advice and guidance to help schools to develop an appropriate training programme.

### **Telling parents when force has been used on their child**

- It is good practice for schools to speak to parents about serious incidents involving the use of force and to consider how best to record such serious incidents. It is up to schools to decide whether it is appropriate to report the use of force to parents
- In deciding what is a serious incident, teachers should use their professional judgement and consider the:
  - pupil's behaviour and level of risk presented at the time of the incident;

- degree of force used;
- effect on the pupil or member of staff; and
- the child's age.

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

- All complaints about the use of force should be thoroughly, speedily and appropriately investigated.
- Where a member of staff has acted within the law – that is, they have used reasonable force in order to prevent injury, damage to property or disorder – this will provide a defence to any criminal prosecution or other civil or public law action.
- When a complaint is made the onus is on the person making the complaint to prove that his/her allegations are true – it is not for the member of staff to show that he/she has acted reasonably.
- Suspension must not be an automatic response when a member of staff has been accused of using excessive force. Schools should refer to the “Dealing with Allegations of Abuse against Teachers and Other Staff” guidance (see the ‘Further sources of information’ section below) where an allegation of using excessive force is made against a teacher. This guidance makes clear that a person must not be suspended automatically, or without careful thought.
- Schools must consider carefully whether the circumstances of the case warrant a person being suspended until the allegation is resolved or whether alternative arrangements are more appropriate.
- If a decision is taken to suspend a teacher, the school should ensure that the teacher has access to a named contact who can provide support.
- Governing bodies should always consider whether a teacher has acted within the law when reaching a decision on whether or not to take disciplinary action against the teacher.
- As employers, schools and local authorities have a duty of care towards their employees. It is important that schools provide appropriate pastoral care to any member of staff who is subject to a formal allegation following a use of force incident.

### **What about other physical contact with pupils?**

- It is not illegal to touch a pupil. There are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary.
- Examples of where touching a pupil might be proper or necessary:
  - Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school;
  - When comforting a distressed pupil;
  - When a pupil is being congratulated or praised;
  - To demonstrate how to use a musical instrument;
  - To demonstrate exercises or techniques during PE lessons or sports coaching; and
  - To give first aid.

## **Frequently Asked Questions**

Q: I'm worried that if I use force a pupil or parent could make a complaint against me. Am I protected? A: Yes, if you have acted lawfully. If the force used is reasonable all staff will have a robust defence against any accusations

Q: How do I know whether using a physical intervention is 'reasonable'? A: The decision on whether to physically intervene is down to the professional judgement of the teacher concerned. Whether the force used is reasonable will always depend on the particular circumstances of the case. The use of force is reasonable if it is proportionate to the consequences it is intended to prevent. This means the degree of force used should be no more than is needed to achieve the desired result. School staff should expect the full backing of their senior leadership team when they have used force.

Q: What about school trips? A: The power may be used where the member of staff is lawfully in charge of the pupils, and this includes while on school trips.

Q: Can force be used on pupils with SEN or disabilities? A: Yes, but the judgement on whether to use force should not only depend on the circumstances of the case but also on information and understanding of the needs of the pupil concerned.

Q: I'm a female teacher with a Year 10 class - there's no way I'd want to restrain or try to control my pupils. Am I expected to do so? A: There is a power, not a duty, to use force so members of staff have discretion whether or not to use it. However, teachers and other school staff have a duty of care towards their pupils and it might be argued that failing to take action (including a failure to use reasonable force) may in some circumstances breach that duty.

Q: Are there any circumstances in which a teacher can use physical force to punish a pupil? A: No. It is always unlawful to use force as a punishment. This is because it would fall within the definition of corporal punishment, which is illegal.

## **Further sources of information**

Other departmental advice and guidance you may be interested in:

- Guidance on the Use of Restrictive Physical Interventions for Staff Working with Children and Adults who display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders (2002)
- Guidance on the Use of Restrictive Physical Interventions for Pupils with Severe Behavioural Difficulties (2003)
- Screening, searching and confiscation – advice for Headteacher, staff and governing bodies.
- Dealing with allegations of abuse against teachers and other staff – guidance for local authorities, Headteacher, school staff, governing bodies and proprietors of independent schools.

## **Associated resources**

(external links)

- Police and Criminal Evidence Act 1984 (PACE) Code G: Revised Code of Practice for the Statutory Power of Arrest by Police Officers © Crown copyright 2015 This publication (not including logos) is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned. To view this licence: Visit [www.nationalarchives.gov.uk/doc/open-government-licence/version/3](http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3) Email [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk) Write to Information Policy Team, The National Archives, Kew, London, TW9 4DU

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## WORLINGHAM CEVC PRIMARY SCHOOL

### **SAFEGUARDING STATEMENT TO ACCOMPANY POLICY DOCUMENTS**

Throughout this policy runs our commitment to safeguarding the well being of all our pupils at Worlingham CEVC Primary School. The values, beliefs and ethos of Worlingham Primary School are shared by all members of staff and the adherence to the guidance as stated in the school's Safeguarding Policy is of paramount importance.

The well being and safety of pupils has a positive impact on their attendance, behaviour, their own Health and Safety, learning within the school environment as well as on educational visits.

Throughout the curriculum children are taught how to manage risk and how to keep themselves safe. The children know that if they need help they can talk to a member of staff at school. Children are taught how to keep themselves safe whilst using ICT equipment and are instructed to report any inappropriate material to the member of staff leading the session.

Children who have an identified SEN which creates difficulties with communication may need additional support in expressing concerns to a member of staff. Staff will need to follow the guidance in the safeguarding policy when dealing with a disclosure, taking into account the ability of the individual.

A copy of the Safeguarding policy can be found on the school website, in the Headteacher's office and also the staff room. This policy provides comprehensive detail in identifying types of abuse and the procedures that need to be followed.

Within the Safeguarding Policy is a section on The Prevent Duty and what it means for our School.