



BEHAVIOUR POLICY

Adapted from Stockport CYPD Model Policy

At Mersey Vale Primary School, we are committed to ensuring equality of education and opportunity for all irrespective of race, gender, ability, religion, socio-economic factors and disability. The achievement of all pupils is monitored and we use this data to raise standards and ensure inclusive teaching and learning.

We aim to provide our pupils with a firm foundation which will enable them to fulfil their potential. We seek to eliminate unlawful discrimination. At Mersey Vale we believe that diversity and inclusion are strengths, which should be respected and celebrated by all those who learn, teach and visit here.

1. The school's Behaviour Policy has been adopted by the Governing Body/Management Committee May 2019.
2. The school has ensured that parents/carers are fully informed of the Behaviour Policy by communicating it through the school rules, school prospectus, home-school agreements, newsletters and other channels normally used.
3. The school has communicated the Behaviour Policy to all new and existing pupils through the school rules, school prospectus, pupil notice board, newsletters, assemblies, and within the curriculum wherever relevant.
4. The school will seek to ensure that the policy and procedures are accessible to parents/carers and pupils by providing these in appropriate languages and formats where available.
5. The school has communicated the Behaviour Policy to all permanent and temporary teaching and non-teaching staff by providing copies of the policy, and through the staff training/induction programme.
6. The school will ensure that all staff are consulted regularly about the policy and its implementation.
7. The Behaviour Policy will be thoroughly audited and reviewed every 3 years. Pupils, parents, staff and governors will be consulted about any proposed changes to the published policy.

Philosophy and Aims

The aim of this school is to give all pupils the skills for living and learning and to involve them in a well-structured, relevant curriculum appropriate to their needs and ability.

Our behaviour policy is rooted in the belief that all members of the school, regardless of age, ethnicity, religion, belief, sexuality, gender or disability:

- are of equal value as human beings
- have a valuable contribution to make to the life of the school

We aim to further an atmosphere of mutual trust and understanding in which meaningful and worthwhile learning can take place. Good behaviour makes effective teaching and learning possible. Bad behaviour disrupts these processes. We are a restorative school which takes a **restorative approach** to resolving conflict and preventing harm. Restorative approaches enable those who have been harmed to convey the impact of the harm to those responsible, and for those responsible to acknowledge this impact and take steps to put it right.

We will actively develop partnerships with parents/carers in underpinning the principles in this policy.

Roles and Responsibilities

The promotion of positive behaviour is the responsibility of everyone involved with the school. There are however specific roles for different members of the school community:

1. **The Governing Body/Management Committee** should define the framework of the school's behaviour policy by writing a statement of general principles, and should oversee the Headteacher's maintenance of discipline in school.
2. **The Headteacher** should frame the policy to establish an environment that encourages positive behaviour, discourages bullying and promotes diversity. The views of all stakeholders should be taken into account when formulating and reviewing the behaviour policy, and the Headteacher should publicise the school's policy to pupils, parents and staff at least once a year and it is available on the school's website for parents to view. With other members of the school leadership team, the Headteacher should organise support for its implementation.
3. **All school staff** should ensure that the behaviour policy is consistently and fairly applied to all groups and communities, and that pupils are taught how to behave well. They should provide each other with encouragement and support, and model the high standards of behaviour expected by pupils.
4. **The Governing Body/Management Committee, Headteacher and staff** should ensure that all aspects of the school's behaviour policy and its application promote equality for all pupils. This should be backed up by monitoring of rewards and sanctions, to ensure that their distribution does not detract from equal opportunities principles. Policies and practice should address the needs of all communities, in line with the statutory duty to promote race equality in the Race Relations (Amendment) Act.
5. **Pupils** should promote the school's code of conduct, and support staff and other pupils, particularly by reporting incidents of bullying and other misbehaviour.
6. **Parents and carers** should take responsibility for their child's behaviour inside and outside of school, work in partnership with the school to maintain high standards of behaviour, and contribute to the policy through consultation.

In addition to the responsibilities of the school community, the Local Authority is committed to:

- Developing and maintaining a network of support structures that will help schools move towards increased inclusion of pupils with behavioural difficulties
- Supporting schools to raise the educational achievements of all pupils, including young people in public care, traveller children, pupils from minority ethnic backgrounds and pupils who are reintegrating to school
- Facilitating an effective training programme for staff in schools aimed at developing strategies which promote good behaviour management and which support the regular updating and development of skills

- Providing forums for effective dissemination of good practice in managing pupil behaviour
- Working in partnership with other agencies.

The Local Authority's Behaviour Support Plan 2004-2007 sets out the arrangements and support available for the education of children and young people with social, emotional and behavioural difficulties.

Statement of Common Principles

This Statement was developed by the Local Authority in consultation with colleagues from schools, LA services and the professional associations.

Schools and teachers have a duty to provide high quality teaching and learning which is the key to good behaviour management.

1. Good order and discipline are essential to the provision of high standards of education. Pupils cannot learn and teachers cannot teach in chaos and disruption. Strong and effective management, working in partnership with teachers, is essential to the establishment and maintenance of acceptable standards of behaviour.
2. Parents and carers have an essential role to play in maintaining high standards of behaviour. They have a duty to take responsibility for the behaviour of their child. Consistency between school and parent expectations of behaviour is essential.
3. Governors/Management Committees have a responsibility to support the school in maintaining the high standards of discipline.
4. Government and the Local Authority must exercise their responsibilities to support schools in maintaining good order and discipline.
5. Staff are entitled to work in an environment where violence and disruption are not tolerated.
6. Pupils are entitled to a safe and orderly learning environment to assist them in achieving their full potential.
7. All pupils are entitled to inclusion in the education service and to have their educational needs met. For a small minority of pupils, inclusion in mainstream school is inappropriate and access to specialist, alternative provision of the highest quality must be made.
8. Agreed standards of behaviour should be consistently applied across all schools. Violent and aggressive behaviour such as swearing, sexist, racist and homophobic attitudes and remarks and all forms of harassment, including bullying are unacceptable. Such behaviour must not be tolerated.
9. All schools should establish policies containing a range of rewards, sanctions and consequences to secure acceptable standards of behaviour.
10. Schools are responsible for ensuring that their behaviour management policies are non-discriminatory in terms of their scope and operation. It is unacceptable for the measures to address either the problems caused by inappropriate pupil behaviour or to reward positive behaviour to be applied differently on the grounds of ethnic or national origin, culture, religion or belief, gender, disability or sexuality. Schools should regularly review behaviour management policies to ensure that the operation is fair and equitable, and should recognise that a degree of flexibility may be necessary in order to meet the needs of individual pupils.

11. Early identification and intervention are essential factors in behaviour management. Schools need to play their part in this and where appropriate, seek additional support and resources to enable them to respond effectively at an early stage.
12. Schools must be able to readily to access external advice, support, specialist provision and funding with effective, streamlined procedures.
13. Schools have been given the flexibility within the curriculum and must have adequate resources to develop educational programmes to meet the needs of individual pupils.
14. There are times when, despite every effort made by the school, it is necessary to implement the exclusion procedure. Headteachers must be empowered to exercise their professional judgement in the use of exclusion. In the most severe of cases, Headteachers will be supported in excluding the pupil permanently.
15. The Local Authority should maintain and continue to develop a range of provisions, both to assist schools in implementing strategies to try to avoid permanent exclusion, and to support pupils who are permanently excluded.
16. Pupils who are permanently excluded are entitled to have their SEBD needs assessed and met in appropriate provision.

Acceptable and unacceptable behaviour

The school defines acceptable behaviour as that which promotes courtesy, cooperation and consideration from all pupils in terms of their relationships with other pupils within/outside the school, teachers and other school staff, and with visitors or other persons at the school.

The school has identified examples of unacceptable behaviour as that which includes:

- Name-calling and verbal abuse
- Threatening language/behaviour and intimidation
- Physical abuse
- Bullying and harassment, including racist, sexist and homophobic abuse
- Damage
- Drug and alcohol related incidents
- Disruptive behaviour, and behaviour which threatens the teaching and learning of others
- Behaviour which puts the health and safety of any member of the school at risk.
- Behaviour which contravenes the school's Prevent Duty

The school regularly communicates the standards of acceptable and unacceptable behaviour to pupils and parents/carers through the published school rules, prospectus, home-school agreement, assemblies, school noticeboard, newsletters and letters to parents/carers.

The school communicates the standards of acceptable and unacceptable pupil behaviour to staff through the staff handbook and the training programme.

Principles

Pupils are expected to understand and adhere to the following rules and principles:

1. Treat everyone with courtesy and consideration at all times.
2. Violent or aggressive behaviour will be dealt with firmly.
3. Bullying in any form will not be tolerated.
4. Pupils should not bring alcohol, drugs, weapons, or any other illegal or dangerous items onto the school premises.
5. Everyone is to keep the school clean and tidy so that it is a welcoming place we can all be proud of.
6. Pupils are to be quiet and listen when requested to do so, and obey instructions given by members of staff, including support staff and lunchtime supervisors.
7. Within the school building pupils are to move about considerately and quietly.
8. As well as being well-behaved within school, pupils are to be well-behaved in the school grounds, on their way to and from school, when on trips or visits, or any other school business.
9. Pupils are to arrive for school on time and ready to learn. (Being late without good reason is a discourtesy towards everyone in the school).

These principles are embodied in our Golden Rules:

At Mersey Vale Primary School we

- Work hard and always try our best
- Are caring, kind and helpful
- Are honest and take responsibility for our actions
- Look after property
- Are respectful of ourselves and others

Consequences of Behaviour

Rewards

In this school we believe all pupils should be encouraged to do their best and have their success recognised. We will strive to create a climate where the use of praise and encouragement is commonplace and outweighs recourse to sanctions and punishment.

Staff will be regularly reminded about the importance of recognising positive behaviour with praise and encouraging language and gestures in the classroom and around the school. Pupils' success and achievements both inside and outside of school will also be celebrated. Particular attention will be paid to those pupils who

have been associated with poor behaviour or have been less likely to meet standards, so that it is not always the same pupils receiving praise and rewards.

We will reward good work and behaviour with:

- Golden time
- Name on the sun
- Verbal praise
- Stickers
- Prizes
- Certificates
- Phone call or letter home
- Praise note
- Stamps
- To be a special person or have special responsibilities
- Lunchtime awards
- To tell or show other people eg. in our weekly praise assembly, Headteacher, deputy Headteacher, other staff

Sanctions

The school has in place a hierarchy of sanctions that can be used in response to inappropriate behaviour. When an incident occurs, the school will endeavour to establish the facts of the case before applying a sanction. Following serious incidents, the school will undertake a full investigation of events (including collecting statements from pupils involved and any witnesses where appropriate) before agreeing on a sanction. In all cases, sanctions will be applied consistently and fairly within a context of positive reinforcement of good behaviour. The school will take account of the individual circumstances of the case, including the seriousness of the incident, and the age and previous conduct of the pupils involved.

The sanctions employed by the school are intended to promote positive behaviour, rather than punish pupils, and it is made clear to pupils that it is the behaviour that is being condemned, not the person involved. Staff are regularly briefed about the school's policy and attitude towards applying sanctions, and they encourage pupils to reflect on the effects of misbehaviour on others in the school community, as part of everyday teaching and pastoral guidance in school.

The school avoids the use of whole group sanctions that punish the innocent as well as the guilty, and does not use punishments that humiliate or degrade pupils.

Where appropriate, the school may apply the following sanctions in response to inappropriate or challenging behaviour:

- Verbal warning
- Visual warning: name moved to cloud, then storm cloud – lose 2 minutes golden time
- Moved within classroom/ within playground
- Moved to a partner classroom/ to other playground
- Taken to headteacher/ deputy Headteacher
- Letter or phone call home

Serious or persistent misbehaviour might require the following sanctions:

- Withholding participation in any school trips, social or sports events that are not an essential part of the curriculum
- Placing a completed incident report in the behaviour monitoring file
- Internal exclusion / seclusion
- Fixed-term exclusion
- Permanent exclusion

Individual fixed period exclusions will be for the shortest time necessary, bearing in mind that exclusions of more than a day or two make it more difficult for the pupil to reintegrate into the school. Longer exclusions will only be issued in response to very serious incidents.

Permanent exclusion is the most serious sanction the school can apply in response to breaches of the behaviour policy. It will usually be used only as a last resort when a range of other strategies has been tried without success.

Regard will be given to the guidance from the Local Authority and the DfES on exclusions, and where necessary advice will be sought from the Local Authority before issuing an exclusion.

A senior member of staff must be involved in the application of any of the sanctions for serious misbehaviour and only the Headteacher (or Acting Headteacher in the absence of the Headteacher) can decide to exclude a pupil.

The use of both rewards and sanctions will be monitored and analysed in relation to race, ethnicity, gender, disability, SEN and Looked After status, and any patterns revealed will lead to appropriate action to ensure that there is no differential between groups.

Early intervention and support

As well as dealing with inappropriate behaviour when it occurs, this behaviour policy aims to reduce disaffection among pupils. The school recognises that where there are signs of disaffection, early intervention may prevent problems from worsening.

The school will review the support available to individual pupils who may be at risk of disaffection or exclusion. Additional measures could include:

- Learning support / study support
- Buddy system / mentoring
- Counselling
- Allocation of a Learning Mentor, or other key worker
- Individual education planning / teaching strategies
- A change of teaching set or class
- Engaging with parents / Parenting Contract
- Encouraging involvement in voluntary service and community activities
- Curriculum flexibility (including disapplying the National Curriculum in certain circumstances)
- Referral to a specific support service, such as the Education Psychology Service, SBSS In-school support, Social Care services or Community Child and Adolescent Mental Health Services
- Assessment of Special Educational Needs
- Pastoral Support Programme (PSP)
- A managed pupil transfer to another school

Involvement of other agencies

The school has access to a range of services to support pupils at risk of disaffection or exclusion, or for support in relation to specific problems/circumstances. The school will make referrals to these services where appropriate, and with the consent of the pupil and their parents/carers where necessary. These include:

- Primary Behaviour Support Service
- Education Psychology Service
- Education Welfare Service
- Education Support Team for Young People in Public Care
- MOSAIC (Young People's Drug and Alcohol Service)
- Social Care services (including the Community Outreach Team (COT))
- Community CAMHS (Tier 1&2) – The Kite Project, Primary and Secondary Jigsaw Education Mental Health Teams, Sound Minds, Children's Primary Mental Health Practitioner
- The Pendlebury Centre PRU (Outreach Support and PRU placements)
- Moat House PRU (for pregnant schoolgirls and schoolgirl mothers)
- Positive Activities for Young People (PAYP)
- Youth Offending Team

See Appendix 4 for a list of support services. Details of the referral criteria and procedures for these services can be found in the Local Authority's Directory of Support Services (Appendix 9 of Guidance on Pupil Exclusion from School – Spring 2006).

Individual Behaviour Plans/ Pastoral Support Plans

If a pupil has persistent behavioural needs that indicate they are in serious risk of exclusion it may be appropriate to implement an Individual Behaviour Plan (IBP) or Pastoral Support Plan (PSP) to help them better manage their behaviour. It is particularly appropriate for those pupils whose behaviour is deteriorating rapidly.

The DfES recommends that PSPs should be automatically set up for pupils who have had several fixed period exclusions that may lead to permanent exclusion, or who have otherwise been identified as being at risk of failure at school through disaffection.

The programme will identify causes of concern and what can be reasonably required of the pupil to bring about a positive change in their behaviour. The involvement of parents is essential if a successful outcome is to be achieved. It will normally involve a number of interventions, such as those listed above. As the behaviour of pupils at risk is often driven by complex combinations of social, emotional and health problems, the involvement of Local Authority and other services will also be coordinated and included in the plan where appropriate.

Managed Pupil Transfers

If a pupil displays persistent disruptive behaviour and is considered to be at serious risk of permanent exclusion, the school will liaise with the Behaviour Support Service (BSS) to discuss early intervention and support, and if necessary the possibility of a managed pupil transfer to another school. Managed pupil transfers between primary schools will be arranged, if appropriate, by the Headteacher of BSS and the Education Officer (Inclusion).

Exclusion

Exclusion is one of the options amongst a range of strategies that the Headteacher (or the Acting Headteacher in his or her absence) can employ in response to inappropriate behaviour. It will usually be used as a last resort when all other alternatives have been exhausted. Mersey Vale will work with a partner school (St. John's C.E. Primary School, Heaton Mersey) and other Stockport primary schools to provide full-time education off-site for any children excluded for 6 days or more in a term. The decision to exclude a pupil will be taken only:

- a) In response to serious breaches of the school's behaviour policy; **and**
- b) If allowing the pupil to remain in school would pose a serious risk to the education or welfare of the pupil or others in the school.

Exclusion will not be imposed in the heat of the moment, unless there is an immediate threat to the safety of the pupil concerned or others in the school.

Unacceptable behaviour which might result in exclusion include:

- Physical assault
- Verbal abuse/threatening behaviour
- Bullying
- Racist abuse/harassment
- Sexual misconduct
- Damage
- Theft
- Drug and alcohol related incidents
- Persistent disruptive behaviour

Only the Headteacher (or the Acting Headteacher in his or her absence) can make the decision to exclude a pupil, and in making that decision he/she will take into account the likely impact of the misconduct on the life of the school. This may include behaviour on or off the premises which is in breach of the standards of behaviour expected by the school.

Permanent exclusions will normally be used only as the final step in a process for dealing with disciplinary offences when a wide range of other strategies has been tried without success.

In exceptional circumstances, the Headteacher might consider it appropriate to permanently exclude a pupil for a first or one-off offence. Such circumstances might include:

- a) Serious actual or threatened violence against another pupil or a member of staff
- b) Sexual abuse or assault
- c) Supplying an illegal drug
- d) Carrying an offensive weapon

These instances are not exhaustive, but indicate the severity of such offences and the fact that such behaviour can affect the discipline and well-being of the school community.

In making the decision to exclude, the Headteacher will follow the procedures laid out in the guidance produced by the Local Authority and the DfE, and will seek the advice of the Local Authority where necessary. Parents/carers will be informed of the actions taken.

The school acknowledges the rights of parents and any permanent exclusions would only be undertaken in line with legal and authority guidance.

Bullying, Harassment and Hate Incidents

This school is committed to a whole school approach against bullying and harassment in any form. This includes, but is naturally not restricted to, racial, sexual and homophobic harassment and such behaviour is considered a hate incident and schools are required to complete and return a Hate Incident Report Form following any hate incident that occurs in school. No information that may identify a perpetrator or a victim will be included on this form.

Definition of a Hate Incident

A hate incident is defined as:

Any non-crime incident which is perceived by the victim or any other person to be motivated by a hostility or prejudice, based on one of the following:

- Ethnicity/Race - motivated or perceived to be motivated by a prejudice based on ethnic origin, skin colour, nationality, culture, language.
- Religion/Faith/Belief – motivated or perceived to be motivated by a prejudice based on religion, faith or belief.
- Sexual orientation - motivated or perceived to be motivated by a prejudice based on another person's sexuality, or perceived sexuality.
- Disability/SEN - motivated or perceived to be motivated by a prejudice based on disability, special needs or health conditions. This applies to real or perceived disability, special needs or health conditions.
- Gender identity - motivated or perceived to be motivated by a prejudice based on gender identity, for example transgender, perceived to be transgender, someone who does not fit with gender norms or stereotypes or who has a transgender family member.

Although known as 'hate incidents', the perpetrator doesn't have to go as far as being motivated by 'hate', they only have to exhibit hostility or prejudice.

Any form of bullying and harassment is not only damaging, but it stops pupils from learning. All members of the school community are expected to demonstrate care and courtesy towards each other, respect one another, and respect difference and diversity.

This school will not tolerate any kind of harassment, and bullies or instigators of harassment will be dealt with firmly. If incidents occur we will take the following action:

- All incidents will be recorded and investigated as soon as possible
- Support will be given to the victim and the bully
- The victim will be offered counselling
- The bully or instigator of the harassment will be given opportunities to explain their behaviour. They will be offered counselling
- There will be regular follow-ups, daily in the first instance, to monitor the situation
- Parents of both parties will be kept informed of progress and may be asked into school to discuss their child's behaviour or well-being.
- Any sanctions that may be applicable will be considered in respect of the school's behaviour policy.
- If the behaviour is considered to be a hate incident, the issue will be reported centrally as indicated above.

The school will make a termly report to the Governing Body about the number of racist incidents that have taken place and the action taken in response. If no incidents have been recorded, the Governing Body will complete and return a nil return form to the Local Authority.

Risk assessments for challenging behaviours

The school will consider undertaking risk assessments for pupils with challenging behaviour, in order to minimise risks, protect pupils and staff, and to exercise the school's "Duty of Care".

This will involve assessing the context and probability of risks, and the seriousness of any likely outcomes for pupils or staff. If further action or strategies are identified in the risk assessment process, the school will take action to implement these in order to safeguard pupils and other members of the school community.

The Local Authority has issued guidance to Headteachers to assist schools in this process.

Care and Control/ Physical Intervention

There are occasions when the restraint of pupils is necessary.

Teachers and other persons who are authorised by the Headteacher to have control or charge of pupils may use reasonable force in the following circumstances:

- a) Where action is necessary in self defence, or because there is an imminent risk of injury to the pupil themselves or others
- b) Where there is a developing risk of injury, or significant damage of property
- c) Where the pupil is behaving in a way that is compromising good order and discipline at the school or among other pupils, whether this behaviour occurs in a classroom during a teaching session or elsewhere
- d) Where the pupil is committing a criminal offence, whether or not the pupil concerned has reached the age of criminal responsibility.

Only members of staff who have attended the full Team Teach training course and any necessary refresher training are authorised to use reasonable force to control or restrain pupils. The Headteacher is responsible for maintaining an up-to-date list of authorised personnel.

This school adheres to guidance given in the Local Authority's "Care and Control" document and the Team Teach Course Manual on the care and control of pupils and the recording and reporting of physical intervention.

Team-Teach techniques seek to avoid injury to the child, but it is possible that bruising or scratching may occur accidentally, and these are not to be seen necessarily as a failure of professional technique, but a regrettable and infrequent "side-effect" of ensuring that the child remains safe. Specifically for children in our EYFS setting, staff can with verbal parental consent, use gentle and persuasive physical intervention to remove a child from the parent when the child is reluctant to enter school and the child is becoming distressed. These interventions will be considered to be guiding techniques rather than holding methods and are therefore not reportable unless the circumstances deteriorate, at which point the decision to use reportable restrictive physical intervention may be appropriate.

Recording and Reporting of Incidents

The prompt and accurate reporting of incidents is considered particularly important to the effectiveness of the school's behaviour policy. The school has clear procedures in place for recording incidents of inappropriate behaviour and conduct, which all staff are made aware of and reminded of on a regular basis.

The school has advised staff of the need for timeliness, accuracy and completeness in the recording of behaviour management incidents and has advised staff of the correct procedures for recording statements.

The procedures for recording and reporting incidents are reviewed regularly.

The school also follows the Local Authority's guidance for recording and reporting particular types of incident. The reports that the school sends to the Local Authority are listed below:

- **Accident/Incident Report Form** – the school is required to complete a form following every accident or incident resulting in injury that occurs in school, and return a copy to the Health and Safety Team at the Local Authority.
- **Exclusion Notification Form** – an exclusion notification form is completed and signed by the Headteacher following every exclusion issued. This is sent to the Education Officer (Inclusion) at the Local Authority, who monitors all exclusions, notifies other relevant services of exclusions where appropriate, and produces annual statistics on the number of exclusions in the borough.
- **Racist Incident Report Form** – this report form is completed and returned to the Local Authority's Inclusion Support Team following every incident of a racist nature that occurs in school. The form does not identify either the victim or the perpetrator of the racist incident.
- **Serious Incident Record** – a report form from the Team Teach Course Manual is completed and returned to the Inclusion Support Officer at the Local Authority following every occasion where a member of staff has physically intervened with a pupil.

The school follows the relevant Local Authority guidance which accompanies each of the above reporting procedures/report forms.

The school ensures that completed forms and any photocopies containing personal information are kept secure, as required by the Data Protection Act, and that only authorised persons are able to see the information.

Monitoring, Evaluation and Review

The school monitors behaviour incidents in order to identify issues and trends, in terms of:

- Type of incident
- Critical days/times in the week
- Critical places within/outside the school
- Pupils involved
- Profile of students involved (ethnicity, age, gender, SEN, LAC status)
- Timeliness of response
- Outcomes

The school evaluates its behaviour policy against key improvement objectives, which include:

- Improvement of individual behaviour
- General behaviour patterns
- Balance in the use of rewards and sanctions
- Staff support and training needs
- Curriculum access and academic progress
- Equal opportunities
- Behaviour management trends over time
- Effectiveness of the policy in encouraging positive behaviours

The use of rewards, sanctions, exclusions, and referrals to support services will be monitored in relation to race, ethnicity, gender, disability, SEN and Looked After status, and any patterns revealed will be analysed and addressed as appropriate.

The school assures appropriate levels of confidentiality within its monitoring and reporting arrangements. In line with the Data Protection and Freedom of Information Acts.

The effectiveness of this policy will be reviewed as part of the Governors' Annual Report to Parents, and the Governing Body/Management Committee will receive statistical reports on bullying, racist incidents and exclusions on a termly basis.

The Behaviour Policy will be reviewed each year, and will be thoroughly audited and reviewed every two years. Pupils, parents, staff and governors will be consulted about any proposed changes to the published policy.

Feedback and Information Sharing

The school will report details of the implementation of the behaviour management programme to parents.

Staff will receive individual and collective feedback (as appropriate) on behaviour management issues, trends and the outcomes of referrals.

Relevant information is shared with all members of staff and the Governing Body/Management Committee to better inform decision making, and to assist in meeting the educational needs of all pupils at the school.

APPENDIX I

The legal framework for school discipline

1. The following information is taken 'Managing Behaviour and Attendance: the legal framework for school discipline', one of a series of guidance documents replacing information in circulars 10/99 and 11/99, which have been withdrawn. Governing bodies must by law have regard to this information when drawing up discipline policies and advising the Headteacher.
2. Each school should have a clear school behaviour policy. It should make clear the boundaries of what is acceptable, the hierarchy of sanctions, arrangements for their consistent and fair application, and a linked system of rewards for good behaviour. It should promote respect for others, intolerance of bullying and harassment, the importance of self-discipline and the difference between "right" and "wrong".
3. By law, schools must also have and maintain a written race equality policy. It is advisable that this policy set out the school's commitment to promote race equality combat racism in all forms. It will be helpful if the school's race equality policy also contains a statement of the school's policy on dealing with racist incidents that is consistent with the approach of its behaviour policy.

The role of the governing body

4. The governing body should set the framework of a school's discipline policy through a written statement of general principles which takes account of the needs of all pupils, including any with special educational needs. It should review this regularly. The statement should cover:
 - the ethos of the school, its values and the boundaries of acceptable behaviour;
 - the school's moral code;
 - positive and constructive rules of conduct; and
 - the rewards and punishments to be fairly and consistently applied.
5. The governing body should consult the Headteacher and parents of pupils before making or revising the statement, and take account of their views. Consultation could be in writing or at a specially convened meeting.
6. The governing body should oversee the Headteacher's sound maintenance of discipline at the school in line with its policies. The Headteacher has day-to-day responsibility for discipline, with the backing of the governing body.
7. The governing body should advise the Headteacher of its views on specific measures for promoting good behaviour. This might include such issues as bullying, racial or sexual harassment, and maintaining regular attendance. The governing body also has a general duty to ensure the school follows policies to promote good behaviour and discipline among pupils.

The role of the Headteacher

8. The Headteacher is responsible for promoting good behaviour and discipline in line with the governing body's statement of general principles. The head teacher should draw up the school's written discipline policy which may include making and enforcing the school rules to:
 - promote self-discipline and proper regard for authority among pupils;
 - encourage good behaviour and respect for others and prevent all forms of bullying among pupils;

- ensure pupils' standard of behaviour is acceptable; and
 - regulate pupils' conduct.
9. The Headteacher should publicise the school discipline policy at least once a year to pupils, parents and staff. If many parents have a language other than English as their first language the policy should be available in relevant languages to meet the requirement to publicise the policy to all parents.
10. Good leadership is key to successfully promoting good behaviour. Punishments should be in proportion to offences and enable pupils to make reparation where appropriate. The discipline policy should:
- define the standards of behaviour the school wants to achieve;
 - seek the widest possible measure of agreement on these standards and how to achieve them; and
 - ensure that these standards are consistently and fairly applied throughout the school.
11. Headteachers should put in place effective strategies against bullying which are developed and put into effect by everyone in the school, including pupils. Governing bodies should regularly review their school's anti-bullying policy.
12. Prospectuses and other documents for staff, pupils and parents should explain arrangements for pupils to report bullying to staff and how staff will investigate them.

APPENDIX 2

Detention: the law and how to apply it

1. Detention is one of the sanctions schools can use against bad behaviour. The Education Act 1997 gives schools legal backing to detain pupils after the end of a school session on disciplinary grounds.

The law

2. All schools, except independent and non-maintained special schools, have clear legal authority to detain pupils without the consent of the parent. There is no risk of a legal action for false imprisonment if a pupil is being kept at school after the session without parental consent. This covers both lunchtime and after school detentions. However, before a school introduces detention as a sanction, the Headteacher must make all parents, pupils and staff aware that teachers may use detention. Parents of pupils admitted during the school year must also be told about the policy. If the Headteacher has made all reasonable efforts to make the policy known, parents should not be able to challenge the lawfulness of detention because they were unaware of it.
3. The law safeguards children and parents' legitimate rights, and ensures reasonable limits on detention for children who misbehave. Schools do not have an unqualified right to impose detention: detentions must be reasonable and proportionate to the offence. Detentions may only be imposed by a Headteacher or another teacher specifically or generally authorised to do so. Staff should take account of:
 - the child's age;
 - any special educational needs;
 - any religious requirements; and
 - whether the parent can reasonably arrange for a child to get home from school after the detention.

Written notice of detention

4. A school must, by law, give at least 24 hours' written notice of a detention to the parent, so allowing time for the parent to raise any problems. A notice to a parent should say:
 - that their child has been given a detention;
 - why detention was given;
 - when, where and for how long the child will have to remain at school.
5. Parents objecting to a detention should present the relevant facts for the school to take into account. Examples of such facts would be:
 - that the detention is on a day of religious observance for the family;
 - concern about the length and safety of the walking route between the school and the child's home; or
 - the need for transport home if the parent cannot collect the child that day or make reasonable alternative arrangements.
6. The detention could be revoked altogether or deferred because of the parent's representations.

Parental complaint about detention

7. The Headteacher, or other authorised teacher, may decide the child should have a detention despite the parent's representations. However, a parent who remains dissatisfied can complain to the Headteacher and

the Governing Body under the school's normal complaints procedures (although there will usually not be time to consider the complaint until after the detention has taken place). However, there is no right of appeal. A Governing Body has no power to overturn a decision if they consider a complaint before the detention takes place.

8. A parent concerned about either the principle of detention or how it is used can raise these concerns with the Headteacher or the Governing Body, or both.

Notifying the parent of a detention

9. The law allows notice of a detention to be given to a pupil's parent in various ways:
 - handing it to the parent;
 - delivering or posting it to their last known address; or
 - by any other effective method such as 'pupil post', with a telephone call to the parent, or a fax or perhaps e-mail.
10. It should normally be unnecessary for a Headteacher to have to arrange for notice of detention to be served personally on the parent or to obtain acknowledgement of its delivery. This would mean that a school could never reasonably detain a pupil whose parent deliberately avoided receiving the notice or refused to respond to it. If the Headteacher has given the parent, whom the school believes has custody of the child, 24 hours' written notice of a detention, the Headteacher should assume that the parent has received this even if there has been no response.

Period of notice

11. The minimum period of written notice is 24 hours because delay in imposing a detention weakens its effect.
12. In practice the 24 hour requirement will normally mean a parent hearing more than a day in advance. For example, for a detention imposed on a Monday, the earliest that detention could take place would be after school on the Wednesday. This ought to allow enough time for parents to make reasonable arrangements for transport, if necessary.

Who should receive the notice

13. Written notice must be given to the parent. Notifying one person who has parental responsibility for a child, even if more than one person has custody of the child, should be adequate. A Headteacher who knew that a child of separated parents lived with the mother, would comply with the requirement by giving notice only to the mother, but arguably not by giving notice to the father alone. The Courts could be expected to apply a common sense approach to the notice requirement. If a Headteacher had taken all reasonable steps to give notice to the parent with whom the child lived, it is doubtful whether a Court would be sympathetic to a false imprisonment claim based simply on the fact the Headteacher should also have given notice to someone else.

Failure to attend detention

14. If a pupil fails to attend an after-session detention for a disciplinary offence without reasonable excuse, the Headteacher should decide how to deal with the absence and the original misbehaviour, normally with a more severe sanction.

Circumstances for not detaining a pupil

15. For certain children a detention might never be reasonable however bad their conduct. For example, an after-school detention could probably not reasonably be imposed on a child who lived far from school, if the pupil's only means of travelling home was on a bus leaving at the end of the school day and there was no other way the pupil could get home. However, the onus is on parents to demonstrate any unreasonableness about the proposed detention. Simple inconvenience to parent or pupil in making alternative transport arrangements would not be sufficient reason to withdraw the detention. If after-school detention is not possible, the Headteacher (or other authorised teacher taking the decision) could consider detention at lunchtime or another suitable sanction.

Responsibility for travel arrangements

16. Although the school must have regard to the availability of suitable travel arrangements after a detention, the responsibility for making those arrangements lies with the parent. The school does not have to pay.

Detaining young children

17. In principle, there is no reason why a young child, including one under compulsory school age, should not be given detention. However, it could be difficult to justify the detention of a very young child as the pupil's age would be one of the special circumstances which the Headteacher must by law consider.

Responsibility for care and safety of children detained

18. Teachers have a duty to take reasonable care of pupils at school. If a child is injured because a teacher is negligent, the parent could take an action of negligence against both the teacher responsible and the employer (either the Local Authority or the Governing Body) under the legal principle of vicarious liability. Schools should also consider carefully the issues of supervision where a single child is detained.

19. A child injured going home from school after being kept in detention could theoretically have a claim in damages against the school if the child or parent could prove that:

- the school's duty of care extended to ensuring the child could get home safely;
- in the circumstances of the case, they had negligently failed to carry out that duty; and
- the injury was a direct result of that negligence.

20. If, for example, an unsupervised young child was knocked down crossing a busy road outside the school after a detention, but someone at the school would normally have supervised the child crossing the road at the end of the school day, this could be negligence.

21. However, the Local Authority or Governing Body would not be liable for any accident that happened to the child on the way home after a detention. To succeed in a negligence action, the child or parent would have to prove all three points mentioned above.

Early morning, Saturday and holiday 'detentions'

22. The law allows schools to use detentions other than at lunchtime or after school. For Saturday morning, early morning, or holiday detentions which pupils attend voluntarily, there can be no question of false imprisonment. Such detentions depend on the co-operation both of the pupil and parent.

Use of time spent in detention

23. The time a pupil spends in detention should be used constructively and to best effect. Teachers should consider appropriate work for pupils to undertake during the detention.

Detention Records

24. Schools should keep a written record of any detention and the reasons for imposing it, in case parents bring a legal challenge.

APPENDIX 3

Glossary Of Terms

Violence ~ any incident involving physical or verbal abuse of a threatening and/or racial nature, threat, fear or the application of force arising out of the course of their work whether or not their on duty.

Positive Handling ~ the full range of Team-Teach strategies used to deescalate, defuse and divert in order to prevent violence and reduce the risk of injury to staff and clients.

Guides ~ the positive application of force to overcome minimal resistance prompting and encouraging a person's free movement. The purpose of it's application should be to safeguard the person, other people or prevent significant damage to property.

Controls ~ the positive application of force to overcome moderate resistance, guiding and directing a person's free movement. The purpose of it's application should be to safeguard the person, other people or prevent significant damage to property.

Restraint ~ the positive application of force by staff, in order to overcome rigorous resistance; completely directing, deciding and controlling a person's free movement. The purpose of it's application should be to safeguard the person, other people or prevent significant damage to property.

The proper use of which requires knowledge, understanding, skill and judgement. All restraints should be reported, recorded and reviewed.

CYPVA ~ Child - Young Person or Vulnerable Adult

APPENDIX 4

Staff trained in Team Teach – November 2022

Aleck Aspinall
Sarah Dillon
Kate Bunting
Amanda Cropper
Sarah Edwards
Mat Ellis
Dani Lansdale

Rachael Mather
Chris McDonagh
Alison Mobbs
Claire Varetto
Catherine Whitehead
Tracy Wilding

Staff who have not received Team Teach training still have a responsibility to support and promote positive behaviour management. All staff have a duty of care to intervene if there is a risk of harm to a child or an adult. Initially this should be in the form of a verbal instruction e.g. “stop and move away” but it may require physical intervention e.g. guiding a child to safety or in more extreme circumstances separating children who are fighting. This should involve getting Team Teach trained staff to assist with any issues, particularly when it is necessary to use positive handling strategies/ holds.

At Mersey Vale we have agreed that the following positive handling strategies/ holds were most appropriate to use if necessary:

- **C guide (1 arm)**
- **C guide plus (2 arm)**
- **Friendly escort**
- **Single elbow**
- **Single elbow two person**
- **Double elbow**
- **Small person guide / escort**
- **Help hug**
- **Bean bag**

For further information see our Behaviour Policy, Team Teach Workbook and DfE Use of Reasonable Force advice document.

Staff should also be aware of Individual Handling Plans for certain children. This information is available from Catherine Whitehead.

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