



## PURPOSE

The aim of this policy is to provide staff at Swaffham Campus with a framework for managing student behaviour, including appropriate rewards and sanctions which create an environment that encourages and reinforces good behaviour, promotes self-discipline and defines acceptable standards of behaviour.

It is based on the principle that every student has the right to learn in a safe, caring, calm, respectful, supportive and engaging environment.

The overriding principle is that there is an expectation that every student will behave in a manner which facilitates and supports a positive learning environment.

## SCOPE

This policy applies to all staff members, trustees, volunteer's, current and prospective students, parents and guardians.

## UPDATE TO POLICY

The following updates have been reflected in this Policy Review:

- Revised DfE guidance issued in January 2016 now includes guidance on reasonable force and screening and confiscation of items. The new documentation has resulted in review of the following:
  - Behaviour Checklist has been added as Appendix 3
  - Revised Purpose statement
  - Code of Conduct for Students with the ability to contextualise at school level.
  - The Role of the Parents.
  - Teacher Powers.
  - Method of recording and monitoring rewards and sanctions.
  - Behaviour on School Transport.
  - Safeguarding.
  - Power to discipline beyond the school gate
  - Sanction 7 – Exclusions covered in detail and replaces the stand alone Exclusion Policy.
  - Terminology changes: CA changed to Lead CA, Senior Teacher changed to Headteacher.
  - SENCo changed to Learning Support Coordinator, Pupil to Student, SEN to SEND
  - Monitoring and recording of Rewards and Sanctions in SIMS
  - Rewards, inclusive of Motivational Awards and section added with the ability to contextualise at school level.

## **POLICY STATEMENT**

We are a caring community and believe that rewarding good behaviour and providing encouragement promotes a climate of consideration for others and encourages good behaviour rather than merely deterring anti-social behaviour.

### **Cardinal School Rules (Code of Conduct)**

The eight very important School rules below underpin all student conduct and are to be understood and adhered to at all times:

- Attend all lessons punctually
- Be loyal to the School community and always honest
- Use appropriate language at all times
- Treat all members of the School community and property with respect
- Participate positively and diligently in all learning activities
- Contribute towards a safe and well ordered environment
- Wear the School uniform with decorum
- Remain on the School grounds unless otherwise permitted.

The Behaviour Management Policy will be brought to the attention of students, parents and staff on an annual basis and includes:

- The boundaries of what is acceptable behaviour
- The structure of sanctions and consequences
- Arrangements for their consistent and fair application
- A system of rewards for good behaviour.

### **The Trustees will:**

- Take into account the needs of all students, including any with special educational needs
- Engage in consultation with the Headteacher and staff before introducing positive and constructive rules of conduct and rewards and sanctions that the school will use
- Involve students in shaping and promoting good behaviour in school
- Ensure that neither the overall Policy nor any particular disciplinary measures impact disproportionately or unfairly on any student within the school
- Have regard to the health and welfare of staff and the duty of care that Trustees have.

### **The School will:**

- Ensure that every member of the school community feels valued and respected
- Ensure a safe learning environment for every child, free from bullying or harassment of any kind
- Support the way in which all members of the school community can live and work together in an environment that is happy, safe and secure and where effective learning can take place
- Promote teaching and learning through the building of good relationships based on mutual respect and consideration of others
- Help children grow into positive, responsible and independent members of the community
- Reward good behaviour and provide encouragement and stimulation to all students
- Treat all students fairly and apply this policy in a consistent way throughout the school
- Ensure that students are aware of the school rules and the Code of Conduct
- Teach, through the school curriculum, values and attitudes as well as knowledge and skills, in order to promote responsible behaviour, self-discipline, self-esteem and respect for the local community in which they live and the wider world.

## **Teacher Powers**

As detailed in the DfE Guidance the Key Points includes, a teacher having the statutory authority to discipline students whose behaviour is unacceptable, who break the school rules or who fail to follow a reasonable instruction. It applies to all paid staff with responsibility for students including Teaching Assistants.

Teachers can discipline students at any time the student is in school or elsewhere under the charge of a teacher, including educational visits. This also applies in certain circumstances when a student's behaviour occurs outside of school. Teachers have the power to impose detention outside of school hours and to confiscate student property.

## **Code of Conduct for Students**

High standards of behaviour are expected at all times.

- Treat others, as you would like to be treated.
- Arrive on time to your lessons with all appropriate materials.
- Don't run or shout in corridors and classrooms.
- Line up outside the classroom and wait until you are told to enter by your teacher.
- Take out everything you need at the beginning of the lesson.
- Tidy up your classroom at the end of the lesson.
- Respect staff, other students and all property, whether the school property or that of others.

## **Student Conduct outside the school gates**

Teachers have the power to discipline students for misbehaving outside of the school premises in respect of non-criminal bad behaviour and bullying that is witnessed by staff or reported to the school in the areas of misbehaviour when:

- Taking part in a school organised activity
- Travelling to and from school
- Wearing of uniform
- In some other way identifiable as a student at Swaffham Campus
- There could be repercussions for the orderly running of the school
- Poses a threat to another student or member of the public
- Could adversely affect the reputation of the school.

## **The Role of the Parents**

Parents have a vital role to play in their children's education. It is very important that they have the information needed to support their child's learning and co-operate with the school. At Swaffham Campus we are very conscious of the importance of having strong links with parents and good communication between home and school. Regular telephone calls or e-mails are extremely useful and parents really appreciate being 'kept in the loop'.

The School will inform parents if there are any concerns about their child's welfare or behaviour. If parents have concerns, they must make these known to the school.

The school will ensure that parents receive a copy of the Behaviour Management Policy on an annual basis. Parents will be informed of any modification to the policy due to changes in legislation or guidance outside of the review cycle.

## PROCEDURES

The Headteacher will have prime responsibility for promoting good behaviour and discipline throughout the school as directed by the Trustees.

The list of associated policies (page 8) covering the prevention of and dealing with bullying, harassment and SEND students compliments the Behaviour Management Policy.

Rewards and Sanctions will be recorded and monitored, using SIMS and/or behaviour and progress tracking spreadsheets.

The Headteacher will liaise regularly with the School Transport Manager with regard to behaviour management on school transport.

### **A Positive Approach**

An effective approach to the management of behaviour is one that seeks to lead students towards positive self-esteem and self-discipline.

Good discipline arises from good relationships and from setting expectations of good behaviour. It is important that students are familiar with the school ethos, Code of Conduct and system of rewards.

In this context, students will be rewarded for good behaviour and a positive rewards system is likely to include some or all of the following:

- Verbal praise
- Merits
- Positive comments in books, notes home to parents in the school diary/planner or 'praise' postcards
- Special mention in class or in Assembly, sharing of achievements
- Regular written and oral communication with parents where possible about positive behaviour and valuable contributions to the life of the school
- Exhibiting good work in classrooms or corridors
- Informal and formal referral to the Headteacher or Lead CA for commendation
- Using stars/smiley faces on charts, books etc (as age appropriate)
- Use of special award certificates
- Allocation of positions/roles of responsibility.

Good behaviour should be reinforced so that children grow in confidence. For one criticism/negative comment there should be at least five occasions to praise!

The DfE Getting the simple things right – Behaviour Checklist as Appendix 3 is a useful document in highlighting the key principles for Headteachers and teachers to improve behaviour in school.

### **Rewards**

There are numerous ways to celebrate each student's achievements and successes at Swaffham Campus the following Rewards Summary will be in place:

Primary Student Rewards are based on the following golden rules:

- We allow all learners to enjoy a safe and happy environment
- We always do our best
- We are kind and helpful
- We are honest and polite

- We look after our school and resources
- We follow instructions first time

Rewards are given to students in recognition of:

- Positive Behaviour and attitude
- Excellent Learning

Secondary including Post 16 Student Rewards are based on recognition of students':

- Behaviour and attitude
- Excellent Learning
- Exceptional work
- Evidence of extra effort

The following strategies used to recognise and celebrate positive attitude and excellence in learning:

- Verbal Praise
- Written Comments
- Certificates of achievement
- Student of the Week
- House Points and Merits
- Subject and Special Merit Award badges
- Headteacher's Awards

### **The Focus Motivational Awards**

Is an Annual celebration of student achievement across Focus schools nationally and is based on the following:

#### **Involvement in School Activities**

Inclusiveness, Team Spirit, Encouragement, Enthusiasm, Adaptability

#### **Leadership**

Loyalty, Acceptance, Consistency, Respect, Responsibility, Role Model

#### **Academic Achievement**

Homework, Versatility, Accomplishments, Perseverance, Assessment Results

#### **Fulfilling Potential**

Classroom Focus, Maturity, Resilience, Understanding, Persistence

#### **Management Skills**

Communication, Reflection, Cooperation, SDL, Organisation, Initiative

### **OneSchool Sequence of Sanctions**

Failure to abide by the principles of the Code of Conduct or to obey school rules may result in the following punishments or sanctions being applied:

#### **Step 1 – Alerting the student**

#### **Step 2 – Restatement and rule reminder**

The student will be told that his/her behaviour is unsuitable, given the opportunity to discuss the situation and will be encouraged to modify that behaviour.

#### **Step 3 – Class teacher discipline / sanction**

Eg: relocation, withdrawal of privileges, detention

Disruptive behaviour in class may result in a student being isolated from his/her peers and seated at a single desk, near the teacher or asked to work for a short time in another classroom.

#### **Step 4 – Reflection – student placed on a reflection period**

The student may be asked to discuss their behaviour with a teacher and explain their actions. They may then be able to understand fully the consequences of their actions and appreciate why the behaviour is unacceptable.

A student could be asked to complete an extra piece of work during break or lunch time. In this situation students will be supervised by an adult. The teacher imposing the sanction will record the misdemeanour and the sanction applied. Schools will have their own policy for informing parents of sanctions.

#### **Step 5 – Behaviour Management Plan**

Will include input from the Headteacher, Lead CA, parent and student and may include the withdrawal of privileges. These will be appropriate to the situation and the age of the student and parents will need to be informed.

#### **Step 6 – Disciplinary Sanctions at the School**

Eg: In-school suspension with input from the Headteacher, Lead CA, parent and student.

Care will be taken not to jeopardise the delivery of the curriculum and other sanctions may involve:

- exclusion from a particular class
- exclusion from an extra-curricular activity
- exclusion from a school-organised outing or trip.

#### **Step 7 – Major Disciplinary Sanction**

Eg: May include a Positive Behaviour Agreement and possible exclusion with input from the Regional Principal, Lead CA and Headteacher.

This is reserved for students who persist in disregarding the school rules and Code of Conduct and is only used for students whose behaviour is consistently unacceptable and who have failed, after previous steps have been taken, to show any improvement.

Parents should normally be informed of a detention, even if it takes place during the school day. If a student receives a second detention, parents may then be invited into school for a meeting with the Lead CA and Headteacher to discuss the way forward.

#### **Safeguarding**

Where behaviour gives causes to suspect that a child is suffering, or likely to suffer significant harm, the Safeguarding Policy, Keeping Children Safe In Education Guidance and / or The Prevent Policy will be followed.

#### **Positive Behaviour Agreement (Pastoral Support Plan)**

If, after applying all previous steps, or after a meeting, there is no improvement in behaviour or attitude, the student will be placed Pastoral Support Plan and an IBP (Intensified Behaviour Plan) will be written. A daily incident report may be used as part of the Plan so that behaviour can be closely monitored and improvements recognised. Parents should be very involved at this stage. In consultation between the parents and the Learning Support Coordinator, the student may be placed on the appropriate register for a period of time when the behaviour difficulties persist.

#### **Exclusion**

Extremely serious misconduct may result in exclusion and it will then be necessary to inform the National Support Office if exclusion is being considered.

Exclusion refers to any instance when a student is excluded from a session or sessions when a school is open for students. The term 'suspension' is no longer used and there is no

such thing as 'an informal exclusion'.

The decision to exclude should not be taken lightly and in Focus schools the expectation is that exclusion will only ever be for a fixed period. A permanent exclusion should only be considered if all other interventions have failed, or if the behaviour is so extreme that in the interests of safety it is the only appropriate action in conjunction with NSO. All evidence must be factual, clear and unambiguous with evidence including information relating to similar past behaviour, witness statements from other students and staff and carefully documented.

Exclusions might be used for such things as:

- Violence towards an adult or another child
- Racist verbal abuse
- Sustained Bullying
- Frequent swearing at an adult
- Frequent high level disruption, non-compliance or disrespect.

It is anticipated that very few, if any, exclusions at a Focus school would exceed three days. Should exclusion occur then the parents of the student must attend a reintegration meeting so that an appropriate way forward can be agreed. If not already in place, a Pastoral Support Plan will be put in place to support the student, with reviews until it is no longer felt necessary, or further measures are needed.

Is it important to ensure that the NSO is informed of any plan to exclude. If an exclusion takes place with little warning, please ensure that NSO are informed with the following details: Age, Gender, Reason for Exclusion, Dates of Exclusion and Plan for reintegration to: [Debra.amor@focus-school.com](mailto:Debra.amor@focus-school.com)

**NOTE:** Very disruptive, dangerous or morally unacceptable behaviour will be dealt with immediately and acted upon in accordance with the Behaviour Management Policy.

### **Power to use Reasonable Force**

The DfE guidance for schools dated January 2016 (Appendix 2) will be adhered to at Swaffham Campus and covers:

The link below further covers the DfE Guidance Use of reasonable force – July 2013: <https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>

- What is reasonable force?
- Who can use reasonable force?
- When can reasonable force be used?
- What our Campus can use reasonable force for
- Power to search students without consent
- Using force and training
- Telling Parents when force has been used on their child
- What happens if a student complains when force is used on them?

Our approach to the use of force at Swaffham Campus is **to prevent harm:** Teachers would physically separate students found fighting. Physical restraint may be used to prevent a child harming themselves e.g. by running in a corridor.

We acknowledge that we have a legal duty to ensure reasonable adjustments for the use of reasonable force for disabled and Special Educational needs students are appropriately managed.

The Headteacher should consider if any additional training may be required to enable staff to carry out their responsibilities taking into consideration the needs of the students.

If reasonable force is used to control or restrain students an Incident Record will be kept and retained by the Headteacher (Appendix 4) and a review and monitoring of the approach to the incident will be reviewed with appropriate actions / quality assurance being in place.

### **Searching, Screening and Confiscation**

The DfE guidance for schools dated January 2016 (Appendix 2) will be adhered to at Swaffham Campus.

The link below further covers the DfE Guidance Searching, Screening and Confiscation, February 2014:

<https://www.gov.uk/government/publications/searching-screening-and-confiscation>

DfE Guidance explains schools' powers of screening and searching students so that school staff have the confidence to use them.

It covers:

- Powers to search with consent
- Power to search without consent
- Powers schools have to seize and then confiscate items found during a search
- Statutory guidance which schools must have regard to.

Prohibited items as specified in the Parent Student Handbook that are likely to cause harm or disruption, Health and Safety Policy and under Section 550 2A (3) of the Education Act 1996 and Regulation 3 of the Schools (Specification and Disposal of articles) Regulations 2012 includes:

Knives, weapons, alcohol, illegal drugs and stolen items. Tobacco and cigarette papers (including electronic cigarettes), fireworks and unsuitable magazines and literature including pornographic images. Substances, aerosol cans, imitation weapons, laser pointers, chewing gum and electronic devices including games and digital or any music devices. Any article that a member of staff reasonably suspects has been or is likely to be used to commit an offence or to cause personal injury to, or damage to the property of any person (including the pupil) and any item banned by the school rules.

Student must not have these items in their possession school premises or at any time when they are in lawful charge and control of the school (for example on an educational visit).

## **CONTEXTUAL INFORMATION about Swaffham Campus relevant to the Behaviour Management Policy and its implementation in the Campus.**

A detailed procedure document giving details of sanctions and rewards is appended separately. Rewards count towards house point scores which are regularly updated and published in the E-Bulletin for parents and on the Dashboard screens within the school.

## **ASSOCIATED DOCUMENTS**

**Appendix 1** refers to detentions, confiscations, corporal punishment, power to restrain, power to search, student injury, teacher duty of care.

**Appendix 2** DfE Guidance Behaviour & discipline in schools – A guide for Headteachers and School Staff January 2016.

**Appendix 3** DfE Guidance Getting the simple things right checklist.

**Appendix 4** Use of force to control or restrain students – Incident Record

**Associated Policies:**

- Anti-Bullying Policy
- Attendance Policy
- Enrolment Application Form
- Ethos, Values Statement and Guiding Principles
- Harassment Policy
- ICT Policy
- Parent Student Handbook
- Child Protection Policy and Safeguarding and Child Protection Handbook including the DfE Keeping Children Safe In Education guidance
- SEND Learning Support Policy
- Staff Handbook
- Equality of Opportunity Policy
- Grievance and Disclosure In The Public Interest Policy (Whistle Blowing Policy)

## **LEGISLATION**

- Education Act 1996
- School Standards and Framework Act 1998
- Education Act 2002
- Education and Inspections Act 2006
- School Information (England) Regulations 2008
- Equality Act 2010
- The Education (Independent School Standards) (Amended) (England) Regulations 2014
- Education Act 2011
- Schools (Specification and Disposal of Articles) Regulations 2012
- The School Behaviour (Determination and Publicising of Measures in Academies) Regulations 2012

## **ISSUED BY**

Focus Learning Trust

Issue date: April 2016

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Version: 3

Signed by Chair of Board of Trustees: Gordon Fentiman

At a Trust Meeting on (date): 4<sup>th</sup> May 2016



### **Additional guidance on:**

- Detentions
- Confiscations
- Corporal Punishment
- Power To Restrain
- Power To Search
- Student Injury
- Teacher Duty of Care

### **To be read in conjunction with DfE Guidance:**

- Behaviour & Discipline in Schools, January 2016
- Power to use Reasonable Force, July 2013
- Guidance Searching, Screening and Confiscation, February 2014

#### **Detentions**

The Education and Inspections Act 2006 clarifies and extends the power of maintained schools and academies (and by analogy, independent schools) to use detention as a disciplinary measure. The school may impose a detention without parental consent:

- during the school day
- at lunch times
- in the evenings

Under the Education Act 2011, schools are no longer required to give parents 24 hours written notice of all detentions. This allows schools to issue detentions for the same day that the misbehaviour occurred.

When considering the use of detention, Headteachers and teachers should ensure that:

- students and parents are aware of the possible use of detention as a sanction
- there are reasonable limits to any detention
- they carefully consider factors such as the child's age and method of travelling home before imposing a detention
- they consider the care and safety of the student during and after detention
- students have appropriate work to do during detention
- detentions are reasonable and in proportion to the offence.

#### **Publicising the use of detention**

Before using detention, the Headteacher should make all parents, students and staff aware that the school may use detention as a sanction.

This information should be given in the school rules, establishing that detention is a punishment which any parent might expect a child to receive if the child misbehaves.

#### **Imposing a detention**

When imposing a detention, the school should consider the following:

- The student's age — it is difficult to justify the detention of a very young child
- Whether the parents can make alternative arrangements for their child to travel home if they cannot collect the child —although the parent, not the school, has the responsibility for making the travel arrangements, it would not be reasonable to impose an after-school detention on a child if the child's only means of travelling home is on a bus leaving at the end of the school day
- Any special educational needs
- Any need to take medication at specific times.

### **Care and safety in detention**

Consideration should be given to the care and safety of children detained. Under the legal principle of vicarious liability, the parent could take action of negligence against the teacher, or the Trustee (proprietor), if a child is injured mentally or physically because a teacher is negligent.

A child who was injured when returning home could also theoretically claim damages against the school. An example might be if, after a detention, a child were to be knocked down crossing a road outside the school where someone would have supervised students crossing that road at the normal end of the school day. However, the parent would have to prove that the school's duty extended to ensuring the child's safety on the way home and the injury was a direct result of the school's negligence to carrying out that duty. In case parents bring a legal challenge, the Headteacher should keep a written record of the detention and the reasons for imposing it.

Schools which use lunch-time detentions should ensure:

- that they know whether a student is expected home for lunch and, if so, that parents are kept informed of their child's whereabouts
- those students in detention still have the opportunity to eat, drink and use toilets.

### **Appropriate work**

The student should be given appropriate work and spend the time constructively during the time of detention.

### **Confiscation**

The updated guidance (April 2012) has a detailed section on this issue which should be of assistance to independent schools. It covers:

- the use of confiscation as a disciplinary sanction
- suggested criteria for confiscation
- what to do with confiscated items
- issues relating to mobile phones
- how long confiscated items should be kept by the school.

In summary, the advice is that:

- confiscation is lawful if it is aimed at maintaining an environment conducive to learning which includes safeguarding the rights of other students to be educated
- reasonable care needs to be taken to ensure that confiscated property is kept safely and returned when appropriate
- parents should be advised of any confiscation, including the reasons for it.

### **Corporal Punishment**

Corporal punishment is unlawful. The School Standards and Framework Act 1998 states that the corporal punishment of a child cannot be justified by virtue of the position of a teacher or any other person who has lawful control or charge of a child being in loco parentis, ie in the place of the parent.

The ban on corporal punishment applies to all schools. Corporal punishment is defined as doing anything to a child, for the purpose of punishment, which would constitute battery.

However, anything done to avert an immediate danger of personal injury or damage to property would not be considered to be corporal punishment.

### **Power to Restrain Students**

Under certain circumstances teachers are allowed to use reasonable force to control or restrain students.

Teachers should:

- only use reasonable force in very specific circumstances
- remember that there is no legal definition of reasonable force
- consider the circumstances where it may be appropriate to apply reasonable force
- exercise caution in the use of force
- make accurate records of incidents when force is used.

### **Use of reasonable force**

Although teachers may not use corporal punishment as a disciplinary sanction, they and others, if authorised to do so by the Trustees, may use such force as is reasonable to prevent a student from:

- committing a criminal offence
- injuring themselves or others
- damaging property, including their own
- behaving in a way which is prejudicial to the good discipline and order of the school, whether in the classroom or elsewhere where the teacher has lawful control of a student.

The law distinguishes from corporal punishment any action by a teacher which averts the danger of a student causing personal injury or damage to property. Reasonable force may also be used in exercising the statutory power, introduced by the Violent Crime Reduction Act 2006, to search students without their consent for weapons.

However, schools are strongly advised not to use this power where resistance is expected but to call the police instead.

### **Definition of reasonable force**

There is no legal definition of what constitutes “reasonable force”. It is the circumstances of a particular incident which warrant the use of force. To use physical force to prevent a trivial misdemeanour or when other means would be appropriate could not be justified.

The degree of force must be in proportion to the incident and must be the minimum needed to achieve the desired result. It is always unlawful to use force as a punishment.

### **Examples of reasonable force**

Guidance on the use of force, together with examples of situations when the use of “reasonable force” might be justified, can be found in the Department for Education’s document- Use of Reasonable Force – Advice for Head Teachers, Staff and Governing Bodies.

They include:

- violent behaviour by a student, eg fighting or attacking a member of staff or another student
- acts of vandalism
- behaviour by a student, eg rough play, the misuse of objects or running in the corridors which is likely to cause personal injury or damage to property
- refusal by a disruptive student to leave a classroom
- behaviour which seriously disrupts a lesson or a school sporting event.

### **Caution in use of force**

Teachers are urged to exercise great caution in the use of force and always try to use other means to resolve a situation. This is particularly important where the enforcement of good order is the motive and there is no risk to person or property. The view is expressed that to use force to achieve compliance with instructions given by a member of staff becomes increasingly inappropriate as the students get older. The guidance confirms that staff should not act in a way which might cause pain or injury, eg by striking, holding a student around the neck or pulling hair or ears, or in any way which might be interpreted as being indecent.

### **Recording when force is used (Appendix 4)**

The importance of keeping detailed, up-to-date, written records of all incidents when force has been used and of immediately informing a senior member of staff is noted by the guidance.

These records should include:

- the names of the students involved and any witnesses, together with where and when the incident took place
- the reason why the use of force was necessary
- a description of the incident including the steps taken to calm the situation before force was deemed to be necessary
- the nature of the force used
- the student's response
- the outcome of the incident
- details of any injury suffered by any of the parties or damage to property
- Review and Monitoring of an incident including actions and quality assurance.

### **Power to Search Students**

Under clause 45 of the Violent Crime Reduction Act 2006, Headteachers have the power to search, without consent, students whom they suspect are carrying a knife or other weapon. Headteachers can also authorise staff to undertake the search, although teachers cannot be required to undertake screening of students for weapons. Under the Education Act 2011, teachers have wider powers to search students for items that are banned by the school rules.

### **Student Injuries**

The teacher's duties include:

- the maintenance of good order and discipline among the students
- the safeguarding of students' health and safety.

These are duties required to ensure the efficient conduct of the education process and also to protect students against causing harm to themselves and to other students.

### **Teacher's Duty of Care**

The teacher has a duty of care to exercise disciplinary control. It follows that if one student causes injury to another, the teacher may bear a responsibility if it can be shown that the injury occurred as the result of the teacher's failure to maintain order.

A very great deal will depend upon the circumstances of the incident. Teachers cannot reasonably be expected to foresee every incident nor, of course, to be everywhere on the school premises at the same time.

A teacher is not under a duty to run the risk of personal injury by, for example, breaking up a fight, unless this can be done without the likelihood of harm to the teacher. In December 1995, Philip Lawrence, the Head of a London school, was stabbed by a 15-year-old student while trying to protect a 13-year-old who was being attacked by a gang. However, if an injured student was involved in misbehaviour, issues of contributory negligence may arise.



## Appendix 2

Issue 3  
April 2016

**DfE Guidance January 2016  
Behaviour and discipline in schools – Advice for Headteachers and School Staff.**



## Appendix 3

Issue 3  
April 2016

### **DfE Guidance - Getting The Simple Things Right – Behaviour Checklist**



## Appendix 4

Issue 3  
April 2016

### Use of Force to Control or Restrain – Incident Record

## USE OF FORCE TO CONTROL OR RESTRAIN A STUDENT – INCIDENT RECORD

**Details of student or students on whom force was used by a member of staff:**

[Click here to enter text.](#)

**Date, time and location of incident:**

[Click here to enter text.](#)

**Names of staff involved (directly or as witnesses)**

[Click here to enter text.](#)

**Details of other students involved (directly or a witnesses), including whether any of the students involved were vulnerable for SEND, disability, medical or social reasons:**

[Click here to enter text.](#)

**Description of incident by the staff involved, including any attempts to de-escalate and warnings given that force might be used:**

[Click here to enter text.](#)

**Reason for using force and description of force used:**

[Click here to enter text.](#)

**Any injury suffered by staff or students and any first aid and / or medical attention required:**

[Click here to enter text.](#)

**Reasons for making a record of the incident:**

[Click here to enter text.](#)

**Follow up, including post incident support and any disciplinary action against student(s):**

[Click here to enter text.](#)

**Any information about the incident shared with staff not involved in it and external agencies:**

[Click here to enter text.](#)

**When and how those with parental responsibility were informed about the incident and any views they have expressed:**

[Click here to enter text.](#)

**Has any complaint been lodged (details should not be recorded here)?**

[Click here to enter text.](#)

**Report compiled by:**

[Click here to enter text.](#)

**Name and role:**

[Click here to enter text.](#)

**Report countersigned by:**

[Click here to enter text.](#)

**Name and role:**

[Click here to enter text.](#)

**Signature:**

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**Date:**

Click here to enter text.

**Signature:**

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**Date:**

Click here to enter text.

**Review and Monitoring of Incident Record**

**Report Reviewed and Monitored by:**

Click here to enter text.

**Name and role:**

Click here to enter text.

**Signature:**

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**Date:**

Click here to enter text.

**Actions, Outcome and Quality Assurance:**

Click here to enter text.