

# Addington Valley Academy

## BEHAVIOUR POLICY

<i>Written by:</i>	Joseph Shepherd
<i>Approved by:</i>	John Reilly
<i>Date this version approved:</i>	09/03/23
<i>Due for review:</i>	09/03/25

# Behaviour policy

## Introduction

This policy sets out how behaviour is understood and managed at Addington Valley Academy. All Addington Valley Academy staff, pupils/students, apprentices, families and stakeholders should have ownership of and a commitment to the policy.

This policy is written with reference to legislation and government guidance including:

- Behaviour in schools: advice for headteachers and school staff
- Searching, screening and confiscation: advice for schools
- The Equality Act 2010
- Keeping Children Safe in Education
- Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement - 2022
- Use of reasonable force in schools
- Supporting pupils with medical conditions at school
- Special Educational Needs and Disability (SEND) Code of Practice.
- Education (Independent School Standards) Regulations 2014

This policy should be read in conjunction with our Anti-Bullying Policy, which is available from the Policies page of our website: <https://addingtonvalley.org/key-information/policies/>

This policy complies with our funding agreement and articles of association.

## Vision

Addington Valley Academy recognises the importance of a **whole school approach** to behaviour management. We also recognise the importance of understanding and being alert to pupil/student behaviour as part of effective safeguarding practice.

All those who are part of the school community should demonstrate an unflinching commitment to good values and principles, such as:

- Teaching right from wrong
- Honesty and fairness
- Respect for others
- The importance of getting on with people and establishing positive relationships
- Self-discipline, self-management of behaviour and a sense of responsibility for oneself
- Developing an understanding of ASD

Student behaviour, both appropriate and inappropriate, should be managed with sensitivity and professionalism. Staff and other adults within the school's community need to constantly re-examine and reflect upon their own values, attitudes and behaviours in order to appreciate the messages that they are giving pupils/students.

## Aims

This policy aims to:

- Establish our ethos and framework for promoting and nurturing positive behaviour among all members of the school community
- Provide a consistent approach to understanding and managing behaviour at Addington Valley Academy
- Define what we consider to be positive behaviour, including behaviour for learning
- Define what we consider to be unacceptable behaviour, including bullying and discrimination
- Outline our expectations for pupil/student behaviour
- Summarise the roles and responsibilities of different people in the school community with regards to behaviour management
- Outline our system of rewards and sanctions

The principles of high quality learning behaviour are paramount. This is behaviour that most ably supports young people to engage most purposefully with their learning. This will include social communication skills, such as turn taking, active listening, responsiveness to adults and peers and high levels of engagement. In many cases, such behaviours will need to be actively taught, promoted and modelled by key adults within the overall framework of good and outstanding teaching.

At Addington Valley Academy we will:

- Understand that positive behaviour promotes high quality learning experiences.
- Maintain a culture and ethos that has respect for the child or young person at its centre.
- Provide an environment of calm and good order.
- Have positive expectations that pupils/students will behave well, with courtesy and with self-discipline, and that staff uphold strong professional and personal values towards each other.
- Embed effective systems and procedures to encourage and maintain positive behaviour, with a set of strategies to help staff prevent and respond to behaviours of concern.
- Recognise behaviour as communication and always treat it as such.
- Provide relevant training, structures and support for all, including families.
- Work in close partnership with families and other stakeholders to ensure that pupils/students are well supported.

## **Understanding and promoting positive behaviour**

At Addington Valley Academy we promote and facilitate positive behaviour by:

- Promoting the training and understanding of Autism, so that students are known and understood.
- Promoting the understanding of behaviour as communication so that the vast majority of behaviour at school is understood as not 'good or bad' but as a reflection of an internal state of dysregulation. Thus, where appropriate, the dysregulation, causes, triggers and next steps is what is responded to, recorded and analysed, rather than any moral implication of 'bad' behaviour.

- Establishing a learning community in which the general environment is calm, well ordered and disciplined.
- Setting a good example by behaving in the way it is desirable for students to behave; promoting high quality attitudes to learning.
- Being proactive by highlighting and praising positive behaviour.
- Ensuring that student voice is regularly heard and valued as part of school culture, so that students feel valued as part of the school community.
- Working to minimise behaviours that challenge e.g. avoiding confrontation, avoiding 'triggers' or background factors known to present difficulties to the pupil/student.
- Ensuring that everyone is clear about which behaviours are appropriate and which are inappropriate, i.e. ensuring a clear distinction between behaviour which is to be reinforced and that which is to be discouraged or ignored.
- Introducing planned activities that are matched to students' strengths and weaknesses, with high expectations and a belief in their learning potential in order to develop the very best attitudes to learning.
- Focusing upon teaching positive communication in the most suitable format for each student (this may help students influence others without dysregulation).
- Helping the child or young person to anticipate the sequence of daily events and activities to maximise understanding and minimise anxiety.
- Providing consistent positive feedback.
- Ensuring that adults respond to student behaviour in a consistent and fair manner.
- Ensuring that individual Risk Assessments, Pupil Profiles and other written support strategies for pupils/students are kept up to date and that all relevant staff are familiar with them.
- Encouraging adult tolerance and understanding of children's or young people's specific difficulties.
- Paying attention to antecedents and consequences associated with behaviour.
- Providing structured, predictable environments and routines for pupils/students who benefit from them.
- Monitoring student stress levels and offering 'escape' mechanisms.
- Teaching students appropriate self-management strategies and supporting them to develop the skills of empathy, tolerance, respect for individual differences and conflict resolution.
- Incorporating an expectation of positive behaviour across the curriculum.

## Rewards

Any system of rewards should recognise that the long-term aim must always be to encourage children and young people towards positive behaviour because of their sense of right or wrong and/or because of their self-esteem and self-satisfaction.

### AVAs (Addington Valley Achievements)

Addington Valley Academy uses the Dojo system to build self esteem and recognise effort. Class teachers will award Dojo points in class so that students achieve Bronze (15), Silver (25) Gold (50) and Platinum (75) certificates throughout the year. Students are able to choose a small prize from the reward box to ensure that the achievement is recognised and meaningful to the individual student.

Addington Valley Academy also demonstrates achievement through Wow Walls and Wow moments. Wow moments are shared with parents through the Evidence for Learning app.

## Sanctions

**Sanctions are not used at Addington Valley Academy. We understand dysregulation as a function of a student's ASD and as such a sanction would not respond to the dysregulation in any meaningful way.**

**Should it be appropriate and if we have a student for whom a sanction would be the correct and meaningful response then the following will apply:**

Sanctions must be employed with due regard to the purpose, short-term and long-term implications. It is important that sanctions do not undermine a pupil/student's sense of worth. **We firmly believe that it is the behaviour that must be subject to censure and not the person.**

Sanctions will be realistic, sensitive and applied as soon as possible after the behaviour they are designed to address. They are explained fully and sensitively to the pupil/student and are relevant to the age, understanding and general aims for the person. Wherever practicable, sanctions should not be disruptive to other pupils/students.

### Approved sanctions

The school may use one or more of the following sanctions in response to unacceptable behaviour:

- 'Being told off', using a firm voice and tone to establish the immediate wrongdoing and constructive next steps.
- Being taken out of class in order to speak with a senior member of staff
- Reparation e.g. undertaking a task to compensate for the poor behaviour (such as cleaning up an area that has been deliberately disrupted). The task will be relevant to the situation and appropriate to the pupil/student. Tasks will not be demeaning or futile.
- Restriction – a pupil/student may be 'kept in' (e.g. from playtime) for a reasonable period, or they may experience temporary removal of privileges. This may include completing work during break or lunchtime.
- Letters or phone calls home to parents/carers in order to discuss the behaviour and agree constructive next steps
- Exclusion – judicious use of fixed term exclusions, in line with OHCAT's Exclusions Policy, may be made as necessary.

In certain situations, for example where there is an immediate safeguarding risk to pupils/students or staff as a result of a behavioural incident or where safeguarding issues come to light as a result of a behavioural incident, it may be necessary to involve the police. Addington Valley Academy staff will work with police, families and pupils/students to ensure the safety of everyone within the school community.

## Forbidden sanctions

The following sanctions towards pupils/students are **always** prohibited, either on or off the school premises:

- Corporal (i.e. physical) punishment in any form, including rough handling.
- Excessive shouting.
- Deprivation of food or drink.
- Restriction or refusal of contact with friends or familiar adults, except where it is an agreed plan or for protection.
- Wearing of distinctive or inappropriate clothing as a punishment.
- Use or withholding medication or medical treatment.
- The locking of a pupil/student in a room at any time even when accompanied by an adult.

## **Physical intervention**

Restrictive physical interventions are only very rarely used at Addington Valley Academy. Our culture and ethos is based on best practice ASD interventions and knowledge. This means that the school is designed and set up so as to ensure that all factors around the student, environment and staff, mean that dysregulation can normally be managed without resort to RPI. Nevertheless, all staff are trained in Team Teach intervention and de-escalation should it be necessary to use restrictive physical interventions.

Where restrictive physical interventions are concerned, there are clear guidelines from central government regarding the use of reasonable force (see Appendix 1). All members of school staff have a legal power to use reasonable force, as well as 'people whom the Principal has temporarily put in charge of pupils/students such as unpaid volunteers or parents accompanying pupils/students on a school organised visit'. 'Force' is divided into two categories – control and restraint. Control refers to either passive or physical contact, for example, blocking a pupil or student's path to a busy road (passive) or leading a pupil/student by the hand away from a situation (active). 'Restraint' refers to physically engaging with a pupil/student as part of any necessary measures in order to bring a situation under control.

Where intervention in any behaviour is required, **interventions that do not require physical interventions are desirable because they are ultimately more sustainable and dignified**. However, there may be occasions when the use of reasonable force may be necessary. These fall into two categories:

a. **Control:** *if it is anticipated that, as part of a considered and agreed approach to the management of a pupil or student's behaviour, elements of reasonable force (passive or active) may be required to support the pupil/student towards more positive behaviour, then such physical interventions must be detailed as part of a regularly reviewed written protocol. Any physical intervention outside of this written protocol must be recorded separately.*

b. **Restraint:** *this refers to physical interventions that are not pre-planned and are a proportionate and appropriate response to an unforeseen circumstance. As such, they*

*should be treated as emergency physical interventions, as they refer to the use of any **reasonable** force necessary to bring a situation under control.*

Physical restraint will ONLY be used:

- Rarely and as a last resort
- When all other possible alternatives have been considered
- As part of a 'total response' to the pupil or student's behaviour (i.e. not in isolation)
- When the purpose of physical restraint is to restore safety
- When it can be justified as being in the paramount interests of the child and/or when the child is considered to be in immediate danger of harming self or others
- By staff who have been fully trained in positive behaviour management and appropriate de-escalation techniques – at Addington Valley Academy we use Team Teach
- When it can be justified as a reasonable and responsible way of responding to a student's severely dysregulated behaviour.

The use of force is reasonable if it is **appropriate to the consequences it is intended to prevent**. This means that the degree of force used should be no more than is needed to achieve the desired results.

Incident report forms must be completed and submitted to a member of the Senior Leadership Team as soon as possible following any physical intervention, and must be accurately logged.

### **Student support systems**

At Addington Valley Academy students understand expectations around behaviour and what the school will do to ensure that they feel and are safe. Positive behaviour is modelled by all staff, at all times. The curriculum, including lessons, assemblies and tutor time and environment (classrooms, breakout rooms, soft play, OT rooms, Sensory rooms, trampolines, swings etc) is designed to ensure that students are as regulated as possible and have access to regulation tools when they are not. Student voice opportunities are bespoke and based on students needs and communication abilities.

The school's Safeguarding and Wellbeing Offer gives details of the universal, targeted and specialist provision that is available to support pupils/students' safety and wellbeing, including interventions to support positive behaviour and effective behaviour for learning. This may include therapeutic input, targeted curriculum delivery or involvement from external agencies as appropriate.

All students are made aware of safeguarding arrangements and who they can talk to if they have concerns. There are safeguarding posters throughout the building with details of the Safeguarding team; every student has a trusted adult they can talk to; the school has a Worries and Concerns Procedure that clearly sets out options for students to raise concerns and seek support. The school's Anti-Bullying Policy is clear and is regularly discussed with students and families.

### **Transition**

All students are fully supported through any transition throughout the school day.

### **Off-site behaviour**

This policy also applies when pupils/students are:

- Taking part in any school-organised or school-related activity (e.g. school trips)
- Travelling to or from school
- Wearing school uniform
- In any other way identifiable as a student of our school

Addington Valley Academy will also consider any behaviour incidents outside of school which:

- Could have repercussions for the orderly running of the school
- Pose a threat to another pupil/student, staff member or member of the public
- Could adversely affect the reputation of the school

In the event that sanctions are applied for any such behaviour, these will only be given out within school jurisdiction (e.g. on school premises or on a school-organised trip).

### **Online behaviour**

Please refer to the Online Safety Policy and our Safeguarding and Wellbeing Offer for full details of how Addington Valley Academy supports our students to stay safe and develop positive behaviour habits in their online lives.

There may be occasions when a student's online behaviour requires intervention by the school. These includes behaviours that:

- Pose a threat or causes harm to another student.
- Could have repercussions for the orderly running of the school.
- Adversely affect the reputation of the school.
- Identify the pupil/student as a member of the school.

In such circumstances, Addington Valley Academy will work with the student, parents/carers and any other affected parties to address the behaviour. This may include sanctions and/or supportive measures as set out above.

### **Searching, screening and confiscation**

Searching and screening students is conducted in line with the DfE's [latest guidance on searching, screening and confiscation](#).

Prohibited items include:

- Knives or weapons
- Alcohol
- Illegal drugs
- Stolen items



- Tobacco, cigarette papers, vapes
- Fireworks
- Pornographic images

Any article a staff member 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/student) found in pupils'/students' possession will be confiscated. These items will not be returned to pupils/students.

We will also confiscate any item which is harmful or detrimental to school discipline. These items will be returned to pupils/students after discussion with senior leaders and parents, if appropriate.

## **Safeguarding**

At Addington Valley Academy we understand behaviour as communication and remain alert to the possibility that changes in pupil/student behaviour, including behaviour that falls outside of positive expectations, may indicate a safeguarding concern or other unmet need relating to the pupil/student's SEND. Where a pupil/student displays behaviour that is unusual, concerning or potentially harmful, we will both address the behaviour (through appropriate intervention including sanctions as detailed above) and seek to explore the possible cause in order to effectively support the pupil/student and the school community. Please refer to our Child Protection Adult Protection & Safeguarding Policy for further details.

## Bullying

Bullying is defined as the repetitive, intentional harming of one person or group by another person or group, where the relationship involves an imbalance of power. Addington Valley Academy recognises that ASD students can also communicate physically. Although this can be repeated, it does not necessarily equate to bullying. We will always respond to any student or member of staff being hurt and we will put in place strategies, responses and interventions for the student and the environment, to ensure that this is minimised. The victim of any harm will also be at the heart of an appropriate response and cared for and protected.

Bullying is, therefore:

- Deliberately hurtful
- Repeated, often over a period of time
- Difficult to defend against

Bullying can include:

TYPE OF BULLYING	DEFINITION
Emotional	Being unfriendly, excluding, tormenting
Physical	Hitting, kicking, pushing, taking another's belongings, any use of violence

TYPE OF BULLYING	DEFINITION
Prejudice-based and discriminatory, including: <ul style="list-style-type: none"> <li>• Racial</li> <li>• Faith-based</li> <li>• Gendered (sexist)</li> <li>• Homophobic/biphobic</li> <li>• Transphobic</li> <li>• Disability-based</li> </ul>	Taunts, gestures, graffiti or physical abuse focused on a particular characteristic (e.g. gender, race, sexuality)
Sexual	Explicit sexual remarks, display of sexual material, sexual gestures, unwanted physical attention, comments about sexual reputation or performance, or inappropriate touching
Direct or indirect verbal	Name-calling, sarcasm, spreading rumours, teasing
Cyber-bullying	Bullying that takes place online, such as through social networking sites, messaging apps or gaming sites

Details of our school's approach to preventing and addressing bullying are set out in our Anti-Bullying Policy <https://addingtonvalley.org/key-information/policies/>

### Sexual harassment and sexual violence

Addington Valley Acedmy will ensure that all incidents of sexual harassment and/or violence are met with a suitable response, and never ignored.

Pupils/students are encouraged to report anything that makes them uncomfortable, no matter how 'small' they feel it might be. Please see our Worries and Concerns Procedure for further details.

The school's response to all allegations or incidents will be:

- Proportionate
- Considered
- Supportive
- Decided on a case-by-case basis

Please refer to our Child Protection Adult Protection & Safeguarding Policy for more information: <https://addingtonvalley.org/key-information/policies/>

### **Managing allegations against pupils/students or staff**

Please refer to our Child Protection Adult Protection & Safeguarding Policy for full details of how Addington Valley Academy responds to pupil/student allegations of abuse against staff or other pupils/students.

Where a pupil/student makes an allegation against another pupil/student or member of staff and that allegation is shown to have been deliberately invented or malicious, the school will apply appropriate sanctions in line with this policy. We also recognise that

deliberately invented allegations can indicate that the accuser is in need of help themselves, and will work to support all those involved in the allegation in line with our Child Protection Adult Protection & Safeguarding Policy.

### **Staff development and support**

All staff are trained to understand behaviour as communication and how physical communication functions within an ASD and SLD profile.

Staff are trained to record and respond appropriately and to model positive relationships throughout the school.

Addington Valley Academy uses Team Teach as a positive handling and de-escalation model. Two members of SLT are accredited Team Teach trainers and all permanent staff receive a two day training course, every year.

Additionally behaviour is monitored closely by SLT and specific interventions are put in place should the need arise. This can include amending student profiles, Team Teach refreshers, workshops, TAC meetings.

Additionally, staff at OHCAT Academies are able to access Trust-wide training and CPD, which contributes to the organisational culture of positive behaviour CPD focusing on e.g. mental health and wellbeing, specific types of SEND, positive behaviour and communication, as well as effective SEND-focused safeguarding training.

### **Responsibilities**

The Local Governing Body will:

- Review and approve this policy not less than annually.
- Monitor the implementation and impact of this policy.

The Principal will:

- Promote a culture of mutual respect, trust between pupils/students and staff and the fostering of a positive learning environment.
- Review and update this policy and any attendant procedures on an annual basis.
- Implement this policy to ensure that behaviour is supported and managed consistently throughout the school.
- Ensure that all staff receive relevant, high quality CPD including Team Teach and ASD training at induction and via regular refreshers, in order to support and promote positive behaviour.
- Regularly analyse behaviour data in order to discern trends, risks etc. and report on these to the OHC&AT Executive Senior Leadership Team as part of regular key risks monitoring.

All staff will:

- Promote a culture of positive behaviour within the school.
- Ensure they are familiar with and adhere to all relevant behaviour programmes and risk assessments.

- Undertake required and relevant CPD to ensure that they are able to effectively support pupils'/students' needs and communication preferences, including understanding and responding to behaviours that may challenge.
- Report and record any incidents promptly via the correct channels.

Students will:

- Be supported to understand and fully participate in the school behaviour culture, at induction and throughout their time with us.
- Have opportunities to feedback on our behaviour culture, including reward systems and tutor time.
- Be supported to be as regulated as possible through engagement with school structures, environment and interventions.
- Be taught regulation tools so as to become increasingly independent throughout their time at Addington Valley Academy.

Parents/carers will:

- Work with the school to support their child's engagement in effective behaviour for learning.
- Inform the school of any changes in circumstances that may affect their child's behaviour.
- Discuss any concerns with the class teacher promptly.

### **Monitoring and implementation**

This policy will be updated by the Principal, and reviewed and approved by the Local Governing Body, not less than annually.

### **Related policies and procedures**

Anti-Bullying Policy  
Attendance Policy  
Child Protection Adult Protection & Safeguarding Policy  
Equality, Diversity & Inclusion Policy  
Online Safety Policy  
Exclusions Policy  
Families and Visitors Code of Conduct  
Health & Safety Policy  
Safeguarding & Wellbeing Offer  
Relationships and Sex Education Policy  
Risk Assessment Policy  
Staff Code of Conduct  
Staff Mental Wealth, Health and Wellbeing Policy  
Student Mental Wealth, Health and Wellbeing Policy  
Substance Misuse Policy

## **APPENDIX 1: Use of Reasonable Force - Advice for Principals, Staff and Governing Bodies**

### **About this guidance**

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 head teachers and governing bodies in respect of this power.

### **What legislation does this guidance relate to?**

Education and Inspections Act 2006.

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

This advice is aimed at governing bodies, Principals and school staff in **all schools**

### **Key points**

- School staff have a legal 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.

“All schools” include Academies, Free Schools, independent schools and all types of maintained schools.

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

- i. 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.
- ii. 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.
- iii. ‘Reasonable in the circumstances’ means using no more force than is needed.
- iv. 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.
- v. 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.
- vi. 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?**

- i. All members of school staff have a legal power to use reasonable force (Section 93, Education and Inspections Act 2006).
- ii. This power applies to any member of staff at the school. It can also apply to people whom the Principal 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?**

- i. Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.
- ii. In a school, force is used for two main purposes – to control pupils or to restrain them.
- iii. 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.**

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

- i. Every school is required by law to have a behaviour policy and to make this policy known to staff, parents and pupils. The governing body should notify the Principal that it expects the school behaviour policy to include the power to use reasonable force.
- ii. There is no legal 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.
- iii. Any policy on the use of reasonable force should acknowledge their legal duty to make reasonable adjustments for disabled children and children with SEN.
- iv. Schools do not require parental consent to use force on a student.

- v. 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.
- vi. 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; and
- 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 Principal should consider whether members of staff require any additional training to enable them to carry out their responsibilities and should consider the needs of the 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 a serious incident is, teachers should use their professional judgement and also consider the following:

- The pupil's behaviour and level of risk presented at the time of the incident
- The degree of force used
- The effect on the pupil or member of staff
- The child's age

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

- i. All complaints about the use of force should be thoroughly, speedily and appropriately investigated.
- ii. 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.

- iii. 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.
- iv. Suspension should 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 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.
- v. 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.
- vi. 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.
- vii. 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.
- viii. 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:

- 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

### **I'm worried that if I use force a pupil or parent could make a complaint against me. Am I protected?**

Yes, if you have acted lawfully. If the force used is reasonable all staff will have a robust defence against any accusations.

### **How do I know whether using a physical intervention is 'reasonable'?**

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.

### **What about school trips?**

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

### **Can force be used on pupils with SEN or disabilities?**

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.

### **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?**

There is a power, not a duty, to use reasonable 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.

### **Are there any circumstances in which a teacher can use physical force to punish a pupil?**

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.

## Associated Resources

The latest DfE guidance can be found here:

<https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>