

STROUD SCHOOL: PASTORAL CARE, BEHAVIOUR AND REWARDS POLICY

(Including Exclusions, Use of Reasonable Force and Power to Search)

This policy is applicable to all pupils including those in the EYFS and KS1

This policy makes reference to:

DfE Mental Health and Behaviour in Schools 2018

DfE Behaviour and Discipline in Schools 2016

Behaviour Philosophy

It is the philosophy of our school to provide a safe environment in which there is excellent behaviour and where children learn to respect themselves, other people and their environment; learn the value of honesty; and thrive in a happy school.

This policy aims to ensure:

- Teachers and pupils learn, play and cooperate in an atmosphere of mutual respect and courtesy.
- All pupils respect others' property and the environment.
- All pupils respect other races, cultures, religions, abilities and gender.
- Pupils understand and accept of the consequences of their actions.
- Pupils understand their responsibilities as members of a class and school community.
- That corporal punishment is not used or threatened, nor is any form of punishment which could have an adverse impact on a child's well being.
- Children manage their own behaviour.

These aims are best achieved when:

- All staff, pupils, parents and governors support the policy in its aims and practices.
- The school recognises its legal duties (under the Equality Act 2010) to make reasonable adjustments for pupils with special educational needs or disabilities.
- Pupils' transition is managed effectively through a clear handover system at all transition points.
- Encouragement and reward, formal and informal, are key elements in managing behaviour.
- The School has an appropriate support system for pupils.
- Children experience a curriculum that is varied and stimulating.
- Teachers are aware of and respond to children's varying interests and skills.
- Parents, other agencies and the school work together in partnership.
- All staff use positive strategies for handling any conflict; helping children find solutions in age appropriate ways.
- Behaviour interventions focus on the behaviour and **not** the child.
- High self esteem is fostered in all aspects of school life.
- There is a consistent response to appropriate and inappropriate behaviour throughout the school.
- The systems in place not only promote good behaviour through positive reinforcement whenever possible, but intervene to support pupils and address inappropriate behaviour.

The Head has overall responsibility for issues concerning behaviour. All staff undergo training in managing and implementing these strategies and the Head is kept up to date with legislation.

Pastoral Care and Support

Teaching staff receive training in behaviour management as part of the induction process. The Deputy Head Pastoral oversees pastoral care and welfare across the school. Unless it is a child protection issue, any concern regarding a pupil's welfare should always be raised with the pupil's form tutor in the first instance. When dealing with more serious matters a form tutor would normally discuss the problem with the Head of Department before taking action. It is essential that staff follow the School's Child Protection Policy when handling child protection issues. Any child protection issue must be reported to the DSL.

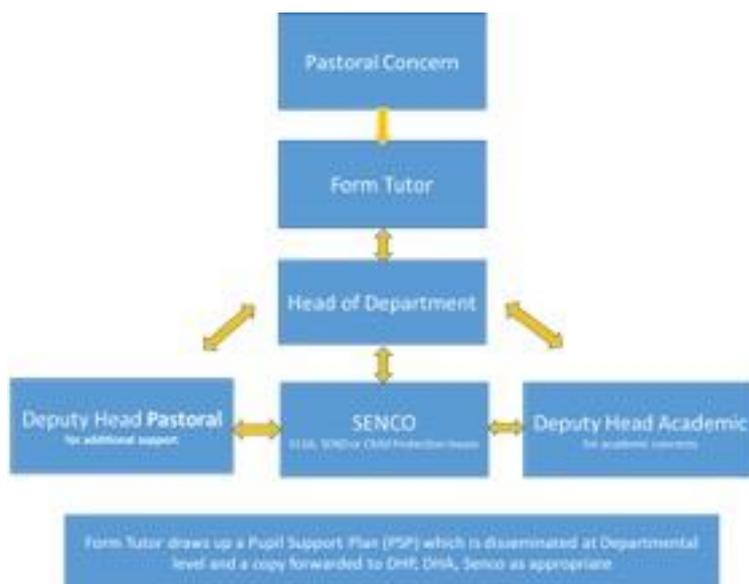
Pupil pastoral concerns should be discussed with Heads of Departments and then at department meetings - reporting back to whole staff meetings if necessary. Matrons are involved in departmental meetings as they form a vital part of the pastoral welfare team.

All pastoral concerns and comments should be added to the 'Notes and Comments' section of a pupil's 'Pupil Core Profile' on iSAMS. Behaviour interventions at any level should also be recorded on iSAMS (see information below). The Deputy Head Pastoral produces a termly review of behaviour, bullying incidents and pastoral concerns from the information recorded on iSAMS which is disseminated to staff at INSET.

There is a governor responsible for Pastoral Care and Welfare who works with the Deputy Head Pastoral to oversee the provision, the logging of behaviour interventions, any bullying incidents and pastoral concerns; and the resulting action taken by the school.

Staff welfare is also paramount and both the Deputy Head Pastoral and the Matrons provide support for staff as necessary.

Reporting pastoral concerns



Pastoral Support Plans

Form tutors are responsible for completing a Pastoral Support Plan when additional support is deemed appropriate for a pupil. This ensures all relevant parties are made aware of the support needs of the pupil and that staff are aware of the action being taken, and by whom. Pastoral Support Plans must be shared with the Deputy Head Pastoral and the other relevant Department staff. When additional support is required, parents should also be invited to a meeting with relevant parties.

Promoting Positive Behaviour

At all times the positive aspects of behaviour should be stressed. Time should be taken to explain the benefits of behaving in a way that supports the overall behaviour philosophy.

Positive behaviour is promoted by:

- Ongoing focus on the schools core values of Honesty, Respect and Happiness through PSHEE, form time and assemblies.
- Staff acting as excellent role models
- Consistency of expectations
- Developing pupils' understanding of appropriate behaviour around the school, as well as in class, assemblies, PSHEE sessions, section meetings
- Providing consistent and clear boundaries
- Praise and reinforcement of positive actions and behaviour
- Developing each child's understanding of their own feelings

- Helping children to learn how to deal with difficult situations and supporting this process, with individual counselling and mentoring as appropriate including ELSA sessions
- Questioning, adapting and developing classroom practice in the best possible interests of the child.

Positive behaviour is rewarded by:

- Acknowledgement of successes in assemblies, PSHEE sessions, the Bulletin, the school Review and school website
- The school marking system - including stickers for excellent effort in academic work
- The section stars (house points) system: including individual stars, 'Gold Stars', highest star earner award, section cups and treats
- Informal praise when pupils display good behaviour

Behaviour Interventions

The fundamental core of any behaviour policy is the role of the teachers who should lead by example: modelling a calm, kind and collaborative approach. Children take more notice of what we do than what we say. Our expectations of behaviour should be based on common sense and consideration to others and their property. Care should be taken to ensure that a child understands the reason for any behaviour intervention.

The school recognises that behaviour is impacted by myriad underlying factors such as learning difficulties, difficulties with speech and language, child protection concerns, or mental health problems. Efforts will always be made to determine and understand causes, catalysts and contexts when drawing together support plans.

Behaviour Intervention Level	Intervention Lead and Support
Level 1	The class teacher or tutor will intervene (liaising with subject teachers as necessary) to support pupils.
Level 2	The Head of Department or Deputy Head Pastoral will intervene and parents will be asked to collaborate to support pupils.
Level 3	The Head will intervene and continue to work with parents to support pupils and seek a positive resolution.

For examples of behaviours managed at each of the intervention levels, please refer to **Appendix A**

Behaviour intervention records

The school will keep comprehensive behavior records on iSAMS which will include a log of any interventions at level 1, 2 or 3, including notes from any meetings with parents and any agreed actions or next steps. In addition the school will specifically record any incidences of:

- Alcohol abuse
- Bullying; including racist, sexist or cyber bullying
- Drug abuse
- Fraud
- Gambling
- Malicious damage
- Using pornography
- Racist abuse
- Sexual harassment or misconduct towards a member of staff or another pupil
- Theft
- Any other activity that is illegal under English law
- Misuse of the internet
- Malicious accusations against staff
- Violence/physical assault or threatening behaviour

It is the policy of the School to keep pupil behaviour records on iSAMS, as well as confidential records of more serious behavior incidents, securely until a child leaves. At this point the records of any serious incidents (dealt with by the Head) will be forwarded to a pupil's new school. They will not be disclosed to any third party, unless required by statutory regulations.

In very rare cases it may be necessary for a member of staff to physically restrain a pupil. Please see **Appendix B** for the School's Use of Reasonable Force and the Power to Search Policy.

Exclusion Policy

There may be instances where the three levels of intervention do not bring about the necessary change in behaviour, or where a very serious behaviour incident has occurred (such as those bullet pointed in the section above). In such a situation the Head may suspend a pupil for a period of between 1 day and 1 week.

On such occasions the Head will meet with the pupil's parents and explain the action taken and the improvement required. Confirmation of the decision will be sent in writing to the parents. If suspension is ineffective, the school may be forced to exclude the pupil. Such a decision will be reached after a meeting with the parents of the pupil and in consultation with the governors. In the event of permanent exclusion the parents may appeal, which then moves into the same procedure as the Complaints Procedure Stage 3 (please see Complaints Procedure).

The school will make reasonable adjustments for managing behaviour which is related to a pupil's special educational need or a disability. Where expulsion needs to be considered, the School will ensure that a pupil with a disability or special educational need (where appropriate) and the pupil's parents are able to present their case fully.

Procedures for an internal disciplinary hearing to consider the removal or expulsion of a pupil.

Prior to the disciplinary hearing:

1. The Head should inform the KES Head and Chair of Governors of the incident as soon as possible.
2. At an initial meeting the parents or guardians to be informed of the nature of the allegations. They may also request further investigation, within reason, of any aspects of the allegations that they feel are unjustified or require further clarification.
3. Every effort will be made to ensure that the investigation is carried out in a fair and unbiased manner.
4. The pupil may be temporarily suspended at this stage so that further inquiries can be made.
5. If it is found that there is a case to answer the Disciplinary Committee will be convened at the earliest opportunity and certainly no later than 15 working days after the incident.

At the disciplinary hearing:

1. The Disciplinary Committee is chaired by the Head and is composed of the Deputy Head Pastoral and other members of staff as required.
2. If the parents or the pupil have any special needs or disability which call for additional facilities or adjustments (e.g. parking or the provision of documents in large print or other accessible format) those requirements should be made known to the Head or Deputy Head Pastoral so that appropriate arrangements can be made.
3. The Head will explain the purpose of the hearing to the parents and the pupil concerned. The Head will outline the School's powers.
4. The Head will outline the reasons for the possible removal or expulsion of the pupil from the School.
5. Member (s) of staff will be invited to give a resume of the actual incident and comment upon the pupil's previous disciplinary record.
6. The parents are invited to question the Head and member (s) of staff about the facts as stated.
7. The pupil is invited to make a statement.
8. The parents are invited to make a statement.
9. Committee members are invited to question the parents and pupil.
10. Following the question period the parents and pupil are asked to retire.
11. The parents and pupil will be invited back to hear the Head's decision which will be confirmed later in writing.
12. The Head will also outline the Governors' Review procedure should the parent or pupil wish to request a review of the decision made.

Governors' Review:

- a) Parents may ask for a Governors' Review of a decision to expel or require the removal of a pupil from the School, but not a decision to temporarily exclude a pupil unless the temporary exclusion is for 11 School days or more, or would prevent a pupil taking a public examination. If a parent wishes to request a Governors' Review they must write to the Chairman of Governors and he will convene the Governing Body's Review Panel. The request must be made as soon as possible and in any event within seven days of the decision being notified to the parents. The parents will be entitled to know the names of the Governors who make up the Review Panel. However, the Head will normally have discussed complaints with the Chairman of Governors before making a decision to expel or require the removal of a pupil and therefore the Review Panel will not include the Chairman.

- b) The role of the Panel is to consider the documentation provided by the parties and representations made and to decide whether to uphold the Head's decision or refer the decision back to him with recommendations so that he may consider the matter further.
- c) The Head will advise the parents of the procedure (current at the time) under which such a review will be conducted. The Parents will be invited to attend the review and will be informed of the independent panel member nominated by the School (such as a representative from Global Mediation). This appointment will be subject to the parents' approval, however, such approval must not be unreasonably withheld. If the parents request a Governors' Review, the pupil will be suspended from the School until the decision to expel or remove has been upheld or a reconsidered decision made. While suspended, the pupil shall remain away from the School and has no right to enter the School's premises during that time without written permission from the Head. It should be recognised that the parents may not be satisfied with the outcome of the review panel and it may only be possible to establish the facts and make recommendations that will satisfy the parents that their request for a review has been given a fair hearing.
- d) The Clerk to the Governors will set the date, time and venue of the hearing, ensuring that these are convenient to all parties and that the venue and proceedings are accessible. The meeting will take place at the School premises, normally within fifteen School days of the parents' application being received. If the parents or the pupil have any special needs or disabilities which call for additional facilities or adjustments, these should be made known to Clerk so that appropriate arrangements can be made.
- e) A Governors' Review will not normally take place during school holidays. The parents and the Head will be asked to submit any documents they wish to refer to at the meeting to the Clerk to the Governors and a single bundle will be circulated to the Panel and the parties simultaneously at least three days before the meeting. On receipt of new information not previously available to the Head before his decision was made, the Clerk should contact the Chairman of Governors who will decide whether:
 - i. to include the new information in the bundle; or
 - ii. to omit the information if not relevant to the grounds for Review; or
 - iii. to make further enquiries of the parents or the pupil about the information; or
 - iv. to refer the information to the Head for his consideration as to whether the decision should be revisited.
- f) The hearing will be held in private and all those who are concerned in it are required to keep its proceedings confidential, subject to law. Every effort will be made to put individuals at their ease and to ensure that the proceedings are as welcoming as possible. Particular care will be taken if any of the pupils in the School are involved at this stage.
- g) The parents may be accompanied by a friend or relation. The meeting is not a legal proceeding and so legal representation is not necessary. The Clerk to the Governors must be given seven days' notice if the friend or relation is legally qualified and the parents should note that the Review Panel will wish to speak to them directly and this person will not be permitted to act as an advocate.
- h) The Head will provide the parents with a copy of the current Review procedure if requested. The Panel will consider each of the points raised by the pupil or his/her parents and any documentation they wish to rely on so far as relevant to:
 - i. whether the decision was fair procedurally and / or substantively - whether the facts of the case were sufficiently proved when the decision was taken to expel or remove the pupil. The civil standard of proof, namely, "the balance of probability", will apply and
 - ii. whether the sanction was proportionate - that is whether it was warranted in respect of the breach of discipline or the other events which are found to have occurred and to the legitimate aims of the School's policy in that respect.The requirements of natural justice will apply. If for any reason the pupil or his / her parents are dissatisfied with any aspect of the meeting they must inform the Chair of the Panel at the time and ask the Clerk to note their dissatisfaction and the reasons for it.
- i) The parents will be invited to explain the reason they have requested a Review. The Head may question both the parents and other witnesses after each has spoken. The Head will then state the School's case and the parent may

question the Head and any other witnesses. The Panel may ask questions at any point. The parent and the Head will be invited to sum up at the end of the proceedings and then both parties will leave the panel to confer and to take its decision. The Clerk to the Governors will take minutes of the hearing and notify all parties of the Panel's decision and any recommendations in writing within a given period of time, normally no longer than a week.

- j) Note that the Review Panel may not introduce new reasons for any disciplinary action taken, that evidence (oral or written) can be provided by anyone directly or indirectly involved, including the pupil and any alleged victim/s, that any written statements must be signed, dated and witnessed, that the Panel cannot compel anyone to attend and that pupil witnesses appear voluntarily and with parental consent.
- k) On receipt of the Panel's decision, the Head will, if appropriate, notify all parties of his response to the Panel's decision, in writing, within 5 working days. In the absence of procedural irregularity, the Head's decision will then be final.

Other documents references:

- [Complaints Procedure](#)
- [Anti-Bullying Policy](#)

Annex A

Behaviour Intervention Levels – A Guide to Behaviour Types

All examples of behaviours are listed to be a general guide and as such are not binding. Cases will be treated individually due to the inherent complexity of each event. As such, the staff reserve the right to take other factors into account that may be contrary to the examples listed.

Intervention Level	Behaviour Types	Intervention Lead and Support
Level 1 Behaviour Intervention	<p>Low level inappropriate behaviour such as:</p> <ul style="list-style-type: none"> • Unkind or rude behaviour • Disruptive classroom behaviour • Lack of respect of property or the school environment • Inappropriate use of digital technology or social media, inside or outside school 	Managed by the form tutor with the teacher in charge as necessary
Level 2 Behaviour Intervention	<p>Behaviour that has not been resolved through repeated level 1 intervention and support, or more serious inappropriate behaviour such as:</p> <ul style="list-style-type: none"> • Significant rude or unkind behaviour • Ongoing disruptive classroom behaviour • Damage to others' property or the school environment • Repeated misuse of digital technology or social media, inside or outside school • Lack of respect for the agreed customs and practices in the school • Physical aggression or intimidation 	<p>Managed by the Head of Department and/or the Deputy Head Pastoral</p> <p>Collaboration with parents to develop an appropriate support plan.</p>
Level 3 Behaviour Intervention	<p>Behaviour that has not been resolved through repeated level 2 intervention and support, or more serious inappropriate behaviour such as:</p> <ul style="list-style-type: none"> • Serious physical violence or threatening behaviour • Serious or repeated bullying; including racist, sexist or cyber bullying • Significant and ongoing classroom disruption • Wilful or repeated damage to property or the school environment • Very serious misuse of digital technology or social media, inside or outside school • Confirmed use of discriminatory language where children are aware of the meaning and implications 	<p>Managed by the Head</p> <p>Collaboration with parents to develop an appropriate support plan and seek a positive resolution.</p>
Exclusion Policy	<p>Behaviour that has not been resolved through level 3 intervention and support, or where a very serious behaviour incident has occurred such as:</p> <ul style="list-style-type: none"> • Alcohol or drug abuse • Ongoing/unresolved bullying; including racist, sexist or cyber bullying • Significant, malicious damage to property or the environment • Racist or homophobic abuse • Sexual harassment or misconduct towards a member of staff or another pupil • Theft or any other illegal activity • Malicious accusations against staff • Serious physical assault 	Managed in accordance with the Exclusions Policy set out above

Annex B

Use of Reasonable Force and the Power to Search Policy

- a. The School does not operate a no-touching policy as this may obstruct the School's duty of care towards a pupil but staff must ensure that any form of physical contact with a pupil is appropriate for the circumstances. Through the Parent Contract, parents give their consent to such physical contact as may accord with good practice and be appropriate and proper for teaching and instruction and for providing comfort to a pupil in distress or to maintain safety and good order, or in connection with the pupil's health and welfare.
- b. Any form of physical punishment or coercion of pupils (cuffing, smacking, punching, striking, arm-locking, kicking and the like) is absolutely unacceptable. It is not merely a direct contravention of School policy, but is illegal; it would render anyone who did it liable to prosecution for assault. Force should therefore not be used except in the circumstances described below.
- c. The Education and Inspections Act 2006 introduced a statutory right for school staff to use such force as is reasonable in the circumstances to prevent a pupil from:
 - committing an offence or engaging in conduct that could be an offence
 - causing injury to themselves or others
 - damaging property
 - prejudicing good order and discipline at the school or among pupils receiving education at the school

The power applies where the pupil (including a pupil from another school) is on school premises or any other place where s/he is in the lawful control or charge of the school staff member. This means that the power extends to school trips.

The power is to use such force as is reasonable in the circumstances, which means using no more force than is needed.

- d. **Members of the teaching staff have a duty and power to act** when there is a need on School premises or elsewhere when he or she has charge of the pupil(s) concerned. The same power applies to any other person who, with the Head's consent, has charge of pupils. Students do not have this power.

If a member of staff does act, he or she should write a short report explaining what they did and why they did it and this should be passed to the Head immediately. Parents will be informed of all incidents involving restraint. If physical restraint has been used on a pupil (including those in Early Years) parents will be informed on the same day or as soon as is reasonably practicable.

- e. **The decision to use force**
There is no legal definition of when it is reasonable to use force. That will always depend on the precise circumstances of individual cases. To be judged lawful, the force would need to be in proportion to the consequences it is intended to prevent. Even with the guidance, it will always be difficult to judge when force is necessary. The School also acknowledges the legal duty to make reasonable adjustments for disabled children and children with SEN.

Wherever possible the teacher or staff member should try to avoid using force. This may mean talking to the pupil in a calm way, making clear to him or her that if s/he does not stop what s/he is doing force will be used. It should be made clear that force is not being used as a punishment and that the use of force will stop as soon as the situation has been resolved.

Force is usually used either to control or restrain and is likely to be required in a wide variety of situations. 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. 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. Where the situation allows, the staff member should weigh up the risks arising from the behaviour against the risk that force may cause distress or injury to the pupil, staff member or other pupils.

f. ***When force may be necessary***

Situations include:

- where a pupil attacks a member of staff or another pupil
- a pupil is damaging property or is about to do so
- a pupil's behaviour is likely to cause an accident with injury or damage
- where a pupil attempts to leave a classroom or the school. Situations justifying force to prevent a child from leaving are those where allowing the pupil to leave would create a risk to that pupil's or others' safety, or where allowing the pupil to leave would disrupt other classes in the school
- where a pupil has been asked to leave the classroom for disciplinary reasons and refuses to do so
- where a pupil is seriously disrupting a lesson
- a pupil is seriously disrupting a school event or visit

Reasonable force will be used in accordance with the DfE guidance *Use of reasonable force* (July 2013).

g. **The power to search**

Searching with consent

Under common law powers, schools are able to search lockers/ bags/ trays for any item provided the pupil agrees. Any member of staff may search pupils with their consent for any banned item. In this situation the teacher can ask the pupil to turn out his or her pockets or ask to look in the pupil's bag or locker.

Searching without consent

The School can undertake a search without consent if they have reasonable grounds for suspecting that a pupil may have in his or her possession a prohibited item. Prohibited items include knives or weapons, alcohol, illegal drugs, stolen items, tobacco or cigarette papers, fireworks, pornographic images or any article that the 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). The search may be a personal search or may be a search of the pupil's bag (or locker if a pupil has one). The pupil must be present during the search.

Electronic devices, including mobile phones, can be searched and their data/files can be searched/erased if there is good reason to suspect that the device has been, or could be used to cause harm, to disrupt teaching or break school rules. If inappropriate material is found on an electronic device, the member of staff may delete the material, retain it as evidence of a breach of School discipline or criminal offence or hand it over to the police if the material is of such seriousness that police involvement is required.

Only the Head and staff authorised by the Head may carry out a search without consent. The following members of staff are authorised by the Head to search with appropriate and reasonable force:

- Deputy Heads
- Assistant Head
- Heads of Department (EY, KS1, Middle School and Senior School)
- Head of ICT

Searches without consent can only be carried out on the School premises or where the member of staff has lawful control or charge of the pupil. It should be noted that the powers only apply in England.

Any search must, if at all possible, be made in a suitable room with appropriate regard for privacy.

The searcher must be of the same gender as the person being searched. There must also be a witness (also a member of staff) and, if at all possible, the witness should be the same gender as the pupil being searched. There is a limited exception to this rule. A search can be carried out by a person of the opposite gender and without a witness present but only when it is reasonably believed that there is a risk that serious harm will be caused to a person if the search is not conducted immediately and it is not reasonably practicable to summon another member of staff.

Only outer clothing may be removed. Essentially this excludes shirts, blouses, trousers and skirts. Only reasonable force may be used and then only on reasonable suspicion.

Members of staff should not put themselves at risk and if resistance to the search is met, or suspected to be likely, then the school should call the police.

School staff can seize any prohibited item found as a result of a search. They can also seize any item, however found, which they consider harmful or detrimental to School discipline. Any item that has been seized will be passed to the Deputy Head to be dealt with appropriately.

Searching and confiscation will be carried out in accordance with the DfE's guidance Searching, Screening and Confiscation (February 2014).