

John Ruskin Primary School and Language Classes

# School Code (Behaviour policy) and Policy on Use of Force

Co-ordinator: Clare Tayton

Last review: August 2023

Next review: 2026



**"Be responsible, be fair, stay positive and care"**

## Our School Code

In order to promote learning we recognise that it is important to provide a calm atmosphere in which children can feel safe and secure and learn effectively.

We believe that this can be achieved by all adults and children. We expect all adults and children to display and adhere to our eight core values. These are:

<u>KINDNESS</u>	e.g. valuing the work and opinions of others, making new pupils feel welcome, caring for someone who is upset or hurt. Never resorting to physical or verbal attacks or intimidation of others.
<u>RESPECT</u>	e.g. understanding cultural differences, looking after the property of others and the school, speaking politely and quietly at all times.
<u>HONESTY</u>	e.g. telling the truth, talking about incidents that happen and their accepting their consequences. Never taking anything that does not belong to you.
<u>FAIRNESS</u>	e.g. treating others as you would like to be treated, following the school rules, sharing equipment, friends, taking turns.
<u>WISDOM</u>	e.g. wanting to learn new things, trying hard in the classroom, doing homework well, learning by your mistakes. Never bringing dangerous items into school.
<u>HOPE</u>	e.g. being optimistic, working to achieve targets, not giving up (being positive), having goals.
<u>COURAGE</u>	e.g. trying new things, having a go, self evaluation (how am I doing?), standing up for what is right by reporting any problems to an adult in the school.
<u>RESPONSIBILITY</u>	e.g. looking after the school and equipment, completing work, knowing the school code [core values] and motto and following the code. Taking responsibility if you have done something wrong.

The aim of these core values is to promote good behaviour, self-discipline and respect, prevent bullying and ensure that pupils complete assigned work.

Each class writes its own class rules based on these core values and reviews them every term.

### School Motto

We also have a school motto which encapsulates these core values. It is “**Be Responsible, be fair, stay positive and care**”

This is displayed around the school and the school council have written explanations about what it means e.g. in the dining hall, on the stairs.

All the staff at John Ruskin endeavour to provide a role model which positively reflects our core values and motto. We invite parents and all who visit the school to also reflect this.

Parents are always welcome in our school. We welcome discussions with parents as we are here to support you and your children throughout their years with us.

### School staff' responsibilities

- Quality first teaching for all pupils
- Build positive relationships with pupils and parents
- Being role models and demonstrating adherence to core values
- Knowing the children as individuals and ensuring that this is reflected in how they are taught and treated
- Be aware of the reasons behind behaviour
- Ensuring that sanctions are fair and appropriate
- Balancing rewards and sanctions
- Knowing that humour can be a powerful behaviour management tool
- Using de-escalation techniques
- Setting out clear expectations around behaviour and adhering to them
- Ensuring instructions are explicit and simplified in terms of relationship to school expectations and delivered using language or in a manner (PECs/ Makaton) that the child can understand
- Offering choices to encourage good behaviour
- Providing support through Pupil Development Coordinator
- Use of PSHE/ circle time to help children develop strategies to deal with situations if they arise again

### Children's responsibilities

- Co-operating with school staff and other pupils
- Following the school code
- Taking responsibility for their own actions
- Being polite and well mannered
- To understand and respect the feelings of others
- Learn to sort out any difficulties without using physical or emotional violence
- Respecting the school's and other people's property
- Work hard and allow other children to do the same
- To produce their best in all areas of school

### Parent responsibilities

- Ensuring that children are aware that school is a place for learning and that within school co-operating and sharing with others is essential
- Supporting your child with their learning by:
  - ~ ensuring they have the right things in school;

- ~ sharing books and reading with your child;
- ~ ensuring any homework is completed to the best of your child's ability;
- ~ attending parents' evening and other meetings to support your child's learning & behaviour
- Sharing any worries or concerns with the school, always initially with the class teacher
- Not approaching other children or parents about an incident in school, but informing the school of the problem
- Understanding that unacceptable behaviour outside of school, where the child is clearly identifiable as linked to the school, will be dealt with in line with this policy
- Acting upon communication from the school, including praising your child for actions at school and discussing/ sanctioning your child to support sanctions at school
- Understanding that children learn from watching the behaviour and actions of their family
- Ensuring children come to school on time and ready to learn
- Communicating any medical needs or circumstances at home that may affect your child
- Understanding that undermining the school or school staff in front of your child will create further problems
- Abusive behaviour towards staff, children or other parents is not acceptable and any parent who demonstrates abusive behaviour will be asked to leave the school until the matter is resolved

### **The Award System**

The award system acknowledges the implicit caring atmosphere and positive attitude to be found within the school. The most valuable rewards are immediate and sincere.

Acknowledgement can be verbal and/or a combination of the following:

- Smiles;
- Body language;
- Comments written on work;
- Individual or whole class sticker/award charts
- Sharing the work/deed within own class;
- Giving extra free time within the class;
- Giving extra responsibility and privileges;
- Giving a whole class/group reward;
- Sharing work/deed with another class or sharing with co-head, deputy or assistant heads and receiving stickers;
- Awarding certificates including core values certificates;
- Receiving stickers from support staff at playtime or lunchtime;
- Having good deeds mentioned in assembly;
- Sharing work and deeds at Friday sharing assembly;
- Lining up cards and rewards;
- Reward afternoons

.....***"The most valuable rewards are immediate and sincere"***.....

### **The Success of the School**

The success of the school community is dependent on active participation and involvement of parents, children and staff. This is achieved in a variety of ways:

- Formally
- Training courses for parents
- Informed parent coffee mornings
- Contacts with the schools parent support worker
- Informally – by sending notes home about good work and behaviour or through conversations in and around school;
- By encouraging links with Friends of John Ruskin (FoJR);
- By inviting parents on outings and to participate in activities around the school;
- By displays of information for parents
- Parents Evening
- Parents curriculum events
- Parent and parent/child clubs

Our school code also includes the following ways of helping those who sometimes have difficulty in remembering appropriate behaviour, this includes bad behaviour or bullying which occurs anywhere off the school premises and is witnessed by a staff member or reported to the school. The Headteacher authorises all staff including teachers and support staff to sanction [punish] breaches of the school behaviour code [core values] in the following ways:

- A loss of privileges e.g. playtime, outings, clubs;
- Detentions; children in KS2 complete a 'thinking about my behaviour' sheet;
- Being placed in another classroom at teachers discretion;
- Being asked to write letters of apology;
- Giving children time to talk through their problems;
- Regularly revisiting expected behaviour, core values and rules and explaining why this behaviour is essential;
- Being sent to a member of the senior staff to discuss behaviour and complete work;
- Non attendance at the half termly reward afternoons (children who have a large number of detentions or who have been involved in a serious incident of inappropriate behaviour)
- Indoor playtimes where a child has repeatedly broken playground or behaviour rules
- Being placed on daily report to a member of the senior staff. A report sheet is completed daily and behaviour discussed to reinforce good behaviour.
- Use of 'calm down' room
- Exclusion from the school at lunch-times – leadership team members only
- Temporary or permanent exclusion from the school – Headteachers only

*....."The success of the school community is dependent on active participation and involvement of parents, children and staff".....*

#### Protected Characteristics

It is unlawful for the school to discriminate against a pupil, prospective pupil or parent by treating them less favourably because of their:

- Age
- Disability
- Gender
- Gender identity

- Marriage and civil partnership
- Pregnancy
- Race
- Religion
- Sexual orientation

### **Sexualised behaviour**

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

While it is normal for children to be curious with regards to their bodies and physical development, it is essential that there are clear boundaries to protect all children.

Pupils are encouraged to report anything that makes them uncomfortable, no matter how 'small' they feel it might be. When responding the school will ensure the response is age appropriate, proportionate and decided on a case by case basis and at all times ensure parents are informed.

will be shared with the Designated Safeguarding Lead. All instances  
Repeated or  
serious sexualised behaviour will result in a referral to the MASH team.

### **Behaviour and Responses chart**

<b>Minor</b>	
<b>Behaviour</b>	<b>Possible responses</b>
Accidentally hitting, kicking or pushing Sulking/ temper tantrum Not lining up properly Damaging property through carelessness Unkind behaviour Not following adult instructions Play fighting Distracting other children Calling out Wandering around the classroom Running in the school building Making silly noises Talking when asked to work silently/ during whole class session when should be listening Bringing in inappropriate items e.g toys/ sweets/ mobile phones	Eye contact/ use of 'teacher voice/ face' Apologising verbally 'Time out' in another area of the classroom Loss of privilege e.g class job/ being dinner monitor/ part of playtime 5/10 minute breaktime detention Reminders of appropriate behaviour Ignoring behaviour and praising good behaviour Warning of possible consequences Losing a reward chance Finishing work at play/lunchtime/ staying in until instruction followed Cleaning repairing damage Confiscation of property until parent collects
<b>Moderate</b>	
<b>Behaviour</b>	<b>Possible responses</b>
Repeated minor behaviour Refusing to work Pushing deliberately Leaving class without permission Swearing Pinching Aggressive body language/ tone Deliberately damaging property	Letter of apology 15 minute detention 'Time out' in another classroom Lunchtime detention Letter to parents Sent to a member of SLT to discuss behaviour Behaviour chart

Spitting Throwing objects deliberately Rudeness to adults Offensive name calling Inappropriate use of the internet/ IT in school Inappropriate use of social media	Charging for a deliberately damaged item
<b>Major</b>	
<b>Behaviour</b>	<b>Possible responses</b>
Repeted moderate behaviour Kicking or hitting another child deliberately Biting Violent behaviour Fighting Stealing Sexist behaviour Hitting an adult deliberately Swearing at an adult Racist behaviour Sexualised behaviour Homophobic behaviour Bullying Verbal abuse towards an adult Bringing the school into disrepute e.g on the street when in uniform/ on public transport Offensive use of social media Possession of a weapon Running out of school	Not able to attend extra-curricular club Meeting with parents Daily report to SLT Incident logged in racist incident log Incident logged in bullying log Incident logged in sexualised behaviour log Internal exclusion – sustained period out of class Fixed term exclusion Loss of reward afternoon/ morning Indoor play for a sustained period of time Permanent exclusion

***This list is not exhaustive and other types of behaviour may warrant a response.  
The needs of the children, their age and their level of understanding will always be taken into account when deciding an appropriate response to behaviour***

The School follows the Department for Education Guidance (January 2022) as laid in:  
**Department for Education Behaviour in schools – January 2022**

**John Ruskin Primary School Policy on the Use of Force with Pupils with Reference to  
Section 93 of the Education and Inspections Act 2006 and the DCFS Guidance on the Use of  
Reasonable Force July 2013.**

Teachers, Nursery Nurses, Premises Officers, Senior Administrative Officers, Meals Supervisors, Learning Mentors, Pupil Development Coordinators and Teaching Assistants are authorised by the Governors and Head Teacher to use such force as is reasonable in the circumstances to Section 93 of the Education and Inspections Act 2006 enables school staff to use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do, any of the following:

Section 93 Power of members of staff to use force

(1) A person to whom this section applies may use such force as is reasonable in the circumstances for the purpose of preventing a pupil from doing (or continuing to do) any of the following, namely—

(a) committing any offence,

(b) causing personal injury to, or damage to the property of, any person (including the pupil himself), or

(c) prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.

(2) This section applies to a person who is, in relation to a pupil, a member of the staff of any school at which education is provided for the pupil.

(3) The power conferred by subsection (1) may be exercised only where—

(a) the member of the staff and the pupil are on the premises of the school in question, or

(b) they are elsewhere and the member of the staff has lawful control or charge of the pupil concerned.

(4) Subsection (1) does not authorise anything to be done in relation to a pupil which constitutes the giving of corporal punishment within the meaning of section 548 of EA 1996.

(5) The powers conferred by subsection (1) are in addition to any powers exercisable apart from this section and are not to be construed as restricting what may lawfully be done apart from this section.

(6) In this section, “offence” includes anything that would be an offence but for the operation of any presumption that a person under a particular age is incapable of committing an offence.



The staff to which this power applies are defined in section 95 of the Act. They are:

#### Section 95

“member of the staff”, in relation to a school, means—

(a)

any teacher who works at the school, and

(b)

any other person who, with the authority of the head teacher, has lawful control or charge of pupils for whom education is being provided at the school;

Staff at John Ruskin receive training from Team Teach in safe ways of calming children and de-escalating incidents involving pupils. Holding [use of force] is only used as a last resort to ensure that a child remains safe. Force must only be used when it is reasonable, proportionate and necessary.

“Team-Teach techniques seek to avoid injury to the service user, but it is possible that bruising or scratching may occur accidentally, and these are not to be seen necessarily as a failure of professional technique, but a regrettable and infrequent “side-effect” of ensuring that the service user remains safe”. (George Matthews - Team Teach Director)

#### **Key points from DFE Guidance July 2013 which the governors adopt as policy:**

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

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

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

**Who can use reasonable force?**

- All members of school staff have a legal power to use reasonable force<sup>2</sup>.
- This power applies to any member of staff at the school. It can also apply to people whom the headteacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

<sup>2</sup> Section 93, Education and Inspections Act 2006

**When can reasonable force be used?**

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

**Schools can use reasonable force to:**

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

**Schools cannot:**

- use force as a punishment – it is always unlawful to use force as a punishment.

**Power to search pupils without consent**

In addition to the general power to use reasonable force described above, Headteachers and authorised staff can use such force as is reasonable given the circumstances to conduct a search for the following “prohibited items”<sup>3</sup>:

<sup>3</sup> Section 550ZB(5) of the Education Act 1996

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images

- any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

Force **cannot** be used to search for items banned under the school rules. 6

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

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

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

### **Using force**

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

### **4 Physical Control in Care Medical Panel - 2008 7**

### **Staff training**

- Schools need to take their own decisions about staff training. The headteacher should consider whether members of staff require any additional training to enable them to carry out their responsibilities and should consider the needs of 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.
- If it is necessary to use force then this is recorded in the Bound and Numbered record book and a copy of the record is given to the child's parents.
- In deciding what is a serious incident, teachers should use their professional judgement and consider the:
  - pupil's behaviour and level of risk presented at the time of the incident;
  - degree of force used;
  - effect on the pupil or member of staff; and
  - the child's age.

5 References to parent or parents are to fathers as well as mothers, unless otherwise stated.

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

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

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

- It is not illegal to touch a pupil. There are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary.
- Examples of where touching a pupil might be proper or necessary:

- Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school;
- When comforting a distressed pupil;
- When a pupil is being congratulated or praised;
- To demonstrate how to use a musical instrument;
- To demonstrate exercises or techniques during PE lessons or sports coaching; and
- To give first aid.

#### **Further sources of information**

##### **Other departmental advice and guidance you may be interested in**

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

