



ST. THOMAS MORE HIGH SCHOOL
ACADEMY

Statutory Behaviour and Discipline Policy

Approved by the CACE Committee on:	11th May 2016
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Approved by the LGC on:	17th September 2020

Mr Daniel Cauchi
Chair of the Governing Body

The School's Mission Statement

To inspire,

To learn,

To achieve,

To keep our Catholic ethos at the centre of our lives,

*To fulfil our educational potential, welcoming all and reaching out to the wider
world,*

To truly be God's servant first.

Behaviour and Discipline Policy

'Love your neighbour as yourself' – Mark 12:31

Preamble

- The School's Behaviour and Discipline policy arises from its Mission Statement and the values embedded in the school's Catholic ethos.
- The way pupils are expected to behave and the way they are treated at St Thomas More School are implicit in the Christian Gospel values that are at the heart of our school community and faith. The school believes this enables and encourages pupils to move towards a more mature Christian awareness and exercise of self-discipline. The changing emphasis as pupils move through the school reflects development towards this goal. There is throughout an emphasis on reconciliation and forgiveness, tempered with the need for personal responsibility and good order in a large community.
- This policy is therefore based on encouragement (praise, rewards), discipline (teaching, rules, sanctions) and leadership and responsibility. (The school reward system is outlined in the guidance document **Pupil Support Manual** for staff).
- The **Student Behaviour Code of Conduct** is outlined in each pupils **personal planner**, both main school and Sixth Form, emphasising the high expectations the school has for its pupils.

Introduction

'treat others as you would want them to treat you'- Matthew 7:12

- The School's Behaviour and Discipline Policy draws upon the statutory guidance given by the Department of Education as set out in 'The Behaviour and Discipline in schools, advice for head teachers and school staff'- January 2016.
- This guidance refers to legislation as set out in
 - Education Act 2002
 - Education and Inspectors Act 2006
- The DfE guidance-January 2016 provides advice to head teachers and school staff on how to develop the school Behaviour and Discipline Policy and explains the powers members of staff have to discipline pupils.
- Keeping Children Safe in Education-Sept 2020
- Anti-Bullying DfE guidance July 2017
- Exclusions from Maintained Schools and Academies- DfE Guidance September 2017

'Every school must have a Behaviour and Discipline Policy (which must include the school rules). School rules for students can be found in the Student Planner under the 'Behaviour Code of Conduct for Students.

Key points of this school Behaviour and Discipline Policy - namely that

- Teachers have the power to discipline pupils for misbehaviour which occurs in school and, in some circumstances, outside of school.
- The power to discipline also applies to all paid staff (unless the head teacher says otherwise) with responsibility for pupils, such as teaching assistants.
- The head teacher and governing body will ensure there is a strong Behaviour and Discipline Policy (including the use of rewards and sanctions) in order to support staff managing behaviour and to support effective teaching and learning.

- The Governing Body will ensure that arrangements are made to safeguard and promote the welfare of pupils at St Thomas More School.

The School Behaviour and Discipline Policy Aims

- To promote high standards of teaching and learning
- To promote high standards of pupil achievement and attainment
- To promote the pupils personal and social development
- to promote good behaviour, self-discipline and respect;
- to prevent bullying;
- to ensure that pupils complete assigned work;
- to regulate the conduct of pupils through sanctions.- Section 89 (1) of the Education and Inspection Act 2006

When putting into place measures to achieve these aims, the school will take into account any other school policies or DfE guidance adopted by the Governing Body which includes the following principles:-

When deciding what these measures should be, the head teacher has taken into account the Governing Body's statement of behaviour principles as set out below. The head teacher will take into account any guidance, notification or policies provided by the Governing Body which may include the following:

- screening and searching pupils;
- the power to use reasonable force and other physical contact;
- the power to discipline beyond the school gate;
- when to work with other local agencies to assess the needs of pupils who display continuous disruptive behaviour; and
- pastoral care for staff accused of misconduct.

The School's Behaviour and Discipline Policy will be placed on the school web site and publicised to all staff.

Developing the School Policy

- In developing the Behaviour and Discipline Policy the school will ensure that it is clear and well understood by staff, parents and pupils and is consistently applied.
- The ten key aspects of good school practice that the DfE sets out as being most effective, and contributing to improving the quality of pupil behaviour were considered.
 - that there is a consistent approach to behaviour management;
 - that there is strong school leadership in all aspects of policy implementation;
 - that there is effective behaviour for learning through classroom management;
 - a positive rewards and sanctions system is in operation;
 - that behaviour strategies and the teaching of good behaviour takes place;
 - effective CPD for staff development and support takes place;
 - clear pupil support procedures and system have been drawn up;
 - supportive liaison with parents and outside agencies takes place;
 - effective management of pupil transition;
 - well organised resources and facilities relating to the management of pupil behaviour are in place.

- The School's Behaviour and Discipline Policy encompasses sanctions that can be taken against pupils who are found to have made malicious accusations against school staff. (Refer to the School's Allegations of Abuse against Staff Policy to be found on the school website).
- The Behaviour and Discipline Policy acknowledges the School's legal duties under the Equality Act 2010 with regard the safeguarding of its pupils and special consideration given to those pupils with special educational needs.

Discipline in School

Key Points

- Teachers have statutory authority to discipline pupils whose behaviour is unacceptable, who break the school rules or who fail to follow a reasonable instruction (Section 90 and 91 of the Education and Inspections Act 2006).
- The power also applies to all paid staff (unless the head teacher says otherwise) with responsibility for pupils, such as teaching assistants.
- Teachers can discipline pupils at any time the pupil is in school or elsewhere under the charge of a teacher, including on school visits.
- Teachers can also discipline pupils in certain circumstances when a pupil's misbehaviour occurs outside of school.
- Teachers have a power to impose detention outside school hours.
- Teachers can confiscate pupils' property.

Punishing Poor Behaviour

What the law allows:

- Teachers can discipline pupils whose conduct falls below the standard which could reasonably be expected of them. This means that if a pupil misbehaves, breaks a school rule or fails to follow a reasonable instruction the teacher can impose a punishment on that pupil.
- To be lawful, the punishment (including detentions) must satisfy the following three conditions:
 - The decision to punish a pupil must be made by a paid member of school staff or a member of staff authorised by the head teacher;
 - The decision to punish the pupil and the punishment itself must be made on the school premises or while the pupil is under the charge of the member of staff; and
 - It must not breach any other legislation (for example in respect of disability, special educational needs, race and other equalities and human rights) and it must be reasonable in all the circumstances.
- A punishment must be proportionate (see flow diagram in Pupil Support Manual). In determining whether a punishment is reasonable, section 91 of the Education and Inspections Act 2006 says the penalty must be reasonable in all the circumstances and that account must be taken of the pupil's age, any special educational needs or disability they may have, and any religious requirements affecting them.
- The head teacher may limit the power to apply particular punishments to certain staff and/or extend the power to discipline to adult volunteers, for example to parents who have volunteered to help on a school trip.
- The school acknowledges that corporal punishment is illegal in all circumstances.

- The school will consider whether the behaviour under review gives cause to suspect that a child is suffering, or is likely to suffer, significant harm. Where this may be the case, school staff will follow the schools' safeguarding policy. They will also consider whether continuing disruptive behaviour might be the result of unmet educational or other needs. At this point, the school will consider whether a multi-agency assessment is necessary.

Behaviour and sanctions

- The School Behaviour and Discipline Policy, consistently and fairly applied, underpins effective education. School staff, pupils and parents will all be clear of the high standards of behaviour expected of all pupils at all times. The Behaviour and Discipline Policy will be supported and backed-up by senior staff and the head teacher.
- The school encourages good behaviour through a mixture of high expectations, clear policy and an ethos which fosters discipline and mutual respect between pupils, and between staff and pupils.
- The school has in place a range of options with rewards to reinforce and praise good behaviour, and clear sanctions for those who do not comply with the school's Behaviour and Discipline Policy. These will be proportionate and fair responses, that may vary according to the age of the pupils, and any other special circumstances that affect the pupil.
- When poor behaviour is identified, sanctions are implemented consistently and fairly in line with the Behaviour and Discipline Policy. The school has a wide range of disciplinary measures clearly communicated to school staff, pupils and parents.
- The full range of sanctions and punishments available to staff at St Thomas More School can be seen in the Pupil Support Manual and Student Behaviour Code of Conduct in the School Planner.

Pupils' conduct outside the school gates – teachers' powers

What the law allows:

- Teachers have the power to discipline pupils for misbehaving outside of the school premises "to such an extent as is reasonable" – (Section 90 of the Education and Inspections Act 2006).
- The School will respond to non-criminal misbehaviour and bullying which occurs off the school premises and is witnessed by a staff member or reported to the school. Incidents will be dealt with in context of the school's normal sanction procedures and taking into account the nature of the incident.
- Subject to the Behaviour and Discipline Policy, teachers may discipline pupils for:
 - misbehaviour when the pupil is:
 - taking part in any school-organised or school-related activity or
 - travelling to or from school or
 - wearing school uniform or
 - in some other way identifiable as a pupil at the school.
 - or misbehaviour at any time, whether or not the conditions above apply, that:
 - could have repercussions for the orderly running of the school or
 - poses a threat to another pupil or member of the public or
 - could adversely affect the reputation of the school.

- In all cases of misbehaviour the teacher can only discipline the pupil on school premises or elsewhere when the pupil is under the lawful control of the staff member.
- In response to criminal behaviour of pupils from the school, the school will liaise with either the School's Police Liaison Officer or directly with the Police.

Detention

What the law allows:

- Teachers have the power to issue detention to pupils (aged under 18).
- The School makes it clear to pupils and parents that it uses detention (including detention outside of school hours) as a sanction.
- The times outside normal school hours when detention can be given (the 'permitted day of detention') include
 - any school day where the pupil does not have permission to be absent;
 - weekends - except the weekend preceding or following the half term break; and
 - non-teaching days – usually referred to as 'training days', 'INSET days' or 'non-contact days'.
- The headteacher will decide which members of staff can put pupils in detention.

Matters the school considers when imposing detentions

- Parental consent is not required for detentions, however the school will normally under its detention guidelines give parents at least 24 hours' notice before a detention is sat. For example a detention given on a Monday will be sat on a Wednesday.
- The school communicates detentions to parents by a written confirmation in the pupil's school planner, which is then signed by the parent as confirmation.
- As with any disciplinary sanction, the school will ensure that a member of staff acts reasonably when imposing a detention.
- With lunchtime detentions, staff will allow reasonable time for the pupil to eat, drink and use the toilet.

Detentions outside school hours

- The School will not issue a detention when there are concerns that '**a child's safety is compromised.**' When ensuring that a detention outside school hours is reasonable, staff issuing the detention will consider the following points:
 - Whether the detention is likely to put the pupil at risk.
 - Whether the pupil has known caring responsibilities which mean that the detention is unreasonable.
 - Whether the parents ought to be informed of the detention. In many cases it will be necessary to do so, but this will depend on the circumstances. For instance, notice may not be necessary for a short after school detention where the pupil can get home safely; and
 - Whether suitable travel arrangements can be made by the parent for the pupil. It does not matter if making these arrangements is inconvenient for the parent.

Confiscation of inappropriate items

What the law allows:

- There are two sets of legal provisions which enable school staff to confiscate items from pupils:
 - The **general power to discipline** enables a member of staff to confiscate, retain or dispose of a pupil's property as a punishment, so long as it is reasonable in the circumstances. The law protects them from liability for damage to, or loss of, any confiscated items provided they have acted lawfully (section 94 of the Education and Inspections Act 2006). The legislation does not describe what must be done with the confiscated item, a decision will be made based on individual incidents: and
 - Power to search without consent for "prohibited items" (Section 550ZA (3) of the Education Act 1996). including:
 - 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; and
 - any item banned by the school rules which has been identified in the rules as an item which may be searched for.
- Weapons, illegal drugs and extreme or child abuse material will always be handed over to the police, otherwise it is for the school to decide if and when to return a confiscated item.
- With regard to advice on confiscation and what must be done with prohibited items found as a result of a search, the school makes reference to the DfE advice for head teachers, staff and governing bodies- 'Searching, Screening and Confiscation at School January 2018' .

Power to use reasonable force

- Members of staff have the power to use reasonable force to prevent pupils committing an offence, injuring themselves or others, or damaging property, and to maintain good order and discipline in the classroom.
- Head teachers and authorised school staff may also use such force as is reasonable given the circumstances when conducting a search without consent for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm.
- The School identifies additional items in their School Planner which may be searched for without consent. Force **cannot** be used to search for these items.
- With regard the use of reasonable force the school refers to the DfE advice for school leaders, staff and governing bodies- 'Use of Reasonable Force'.
- The school sets out its guidelines for staff on reasonable force in its 'Use of Reasonable Force Policy.'

Pupil Support Centre

- The School has in place procedures which allows disruptive pupils to be placed in an area away from other pupils for a limited period, which is referred to as the school's Pupil Support Centre (PSC). The school makes use of the PSC as a disciplinary sanction clear in its Behaviour and Discipline Policy and within the pupils' school planner. The PSC is only used in exceptional circumstances as an alternative to a Fixed Term Exclusion, a safe area whilst an incident is being investigated or as a limited option for removal from class. There may be occasions when other circumstances warrant inclusion in the PSC at the discretion of the school. The school will ensure the health and safety of pupils and any requirements in relation to safeguarding and pupil welfare. The PSC is always supervised by a member of the school staff.
- The school will decide how long a pupil will be kept in seclusion and clear guidance on PSC rules will be given to pupils. The school will allow pupils time to eat or use the toilet. Work will be set as close to their normal timetabled lessons as possible.
- The school will ensure that pupils are kept in seclusion no longer than is necessary.

Appendices

- The School's Behaviour and Discipline Policy makes reference to a number of linked school policies and guidance documents. These are listed below and should be specifically referred to in relation to clarification of school policies.
 - 'Use of Reasonable Force Policy'
 - 'Safeguarding and Child Protection Policy'
 - 'Allegation of Abuse against Staff Policy'
 - 'E-Safety Policy'
 - 'Pupils Misuse of Drugs Policy'
 - Anti-Bullying Policy
 - Student Planner- sets out the school rules for pupils and parents to read. To be reinforced by Form Tutors and members of the Pastoral/Behaviour Team.
 - Staff 'Pupil Support Manual' – sets out the pupil procedures, systems and routines relating to the school's duty to ensure the safety, wellbeing and happiness of all the pupils in its care. This includes pastoral support, sanctions, rewards, safeguarding procedures and school rules.
 - Guidance Sexual Violence and Sexual Harassment and Sexual Bullying Policy

'I came so that you may have life, and live it to the full' – John 10:10

Covid Appendix :

The DfE Check List for School Leaders to Support Full Opening : Behaviour and Attendance- This guidance has been followed and referred to along with other Government guidance relating to re-opening of schools in September 2020.