



POLICY FOR BEHAVIOUR, DISCIPLINE, BULLYING AND EXCLUSIONS

DOCUMENT PURPOSE

This policy reflects the values and philosophy of The National Institute of Conductive Education (NICE) in relation to the promotion of good behaviour, self-discipline and respect and the prevention of bullying. It gives a consistent framework within which all staff will work.

AUDIENCE

This policy document has been developed and agreed by the whole staff and is up-dated annually by staff and parent consultation. A copy of the document is kept in the school policy document file by the Administrator for Children's Services. This central location ensures the availability of the document to visiting teachers, for example outreach/support staff, undergraduate students on placement at NICE and to parents. Copies of the document are available from the Director of Services. This document is also available from our website: www.conductive-education.org.uk

PUPILS

This policy had been prepared for pupils who have motor disabilities, most of whom also have learning and/or communication difficulties.

AIMS

- To develop a whole school behaviour, discipline, bullying and exclusions policy which is supported and followed consistently by the whole school community, parents, staff and children, based on a sense of community and shared values
- By applying positive policies to create a caring atmosphere in which teaching and learning can take place in a safe and happy environment
- To teach, through the school curriculum, values and attitudes as well as knowledge and skills. Shared values and attitudes will promote responsible behaviour, encourage self-discipline and encourage in children a respect for themselves, for other people and for property
- To encourage good behaviour rather than to only punish bad behaviour by providing a range of rewards for children of all ages and abilities
- To treat problems when they occur in a caring and sympathetic manner in the hope of achieving an improvement in behaviour
- To ensure that all children and staff understand that bullying is unacceptable in any form
- To ensure that all pupils are treated equally and are not discriminated against for any reason

CODE OF CONDUCT

- All members of the school community are asked to respect each other
- All children are expected to respect their conductors, other adults and fellow pupils
- All children are expected to respect their own and other people's property and to take care of books and equipment
- Children are asked to be well-behaved, well-mannered and attentive
- If a child has a problem with another child, it must be reported to a member of staff who will deal with the matter – bullying will not be tolerated under any circumstances
- If a parent perceives there to be a problem between his/her child and another child, he/she should speak to the Conductor in charge of that Group, in the first instance, who will try to resolve the matter
- **Physical violence is not acceptable in any form from either pupils or staff, neither is retaliation**

This code of conduct has been formulated with the safety and well-being of the children in mind, and to enable the School and pre-school groups to function efficiently as places of learning.

VALUING GOOD WORK AND BEHAVIOUR

Each child is valued as an individual and praised whenever he/she has achieved a goal, however small or large. The evaluation of every programme of work, either by a conductor, another child or by the child him/herself is expected.

Staff give verbal or written praise as often as possible and whenever it is deserved.

Children are encouraged to discuss and display their achievements in and out of school. At the end of the Nursery sessions the children have the chance to roll the "Self-reflection Cube" where they can reflect on their own work and achievements by answering questions. Also, at the end of each session staff nominate a child to be the 'Star of the Day'. Weekly sharing time in School Group give opportunities for all children and staff to nominate a child's name for the Golden Book. These times not only reward good work but also good behaviour and are seen by the children as a motivating force for positive behaviour.

The book and award are shown outside the group room in order that parents may see the achievements their children have made. Individual parents are also informed of their child's success verbally or when parents are not seen daily, through the home-school book.

Within Conductive Education, the 'group' is seen as a motivating force for positive behaviour and good role models. When new children begin attendance in the group, established group members create an atmosphere of belonging and sharing. The group also acts as a regulator for unsatisfactory behaviour.

Most children respond to this positive approach, where their efforts are seen to be valued, and make considerable efforts to improve their work, and, where necessary, their behaviour.

UNACCEPTABLE BEHAVIOUR

Unfortunately, there are occasions when children do not behave appropriately. Children need to discover where the bounds of acceptable behaviour lie, as this is a part of growing up. A Behaviour Policy must state these boundaries firmly and clearly.

All unacceptable behaviour is dealt with by the staff member working with the child in a caring, supportive and fair manner, with some flexibility regarding the age and understanding of the child. However, the information will be shared with every member of staff.

If the unacceptable behaviour is on-going, the child will be spoken to by the Leading Conductor. Only if this fails, will parents be involved.

Each case is treated individually. Children are made aware that they are responsible for their own actions and that breaking rules will lead to reprimands.

Within the group setting, a verbal reprimand and reminder of expected behaviour is usually sufficient to regain the expected behaviour.

BULLYING

Bullying is a form of unacceptable behaviour and will not be tolerated in any form (e.g. gender, race, sexuality, SEN or disability) either by pupils or staff at NICE. The following has been prepared in accordance with Preventing and tackling bullying Advice for head-teachers, staff and governing bodies, October 2014

The Government defines bullying as:

Behaviour by an individual or group, usually repeated over time, that intentionally hurts another individual or group either physically or emotionally.

Bullying includes: name-calling; taunting; mocking; making offensive comments; kicking; hitting; pushing; taking belongings; inappropriate text messaging and emailing; sending offensive or degrading images by phone or via the internet and social media (cyber bullying); producing offensive graffiti; gossiping; excluding people from groups; and spreading hurtful and untruthful rumours. Although sometimes occurring between two individuals in isolation, it quite often takes place in the presence of others.

Bullying can seriously damage a young person's confidence and sense of self-worth, and they will often feel that they are at fault in some way. It can lead to serious and prolonged emotional damage for an individual. Those who conduct the bullying or witness the bullying can also experience emotional harm, and the impact on parents and school staff can be significant.

Pupils are bullied for a variety of reasons. Specific types of bullying include:

- Bullying related to race, religion or culture
- Bullying related to special educational needs (SEN) or disabilities
- Bullying related to appearance or health conditions
- Bullying related to sexual orientation
- Bullying of young carers or looked-after children or otherwise related to home circumstances
- Sexist or sexual bullying

AIMS AND STRATEGIES FOR PREVENTION OF BULLYING

The aim of all our education at NICE is to teach positive behaviour, respect for others eradicating the desire to bully and building self-esteem in all the children, enabling them to confidently deal with any incident of bullying so that their behaviour is not passive or submissive.

We recognise that children with SEN are particularly vulnerable to bullying. Role play activities and drama workshops help children to develop self-esteem and these are regularly arranged and carried out.

NICE aims to tackle bullying before it even starts by creating an ethos of good behaviour where pupils treat one another and the school staff with respect because they know that this is the right way to behave. Values of respect for staff and other pupils, an understanding of the value of education, and a clear understanding of how our actions affect others permeate the whole school environment. This is reinforced throughout the daily routine through staff demonstrating and setting a good example of behaviour.

Bullying will be dealt with in the same way as any other unacceptable behaviour (see above). If a pupil has been bullied, he/she will be supported to overcome the difficulties created. NICE will engage outside professional support if required. Parents will be involved if any child is being bullied or is seen to be a bully.

PARENTS

Preventing and tackling bullying Advice for head-teachers, staff and governing bodies (October 2014) recognise that successful schools involve parents to ensure that they are clear that the school does not tolerate bullying and are aware of the procedures to follow if they believe that their child is being bullied. Parents feel confident that the school will take any complaint about bullying seriously and resolve the issue in a way that protects the child, and they reinforce the value of good behaviour at home.

“Our observation is that where schools can support parents and carers who are anxious about their children, there is more consistent approach between home and school in promoting positive attitudes towards learning, attendance and behaviour” (Steer, A. (Ed), (2005) *Learning Behaviour. The Report of the Practitioners’ Group on School Behaviour and Discipline*, London: DfES, p.73).

Parents can help:

- By recognising that an effective school behaviour policy requires close partnership between parents, conductors and children
- By discussing the school rules with their child, emphasising their support of them and assisting when possible with their enforcement
- By attending Parents’ evenings/open days, parents’ functions and by developing informal contacts with school
- By knowing that learning and teaching cannot take place without sound discipline
- By sharing relevant information with conductors about situations at home which may contribute to behaviour issues
- By remembering that staff deal with behaviour problems patiently and positively
- By discussing any concerns regarding their child with the leading conductor of their child’s group as soon as they become aware of them ensuring that any issues can be dealt with immediately
- By using the complaints procedure of the Foundation for Conductive Education if they feel that their concerns have not been taken seriously by a member of staff. We hope that this will be a last resort and that issues will be taken seriously by all staff and resolved without the need for this procedure to take place

It may sometimes be helpful to prepare a more formal Parenting Contract between home and school which is a formal written agreement between parents and the school and would contain:

- a) A statement by the parents that they have agreed to comply for a specified period with whatever requirements are specified in the contract
and
- b) A statement by the school agreeing to provide support to the parents for the purpose of complying with the contract.

This contract must be two-sided, agreed and signed by both parties and be supportive of parents.

CARE AND CONTROL OF CHILDREN

At all times staff should encourage good behaviour through praise and rewards and treat each child equally and fairly. **No member of staff must in any way physically chastise a child.**

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:
 1. 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;
 2. 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
 3. 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. 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 director of services 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.

- Corporal punishment is illegal in all circumstances.
- Schools should 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 should follow the schools' safeguarding policy. They should also consider whether continuing disruptive behaviour might be the result of unmet educational or other needs. At this point, the school should consider whether a multi-agency assessment is necessary. (Dfe: Behaviour and Discipline in Schools, January 2016)

Conductors may use the following approaches to challenging behaviour, depending on each child's needs:

- Tell the child what is required in simple terms, rather than explaining the unwanted behaviour
- Talk to the child – discuss what has happened to find out why the child behaves as he/she does
- Redirect to another activity
- Discussion with the group
- Programme of setting targets and giving external rewards, e.g. star chart
- Move the child from the group to work on his/her own
- Repeat work
- Parental involvement

CHILDREN WITH IDENTIFIABLE BEHAVIOUR DIFFICULTIES

Children who may have identifiable behaviour difficulties such as those associated with Autistic Spectrum Disorder (ASD) or any undiagnosed but identified behaviour difficulties will be treated in ways advised by specialists in this field. Before calling in an outside specialist we will complete an observation period of up to 4 weeks using the STAR (stimulus-trigger-action-response) system or a simple tick list to ascertain if the behaviours have a pattern to them. In this way it may be possible to identify reasons for behaviour and put strategies in place to deal with it.

All staff should adopt a positive approach to improving behaviour in order to reward effort and build self-esteem. Staff should work in partnership with those who know the child to:

- Find out why the child behaves as he/she does
- Understand the factors that influence a child's behaviour
- Identify early warning signs that indicate foreseeable behaviours are developing

This approach will help to ensure that early and preventative intervention is the norm. It should reduce the incidence of extreme behaviour and make sure that the use of physical intervention is rare.

We have successfully worked with agencies in the past to put a programme into place, which regulates the behaviour of the children with Cerebral Palsy and ASD, and enable them to be included within the group's work. Such strategies have included using picture cues to signal the sequence of the daily routine, sticker charts with a choice of rewards, a clock to signal the time remaining in a lesson etc. We have also liaised with Birmingham CAMHS to promote behaviour strategies for children with identifiable behaviour difficulties.

Any child with identifiable or specific problems will be dealt with on a case by case basis and advice sought from the individual's LA advisory/psychology/CAMHS service.

Strategies such as those described above are used in the first instance. If a child's behaviour deteriorates so that he/she is a danger to him/herself or others it may be necessary to use restrictive physical interventions such as holding his hands to prevent him/her hurting him/herself or others.

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

Use of Reasonable Force Guidance (DfE, 2013).

These interventions would be emergency measures or interventions if all other routes have been exhausted. They may be used in the following circumstances:

- If the potential outcomes of not intervening were sufficiently serious to the child him/herself, another child or a member of staff to justify considering the use of force
- The chances of achieving the desired result by other means had already been attempted
- The risk involved in using force outweighed the risk of using it

The scale and nature of any physical intervention would be proportionate to the behaviour of the individual and the nature of harm he/she may cause. The judgement about the scale and nature of the intervention has to be made at the time of the incident, but the type of incident will be discussed previously and all members of the team will ensure a consistency of approach in order not to confuse the children.

The minimum necessary force will be used at all times and wherever possible the child will be warned in advance that force will be used. The policy at NICE is that more than one adult should be present at all times when children are in school, this means that there is always another adult present to observe and call for assistance if necessary.

Parents and other agencies involved with the child are consulted and informed on an on-going basis about the child's behaviours and any specific strategies, which have been devised for their child, are discussed and agreed.

All staff should be aware of the distinction between physical contact or touch used appropriately in everyday situations to encourage, guide or comfort a pupil and the use of force to restrict movement or to disengage from pupils whose behaviour presents clear risk of injury.

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 are given in the *Use of Reasonable Force* guidance (DfE, 2013):

- 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
- To give first aid.

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 from 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
- Damaging property

Use of Reasonable Force (DfE, 2013) (DfE 2015)

Techniques and methods for controlling and restraining pupils using restrictive physical interventions must be assessed to ensure they are safe, suitable and appropriate for use with the named pupil. 'It is always unlawful to use force as a punishment' *Section 548 Education Act (1996)* and *Use of Reasonable Force (2013)*.

ASSESSING AND MANAGING RISKS FOR CHILDREN WHO PRESENT CHALLENGING BEHAVIOURS

The term 'risk' refers to any circumstances which could lead to adverse outcomes for the child or others.

Risk assessment and management is a process that helps staff to consider risk issues, to act reasonably and to learn from everyday practice.

A risk assessment will be carried out by the Head Teacher in conjunction with the relevant Conductors. Risk reduction options will be considered such as situations that may provoke difficult behaviour, preventative strategies and de-escalation strategies that are most likely to work, what is likely to trigger a violent reaction and specific strategies and techniques agreed by staff and parents which will be used if necessary and an agreed Behaviour Management Plan and/or a School Risk Management Strategy produced.

Once agreed the Behaviour Management Plan and Risk Management Strategy will be shared with all those responsible for implementing or monitoring the impact of the plan:

- The child
- His/her parents
- School staff
- Other professionals involved with the child

The Behaviour Management Plan and Risk Management Strategy will be agreed by parents and evaluated termly (Pro-forma in Appendix 1).

Risk assessments will also be carried out when circumstances of staff change and put them at risk when working with the child presenting challenging behaviours, e.g. pregnancy, injury, illness etc.

RECORDING

Any child who displays such behaviours will have records kept which detail how often the behaviour occurs and how it was dealt with.

Any serious incident, which involves the use of restrictive physical intervention, will be recorded in **the incident book and the child's personal file**. This report should be written by the member of staff involved in the incident.

Records of serious incidents should include the following information:

- The name(s) of the pupil(s) involved
- When and where the incident took place
- Why the use of force was deemed necessary
- Names of witnesses, staff or students
- Details of the incident, including all steps taken to defuse the situation and resolve it without force and the nature/degree of the force used and how applied
- The pupil's response, behaviour
- The outcome of the incident
- A description of any injuries suffered by the pupil or others and/or any property damaged during the incident.

REPORTING

Recordable incidents should also be notified immediately to parents either personally or by telephone and in writing either via the home/school book or letter within 48 hours of the event and they will be invited to school to discuss the incident.

In 2013, the DfE updated their advice to schools on the use of force and stated the following:

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 judgment 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.

Use of reasonable force: Telling parents when force has been used on their child (DfE,2013)

EXCLUSIONS

If a child's behaviour is constantly likely to be of harm to him/herself or other children and staff members, advice will be sought from the child's Local Authority in conjunction with parents. It is the Foundation for Conductive Education's wish to resolve difficulties without resort to exclusion of a pupil. This would only happen in the very last resort.

Any use of isolation that prevents a child from leaving a room of their own free will should only be considered in exceptional circumstances. The school must also ensure the health and safety of pupils and any requirements in relation to safeguarding and pupil welfare.

It is for individual schools to decide how long a pupil should be kept in seclusion or isolation, and for the staff member in charge to determine what pupils may and may not do during the time they are there. Schools should ensure that pupils are kept in seclusion or isolation no longer than is necessary and that their time spent there is used as constructively as possible. Schools should also allow pupils time to eat or use the toilet.

Behaviour and Discipline in schools-Advice for head teachers and staff (January 2016)

POST-INCIDENT SUPPORT

If an incident requiring the use of force should take place within school, immediate steps will be taken to discuss why the incident occurred and steps that could be taken in the future to prevent a re-occurrence. Time will also need to be given to re-building relationships if necessary.

STAFF TRAINING

All staff and students receive induction training in positive behaviour management and the range of intervention techniques before being required to work with any children who present challenging behaviours. They are introduced to individual behaviour management plans. On-going training is provided for staff when required.

Staff in School Group have also completed the online training modules provided by the Anti-Bullying Alliance (December 2014).

Staff are also kept up to date by receiving the MASH newsletter which is circulated and signed by each member of staff once it is read.

COMPLAINTS

Parents and pupils have a right to complain about actions taken by school staff with regard to the use of force. Any such complaints should follow the usual procedure for complaints which is detailed in the Children's Services prospectus and a copy of the complaints form is available from the Children's Services Administrator.

A specific allegation of abuse made against a member of staff will be treated extremely seriously and the Head Teacher will follow Birmingham LA's procedure for Child Protection allegations.

However the government stress that

- 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.

SUMMARY OF RIGHTS AND RESPONSIBILITIES

Adapted from http://www.teachernet.gov.uk/_doc/11322/ACFCEA5.doc (no longer accessible)

Schools	
Rights	Responsibilities
To make clear the school's statutory power to discipline pupils and that pupils and parents will need to respect this.	To ensure the whole school community is consulted about the principles of the school-behaviour policy.
To enforce their school-behaviour policy – including rules and disciplinary measures.	To establish and communicate clearly measures to ensure good order, respect and discipline.
To expect pupils' and parents' cooperation in maintaining an orderly climate for learning.	To ensure the school-behaviour policy does not discriminate against any pupil on, e.g. grounds of race, gender, disability or sexual orientation, and that it promotes good relations between different communities.
To expect pupils to respect the rights of other pupils and adults in the school.	To ensure staff are clear about the extent of their disciplinary authority and receive necessary professional development on behaviour strategies.
Not to tolerate violence, threatening behaviour or abuse by pupils or parents. If a parent does not conduct himself/herself properly, a school may ban them from the school premises and, if the parent continues to cause nuisance or disturbance, they may be liable to prosecution.	To support, praise and, as appropriate, reward pupils' good behaviour.
To take firm action against pupils who harass or denigrate teachers or other school staff on or off premises – engaging external- support services, including the police, as appropriate.	To apply sanctions fairly, consistently, proportionately and reasonably – taking account of SEN, disability and the needs of vulnerable children, and offering support as appropriate.
	To make <u>alternative provision from day six</u> for fixed-period excluded pupils, and where appropriate to arrange reintegration interviews for parents at the end of a fixed-period <u>exclusion</u> .
	To take all reasonable measures to protect the safety and well-being of staff and pupils, including preventing all forms of bullying and dealing effectively with reports and complaints about bullying.
	To ensure staff model good behaviour and never denigrate pupils or colleagues.
	To promote positive behaviour through active development of pupils' social, emotional and behavioural skills.

Schools

Rights

Responsibilities

To keep parents informed of their child's behaviour, good as well as bad, use appropriate methods of engaging them and, where necessary, support them in meeting their parental responsibilities.

To work with other agencies to promote community cohesion and safety.

Pupils

Rights

Responsibilities

To contribute to the development of the school-behaviour policy, with every pupil involved in the consultation process by agreeing to a set of school rules which will be displayed in the group room.

To be taught in environments that are safe, conducive to learning and free from disruption.

To expect appropriate action from the school to tackle any incidents of violence, threatening behaviour, abuse, discrimination or harassment.

To appeal to the Head Teacher /Chief Executive/trustees, and beyond that to the Secretary of State, if they believe the school has exercised its disciplinary authority unreasonably.

To follow reasonable instructions by school staff, obey school rules and accept sanctions in an appropriate way.

To act as positive ambassadors for the school when off school premises.

Not to bring inappropriate or unlawful items to school.

To show respect to school staff, fellow pupils, school property and the school environment.

Never to denigrate, harm or bully other pupils or staff.

To co-operate with, and abide by, any arrangements put in place to support their behaviour.

Parents

Rights

Responsibilities

To contribute to the development of the school-behaviour policy.

To be kept informed about their child's progress, including issues relating to their behaviour.

To expect their children to be safe, secure and respected in school.

To have any complaint they make about their child being bullied taken seriously by the school and investigated/resolved as necessary.

To appeal to the Head Teacher/Chief Executive/trustees and beyond that to the Secretary of State, if they believe the school has exercised its disciplinary authority unreasonably.

To respect the school's behaviour policy and the disciplinary authority of school staff.

To help ensure that their child follows reasonable instructions by school staff and adheres to school rules.

To send their child to school each day punctually, suitably clothed, fed, rested, and equipped and ready to learn.

To ensure school staff are aware of any SEN-related or other personal factors which may result in their child displaying behaviours outside the norm.

To be prepared to work with the school to support their child's positive behaviour.

Parents

Rights

To appeal against a decision to exclude their child, first to the trustees of the school and then, in cases of permanent exclusion, to an independent appeal panel.

Responsibilities

To attend meetings with the Head Teacher or other school staff, if requested, to discuss their child's behaviour.

To adhere to the terms of any Parenting Contract or Order relating to their child's behaviour.

If their child is excluded from the school, to ensure the child is not found in a public place during school hours in the first five days of exclusion and, if invited, to attend a reintegration interview with the school at the end of a fixed period exclusion.

Review Frequency: Bi-annually by staff and parents

Next Review: January 2020

This policy has been up-dated with reference to the following national documents:

- **Behaviour and Discipline in Schools (DfE, 2013)**
- **Preventing and tackling bullying Advice for head-teachers, staff and governing bodies (DfE, 2017)**
- **Use of Reasonable Force (DfE, 2013)**
- **Equality Act (2010)**