

YSGOL CAERGEILIOG FOUNDATION SCHOOL



THE SCHOOL'S CODE OF CONDUCT

INTRODUCTION:

1. The School's Code of Conduct aims at:

- promoting acceptable behaviour, self-discipline and respect;
- preventing bullying;
- ensuring that pupils complete assigned work;

and which

- promotes the School's motto 'Persto et Praesto' '*I persist and excel*'.

2. When deciding what these measures should be, the Head Teacher will take account of the Governing Body's statement of behaviour principles. The Head Teacher will have regard to any guidance or notification provided by the Governing Body which includes the following:

- the power to use reasonable restraint;
- the power to discipline beyond the school gate;
- when to work with other local agencies to assess the needs of pupils who display continuous unacceptable and disruptive behaviour;

and

- pastoral care for staff accused of misconduct.

2. The Head Teacher will decide the standard of behaviour expected of pupils at the School and will also determine the School rules and any disciplinary penalties for breaking the rules.
3. Teachers' powers to discipline include the power to discipline pupils even when they are not at School or in the charge of a member of staff.
4. The Head Teacher will publicise the School's Code of Conduct in writing, to staff, parents and pupils at least once a year.
5. The School's Code of Conduct will be published on the School website.

The School's Code of Conduct – Communicating its contents

The School recognises that it is vital for the Code to be clear, that it is well understood by staff, parents, carers and pupils, and that it is **consistently** applied.

In developing its Code of Conduct, the School has reflected on the following ten key aspects of school practice that, when effective, contribute to improving the quality of pupil behaviour:

- 1) A consistent approach to behaviour management;
- 2) Strong school leadership;
- 3) Classroom management;
- 4) Rewards and sanctions;
- 5) Behaviour strategies and the teaching of good behaviour;
- 6) Staff development and support;
- 7) Pupil support systems;
- 8) Liaison with parents and other agencies;
- 9) Managing pupil transition;

and

- 10) Organisation and facilities.

Malicious accusations against school staff

Every allegation made against a teacher will be investigated speedily, decisively and robustly. Initially, an investigation will take place to test whether the incident could have happened and action taken where there is evidence to suggest there is a case to answer.

When allegations are shown to be unfounded the School will carefully consider each case and decide on the level of disciplinary action to be taken.

The School aims at ensuring that its robust Child Protection Procedures will assist in addressing and tackling the serious problem of false and malicious allegations to better support pupils in understanding that making such allegations is unacceptable.

Pupils with Additional Learning Needs

In terms of its Code of Conduct, the School acknowledges its legal duties under the Equality Act 2010, in respect of safeguarding and in respect of pupils with Additional Learning Needs (ALN).

Discipline in the School – teachers’ powers

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.
- The power also applies to all paid staff (unless the headteacher 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 unacceptable behaviour occurs outside of school.

Punishing poor behaviour: The School Code

Teachers can discipline pupils whose conduct falls below the standard which could reasonably be expected of them. This means that if a pupil displays unacceptable behaviour, breaks a School rule or fails to follow a reasonable instruction, the teacher can impose a sanction.

To be lawful, the sanction must satisfy the following three conditions:

- 1) The decision to sanction 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 sanction the pupil and the sanction 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 sanction must be reasonable and 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 Head Teacher may limit the power to apply particular sanctions to certain staff. and/or to other responsible adults.

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 unacceptable 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 will take all possible steps to ensure that its Code of Conduct is:

- consistently and fairly applied
- underpins effective education.

The School expects all School staff, pupils and parents to be clear of the high standards of behaviour expected of all pupils at all times.

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 and rewards to reinforce and praise good behaviour, and clear sanctions for those who do not comply with the School's Code of Conduct. These will be reasonable, proportionate and fair responses that may vary according to

- the age of the pupil,
and
- any other special circumstances that affect the pupil.

When unacceptable behaviour is identified, sanctions will be implemented consistently and fairly in line with the Code of Conduct.

The School has a range of disciplinary measures clearly communicated to School staff, pupils and parents. These can include:

- Counselling – namely the provision of professional assistance from the School's Wellbeing Officer for the purpose of offering guidance in resolving personal or psychological problems.
- A verbal reprimand.
- Generating a written account of the poor behavior.
- Loss of privileges.
- Detention including during breaks and lunch-time.

NOTE: In more extreme cases the School may use temporary or permanent exclusion.

Pupils' conduct outside the school gates – teachers' powers

What the law allows:

Teachers have the power to discipline pupils for unacceptable behaviour outside of the school premises to such an extent as is reasonable. The School policies set out what the School will do in response to unacceptable behaviour and bullying which occurs off the school premises and which is witnessed by a staff member or reported to the School, including the sanctions that will be imposed on pupils.

Subject to the behaviour policy, teachers may discipline pupils for:

- Unacceptable behaviour 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 unacceptable behaviour, the teacher can only discipline the pupil on School premises or elsewhere when the pupil is under the lawful control of the staff member.

Detention:

The School will make clear to pupils and parents that it uses detention as a sanction during School hours. Detention out of School hours is **NOT** used as a sanction.

Parental consent is not required for detentions.

As with any disciplinary penalty, a member of staff must act reasonably given all the circumstances, when imposing a detention.

With lunchtime detentions, staff will allow reasonable time for the pupil to eat, drink and use the toilet.

Confiscation of inappropriate items

A member of staff may confiscate, retain or dispose of a pupil's property, so long as it is reasonable in the circumstances.

Staff will also have power to search without consent for "prohibited items" including for example:

- knives and weapons
 - stolen items
 - 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.

Force **cannot** be used to search for these items.

The legislation sets out what must be done with prohibited items found as a result of a search as follows:

- Weapons and knives must always be handed over to the police, otherwise it is for the teacher to decide if and when to return a confiscated item.

Power to use reasonable force:

Trained members of staff have the power to use reasonable force to prevent pupils :

- committing an offence,
 - injuring themselves or others,
 - damaging property,
- and
- to maintain good order and discipline in the classroom.

Seclusion / isolation :

The School makes arrangements for pupils displaying unacceptable behaviour to be placed in an area away from other pupils for a limited period. When this sanction is implemented, the child's parents/guardians/carers are contacted immediately.

The School will ensure that pupils are kept in seclusion or isolation no longer than is necessary. Pupils kept in seclusion or isolation remain there whilst awaiting the arrival of the parent/ guardian/carer to arrive. If the parent/ guardian/carer cannot attend immediately, the child is returned to class and monitored by a member of staff. Staff member in charge determines what pupils may and may not do during the time they are there. and that their time spent there is used as constructively as possible.

The School will also allow pupils time to eat or use the toilet.