

Kilburn Infant & Nursery School

STATEMENT OF BEHAVIOUR PRINCIPLES POLICY

Context

This policy is based on the Department For Education guidance, 'Behaviour and discipline in Schools' (February 2014), and provides an overview of the powers members of staff have to discipline pupils at our school.

School Behaviour Policies

Our school has additional policies linked to behaviour –

1. Good Behaviour and Discipline
2. Anti-bullying
3. Exclusion
4. Home + School Agreements
5. Child Protection and Safeguarding
6. Special Educational Needs (SEN)

The following areas are included within these policies:

- How positive behaviour is promoted
- Response to unacceptable behaviour
- Reprimanding of a child
- Anti-social behaviour
- Temporary and Permanent Exclusions
- Definitions of bullying
- Empowering children to prevent bullying
- Reporting and monitoring forms for bullying
- Responsibilities of pupils, parents/carers/staff for behaviour
- Pupils whose behaviour may indicate they are suffering, or likely to suffer, significant harm
- Behaviour that might be the result of unmet needs

Sanctions for poor behaviour

The DFE guidance uses the term 'punishments' but for our age range of pupils, we prefer to use the word 'sanctions'.

What the law allows:

- Teachers to 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 sanction on that pupil.

- 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 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 proportionate. In determining whether a sanction 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 extend the power to sanction to adult volunteers, for example to parents who have volunteered to help on a school trip.
- Corporal punishment is illegal in all circumstances.

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':
- 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.

Detention

What the law allows:

- Teachers have a power to issue detention to pupils inside of and outside of school hours (including weekends and INSET days).

At Kilburn Infant & Nursery School, "pupil who has not completed their work to a satisfactory standard, or as a 'sanction' to previous unacceptable behaviour, may be

instructed to miss the whole of , or a part of playtime/lunchtime break, or other activity. We choose not to use the term 'detention' for our age range of pupils.

Confiscation of inappropriate items

There are two sets of legal provisions which enable school staff to confiscate items from pupils:

1. 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).
2. **Power to search without consent for 'prohibited items (Section 5502A(s) 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.

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

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

School staff also have the power to look at/search a phone.

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 them.

Legislative Links

[Education Act 1996](#)

[School Standards and Framework Act 1998](#)

[Education Act 2002](#)

[Education and Inspections Act 2006](#)

[School Information \(England\) Regulations 2008](#)

[Equality Act 2010](#)

[The Education \(Independent School Standards\) \(England\) Regulations 2010](#)

[Education Act 2011](#)

[Schools \(Specification and Disposal of Articles\) Regulations 2012](#)

[The Education \(Independent School Standards \(England\) Regulations 2012](#)

[The School Behaviour \(Determination and Publicising of Measures in Academies\) Regulations 2012](#)

Links with additional school policies

All policies of Kilburn Infant & Nursery School are reviewed and adopted by the Governing Body on a three-year cycle. All policies are available to view on request to the Head teacher, and some policies are sent out annually to parents/carers.

Many policies, practices and procedures are inter-related, including:

Accessibility; Administering Medicines; Admissions; Anti-bullying; Arts; Asthma; Assessment; Attendance; Behaviour Principles; Breast Ironing; British Values; CCTV; Charging; Child on Child abuse; Child Protection; Code of Conduct; Complaints; Confidential Reporting Code; Critical Incident Plan; Curriculum; Data Protection; Debt Management; Disciplinary Procedure for School Staff; Dinner Money; Disability; Drugs; Educational Visits; Exclusion; External Contributors; Extremism & Radicalisation; EYFS; First Aid; Financial Regulations; Financial Procedures; Food; Freedom of Information; Governors' Expenses; Grievance; Health & Safety; Homework; Home + School Agreements; Intimate/Personal Care; IT & Disaster Recovery; Lockdown Procedures; Looked After Children; Managing Allegations; No Smoking; Online Safety; Pay; PSHE; Physical Intervention; Promoting British Values; Protected Characteristics; Private Fostering; Recruitment; Redundancy; Relationships: Relationship, Sex & Health (RSHE); School Privacy Notice; School Travel Plan; SEN; SMSC; Statement of Internal Control; Stress Management; Supporting Pupils with Medical Conditions; Teacher Appraisal;

Uniform & Appearance; Vexatious Complaints; Violence; Violent & Abusive Visitors;
Zero Tolerance

Dissemination, Responsibility & Reviews

All relevant members of staff and the school community will receive a copy of this policy. Policy reviews/amendments will include statutory changes, and school community feedback and ideas.

The Head teacher and relevant staff will keep up to date with developments in this area by attending all relevant training, accessing literature, and cascading information to the school community.

J. Baillie
Headteacher

Policy reviewed by Governors: **Spring 2026**